



# Convention on the Rights of the Child

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## Committee on the Rights of Child

### Consideration of the reports submitted by States parties under article 44 of the Convention

Third and fourth periodic reports of States parties due in  
2008

**Slovenia\***

[19 May 2010]

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\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

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## **I. Introduction**

1. Pursuant to the provision of article 44, paragraph 1 of the Convention on the Rights of the Child, to which Slovenia is a State party (The Act notifying succession to United Nations Conventions and Conventions adopted by the International Atomic Energy Agency, Official Journal of the RS No. 35/92), the Republic of Slovenia presents its third and fourth periodic reports on the continuation of implementation of the Convention on the Rights of the Child.

2. The report is drawn up in accordance with the general guidelines regarding the form and content of the periodic reports laid down by the Committee on the Rights of the Child in June 2005 (CRC/C/58/Rev.1). The first part of the report refers, in particular, to the concluding observations of the Committee on the Rights of the Child (CRC/C/15/Add. 230) as of 26 February 2004 and to the second report of the Republic of Slovenia under the Convention on the Rights of the Child (CRC/C/70/Add. 19), which the Republic of Slovenia submitted to the Committee on the Rights of the Child on 18 September 2001. It covers the period from 2004 to 2008. The second part of the report includes the answers to the concluding observations of the Committee on the Rights of the Child as of 12 June 2009 on the basis of consideration of the initial report of the Republic of Slovenia under the Optional Protocol to the Convention on the involvement of children in armed conflict and the initial report of the Republic of Slovenia under the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography at the fifty-first session of the Committee on the Rights of the Child on 29 May 2009 in Geneva.

3. The combined third and fourth periodic report was coordinated by the Ministry of Labour, Family and Social Affairs. The bodies that took part in its preparation include: the Ministry of Foreign Affairs, the Ministry of the Interior, the Ministry of Justice, the Ministry of Education and Sport, the Ministry of Health, the Ministry of Higher Education, Science and Technology, the Ministry of Culture, the Ministry of Defence, the Office of the Government of the Republic of Slovenia for National Minorities, the Government Communication Office, the Office of the Government of the Republic of Slovenia for Religious Communities and the Child Observatory at the Social Protection Institute of the Republic of Slovenia. The Ministry of Labour, Family and Social Affairs has also had consultations with the Human Rights Ombudsman and non-governmental organizations in the preparations of the report.

## **II. General measures of implementation (arts. 4, 42 and 44, para. 6)**

### **A. Legislation, administrative and other measures for the implementation of the rights recognized in the Convention (art. 4)**

#### **Legislation, programmes and projects in the field of the rights of the child**

4. Since its independence, the Republic of Slovenia has been, inter alia, giving priority to the commitment to the respect of human rights and fundamental freedoms, including the rights of the child. The general approach to the rights of the child is based on the assumption that the national legislation, policies and practices are in accordance with the provisions of the Convention on the Rights of the Child. The Republic of Slovenia is also committed to the implementation of observations of the Committee on the Rights of the

Child, whereas priority is given to the awareness of people and to vulnerable groups of children.

5. In 2006, the Government of the Republic of Slovenia adopted the Programme for Children and Youth 2006–2016 in the field of general measures of implementation and on the basis of recommendations of the Committee on the Rights of the Child. The programme was followed by scientific bases for drawing up the action plan for the implementation of the Programme for Children and Youth.

6. In 2006, the Child observatory at the Social Protection Institute of the Republic of Slovenia began to form a uniform database on children and youth that includes data obtained on the basis of national databases collected in various Slovenian institutions and data obtained on the basis of longitudinal research studies that included children and youth as the target population.

7. In 2006, a pilot project was carried out under the auspices of the Human Rights Ombudsman, entitled “Advocate – a child’s voice”, representing simply the child and its voice. The goal of the project was to develop a model for a Children’s Rights Advocate, who, in terms of its contents and organization, could be included in the formal legal system, thus ensuring its implementation at the national level.

8. The key recommendation of the Committee on the Rights of the Child on education regarding the rights of the child provided for children, their parents and persons working for and with children and is included in the updated curricula for primary and general upper-secondary schools, and in the educational programmes. Education on the rights of the child is carried out according to the updated curricula (adopted in 2008) with focus on human rights education. Various forms of educational programmes are carried out for all persons working for and with children.

9. In the field of the civil rights of the child, some movements were identified when regulating the status of those children affected by the negative consequences of removal from the register of permanent Slovenian residents. Based on the decision of the Constitutional Court of the Republic of Slovenia, the Ministry of the Interior of the Republic of Slovenia shall issue, by official duty, subsidiary decisions on permanent residence. On 28 April 2007, the Roma Community Act entered into force<sup>1</sup> which is comprehensively regulating the situation of the Roma Community in Slovenia. Programmes and strategies were adopted for the improvement of situation of Roma people in Slovenia. The positive measures to the benefit of Roma communities also include the adoption of the “Programme for Children and Youth, 2006–2016”. In the framework of this special field, the programme emphasizes care for children and youth in the ethnic community.

10. In the past years, the Republic of Slovenia has dedicated special attention to the vulnerable groups of children. An important new feature in the field of child maltreatment was the adoption of the Family Violence Prevention Act.<sup>2</sup> The act makes a distinction among physical, sexual, psychological and economic violence and the negligence of due care for a family member. Special protection against violence is provided for children, elderly people and people with disabilities. To effectively implement the Act, the National Assembly of the RS adopted the Resolution of National Programme of Family Violence Protection 2009–2014<sup>3</sup> on 25 May 2009, which set out the goals, actions and key deliverers of policies for the prevention and reduction of family violence in Slovenia by 2014. The

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<sup>1</sup> Official Gazette of RS, No 33/07.

<sup>2</sup> ZPND – (Official Gazette of RS No 16/2008).

<sup>3</sup> Official Gazette of RS No. 41/2009.

Government of the RS on 17 December 2009 adopted the draft Family Code,<sup>4</sup> which has been submitted to the legislative process. The draft Family Code prohibits the corporal punishment of children and other forms of degrading treatment and is binding for parents and other persons, State authorities, and public officials.

11. In 2004, amendments and supplements to the Criminal Code were adopted.<sup>5</sup> In 2008, the new Criminal Code entered into force.<sup>6</sup> All amendments of the criminal legislation increased the level of protection of the rights of the child. Prevention and care of the victims of trafficking in human beings are defined in two-year government action programmes in the field of trafficking in human beings, which include specific financially evaluated projects.

12. In July 2004, a new Asylum Centre was built providing for the accommodation and care of applicants for international protection. Special rooms in this building provide for the accommodation of families with children and individuals from vulnerable groups. There are numerous activities taking place in the Asylum Centre intended for children and adolescents in collaboration with the United Nations High Commissioner for Refugees and non-governmental organizations.

13. In the period 2004–2007, programme documents were drawn up in the field of education, which indirectly or directly apply to the rights of the child related to the following: health, drugs, violence, education of the Roma people, equal opportunities for women and men, literacy, problems with learning, sustainable development and the integration of children, pupils and student migrants into the educational system.

14. In 2007, amendments to the Restrictions of the Use of Tobacco Products Act<sup>7</sup> were adopted in the field of basic health and welfare of children; more specifically in the field of prevention of the abuse of tobacco, which introduced the ban of smoking in all enclosed, public and work areas and the ban of selling tobacco products to people younger than 15. They have proven to be effective since they show a statistically important decrease in the use of tobacco in adolescents (HBSC 2006). In the field of diet of children and adolescents in educational institutions, Slovenia has achieved an enviable level in European terms, since the legislation provides free meals to each pupil and student. In the framework of the implementation of national nutrition policy, guidelines for balanced nutrition for children, adolescents and students were adopted, on the basis of which standardised menus were prepared for educational institutions and for pupils and students included in the subsidised meals systems. Measures for decreasing the number of injuries in road accidents were introduced, including, inter alia, the Action plan for ensuring road transport safety, 2007, with numerous measures for ensuring safety of children in road transport.

15. The indicators of health and social protection show the quality of children's lives or the access to social, economic and cultural rights of the child. In the period from 2003 to 2007, there were, on average, 171 doctors, 93 nurses and 162 medical technicians (calculated on the basis of working hours) working in health care for preschool children (0–6 years). The number of personnel in this period was stable; however, there has been a slight decrease in the number of doctors in the last two years caused especially by an increase in retirement. Nevertheless, the population is provided with health-care professionals; on average, one doctor takes care of less than 800 preschool-aged children.

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<sup>4</sup> The Official Gazette of the National Assembly of RS "Poročevalec Državnega zbora RS št. 168/2009".

<sup>5</sup> Official Gazette of RS, No 40/2004.

<sup>6</sup> KZ-1, Official Gazette of RS, No 55/2008, (66/2008 amended).

<sup>7</sup> Official Gazette of RS, No 93/2007.

Most health-care services for preschool children are carried out by paediatric specialists, who represent more than 85 per cent of doctors taking care of this population.

16. In the period from 2003 to 2007, there were, on average, 172 doctors, 88 nurses and 169 medical technicians (calculated on the basis of working hours) working in the health care of children and adolescents (7–19 years). In the last two years, there has been a decrease in the number of health-care professionals in this type of health care. However, this change has not significantly influenced the provision of children and adolescents with health-care professionals, since their number is also decreasing due to demographic situation. One doctor in health care for children and adolescents still takes care of less than 1700 persons.<sup>8</sup>

17. The Slovenian family policy is well developed and provides for a wide variety of family benefits, such as parental and maternity benefits, child benefits and monetary incentives for preschool education.<sup>9</sup>

18. The number of children in preschool education programmes is increasing. In the 2008/09 academic year, the proportion of children in preschool institutions grew by 7.5 per cent compared to the previous year. Almost 66,000 children, i.e. 70 per cent of all children of appropriate age, are included into preschool education in preschool institutions and day-care families. Slovenia is nearing the 'Barcelona' goals for preschool institutions, i.e. 90 per cent inclusion of children of the second age period in day-care facilities. Almost 800 children with special needs attend preschool institutions. Due to demographic changes, the absolute number of pupils in primary schools and the number of primary schools are decreasing; due to the decrease in the size of generations, the proportion of children included into secondary level education is falling.

19. Social inclusion/exclusion and exposure to poverty significantly influence the quality of children's lives. This is measured by the indicators of social cohesion. On the basis of these indicators, Slovenia is ranked very high compared to other EU Member States. One of the most important indicators influencing the socio-economic situation of children is the size and structure of the household. Data for 2005, obtained on the basis of the SILC survey of the Statistical office of the RS, shows that the risk of poverty rate for households with children was one fifth lower than the risk of poverty rate for the whole population. However, there are large differences among the individual types of households with children. In Slovenia, one fifth of children in single-parent families live below the poverty line.<sup>10</sup>

20. The low income inequality is a consequence of a strong redistributive role of cash benefits and tax system. The tax system alone decreases the Gini coefficient by 22 per cent, whereas the social benefits decrease the coefficient by an additional 27 per cent.<sup>11</sup>

<sup>8</sup> *Source:* The National Institute of Public Health.

<sup>9</sup> *Source:* OECD Reviews of labour market and social policies in Slovenia- preliminary version OECD2009, p.97.

<sup>10</sup> On the basis of the SILC survey (SILC 2007), the risk of poverty rate among children in 21 out of 29 EU Member States is higher than the risk of poverty rate among the whole population. In the Czech Republic, Hungary and Slovakia, this rate is higher by 50% or more. On the contrary, the risk of poverty rate among children is lower in 6 countries (Denmark, Germany, Estonia, Cyprus, Slovenia and Finland) and is similar in two countries (Latvia, Norway); *Source:* Eurostat, Statistics in focus, 46/2009.

<sup>11</sup> *Source:* OECD Reviews of labour market and social policies in Slovenia - preliminary version OECD2009, OECD, p. 47.

21. Participation in cultural activities and integration of children in reading activities increases the quality of leisure time and can increase the level of general knowledge of children. All primary and secondary schools have their own libraries; in addition, there are 58 general libraries in Slovenia with more than 350 local libraries and 12 free library shuttle buses with more than 600 stops.

**Independent monitoring of the implementation of the Convention on the rights of the child – the Human Rights Ombudsman**

**Reply to the recommendations contained in paragraph 9 of the concluding observations (CRC/C/15/Add. 230)**

22. There is no special Children's Ombudsman in Slovenia, therefore the Human Rights Ombudsman deals with all violations of the rights of the child in accordance with the constitution and the Human Rights Ombudsman Law (hereinafter referred to as: the Ombudsman).

23. A Deputy Ombudsman is responsible for the field of protection of the rights of the child and social security. The activities of the Ombudsman in the field of the rights of the child include: dealing with complaints or initiatives, promotion of the respect of the rights of the child, direct work with children and adolescents at schools (workshops, conversations, surveys, analyses, tenders), cooperation with and providing assistance to non-governmental organizations, cooperation with national authorities and institutions, monitoring of the enforcement of the rights of the child, monitoring of the implementation of measures at the national and local levels, drawing attention to legislation deficiencies, cooperation in preparing positive legislation, promotion of implementation of the Convention on the Rights of the Child in practice, cooperation and integration with other European Human Rights Ombudspersons (ENOC – European Network of Ombudspersons for Children) and cooperation in international projects and research studies on the violations of the rights of the child. The field of protection of the rights of the child has been systematically monitored in the framework of the Ombudsman activity since 2002. In accordance with the constitution and the law, the Ombudsman issues annual reports and a free-of-charge bulletin available on the website [www.varuh-rs.si](http://www.varuh-rs.si). Information on the role and the meaning of the institution is published on the website. With information through the media, the Ombudsman also contributes to the formation of public opinion and awareness of human rights. The media regularly transmits the warnings of the Human Rights Ombudsman on violations and thus exerts additional pressure on the public authorities and often enables faster elimination of violations. With the start of a six-year mandate, the Ombudsman put a central focus especially on the protection of the rights of the child and the groups of population that are incapable of taking care of themselves properly, such as people with disabilities and the elderly.

24. The treatment of violations of the rights of the child does not differ from the treatment of other violations of human rights either in content or formally; therefore, the Ombudsman monitors all the regulations governing the field of the rights of the child. It has to be emphasized that the ratified international legal acts shall be used directly and shall be placed above the national legislation in the hierarchy of legal acts, and that the Ombudsman shall monitor their implementation.

25. The Ombudsman may, in the exercise of its tasks, accept initiatives (complaints and reports) directly from children, but these direct initiatives are very rare.

26. In addition to annual reports and other projects, a pilot project entitled "Advocate – a child's voice" has been carried out under the auspices of the Human Rights Ombudsman since 2006. The goal of the pilot project was to develop a model for a Children's Rights



Advocate, which, in terms of its contents and organization, could be included in the formal legal system, thus ensuring its implementation at the national level. The model should, in accordance with the Convention on the Rights of the Child and General explanatory note No. 2 of the Committee on the Rights of the Child (2002) on the role of the independent national institution in the field of human rights, enable children to be actively involved in decision-making processes.

### **Coordination**

#### **Reply to the recommendations contained in paragraph 11 of the concluding observations**

27. On 27 December 2007, the Government of the RS adopted new Guidelines for the preparation of reports of the Republic of Slovenia and the implementation of related international activities in the field of human rights, and the consideration of reports of the international supervisory bodies (the mandate of the Interdepartmental Commission for Human Rights) setting out, in Chapter III, entitled “Accountability for the preparation of reports of the RS and the carrying out of related international activities in the field of human rights”, that the Ministry of Labour, Family and Social Affairs, as a coordinator, is accountable for the preparation and presentation of a report on the implementation of the Convention on the Rights of the Child pursuant to article 44 of the Convention on the Rights of the Child. In addition, the Ministry of Labour, Family and Social Affairs is also responsible for the distribution of information on the concluding observations of the Committee on the Rights of the Child.

28. The Republic of Slovenia participated at the conference entitled “Making Europe and Central Asia Fit for Children” on 19–20 June 2006 in Palencia, Spain, at which the mechanisms for monitoring of the Convention on the Rights of the Child were presented. In accordance with the above-mentioned, the Slovenian government is making every effort to better implement and monitor the Convention on the Rights of the Child: it collects important data on the implementation of the Convention on the Rights of the Child and provides for communication among the ministries, authorities, non-government organizations and children, and nominates contact persons for the monitoring of the Convention on the Rights of the Child.

### **National Plan of Action**

#### **Reply to the recommendations contained in paragraph 13 of the Committee’s concluding observations**

29. With regard to the 2002 General Assembly special session, the Government of the RS adopted a Programme for children and youth 2006–2016 at the 91st regular session on 5 October 2006. The Government nominated the Ministry of Labour, Family and Social Affairs, the Children’s Council and the Slovenian UNICEF for the professional coordination of the project. In addition to the ministries and government services, all members of the interested public and representatives of civil society cooperated in the formation of the document. The basic programme fields are: health policy, family policy, educational policy, social policy, the policy of special social care, the policy of protection against violence, abuse and negligence, the policy of protection against drugs, the policy of leisure activities, spatial policy, cultural policy, and international assistance and cooperation.

30. As regards the content, the document includes all the important aspects of children’s lives, especially those fields with unsolved and new problems that affect children and young people in modern society. The programme includes qualitative and quantitative

objectives that supplement one another, as well as developmental directions and activities essential for implementation of the set objectives.

31. The individual chapters of the programme touch on the normative, administrative-systemic and programme aspects and the actual enforcement of the rights of the child in practice. The priority is to focus on those directions and activities that bring changes, supplementations or new solutions to already regular activities of national and other services in the field of care for children.

32. The operationalization of the Programme for children and youth 2006–2016 is defined in the “Action plan for the implementation of the programme for children and youth in the RS 2009–2010” adopted by the Government of the RS at its session on 10 December 2009. The action plan for the implementation of the programme for children and youth in the RS 2009–2010 includes all the aspects and templates of tasks for the operationalization of the Programme for children and youth in the RS 2006–2016 set out according to the deliverers, deadlines and necessary financial resources for their realization, as well as the indicators that will enable monitoring of their implementation and progress. The action plan includes all necessary tasks for the implementation of the Programme for children and youth in the RS 2009–2010, which fall within the competence of the Ministry of Labour, Family and Social Affairs, the Ministry of Health, the Ministry of Education and Sport, the Ministry of the Interior, the Ministry of the Environment and Spatial Planning and the Ministry of Culture.

## **Resources**

### **Reply to the recommendations contained in paragraph 15 of the concluding observations**

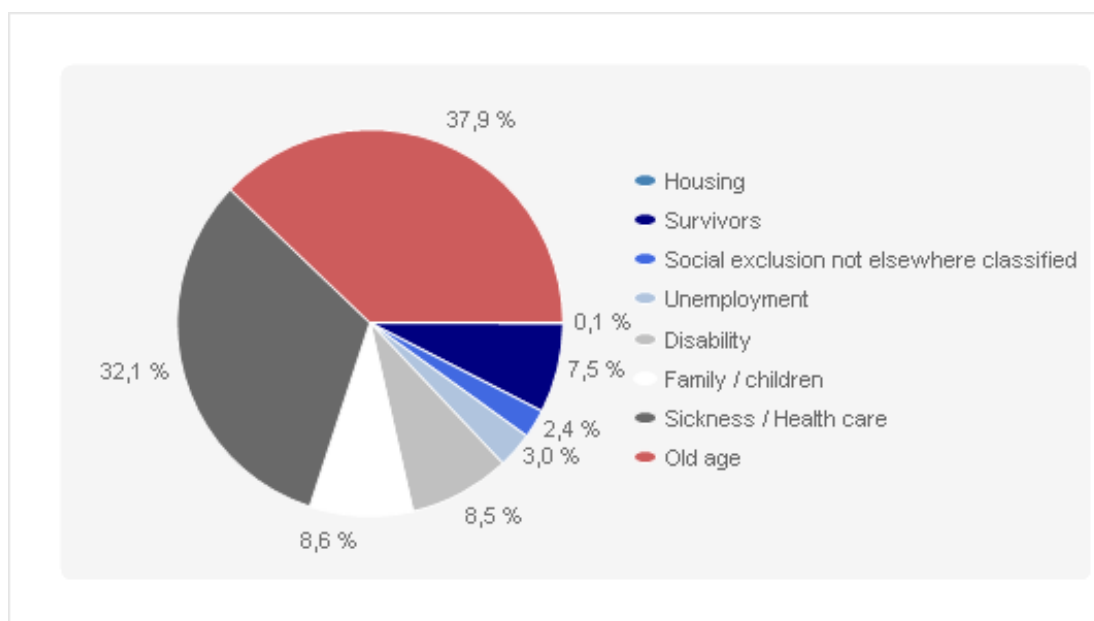
33. Slovenia allocates approximately one quarter of the whole GDP for social protection,<sup>12</sup> which exceeds the average of OECD (21.6 per cent) and equals the average of EU-19 (24 per cent). In 2004, we allocated 24.4 per cent of the GDP for social protection, i.e. 0.2 percentage points less than in the previous year. In 2004, we allocated the most resources to the fields of old age (43.0 per cent of all expenses), illness and health care (32.7 per cent), family and children (8.6 per cent) and disability (8.1 per cent). In 2006, 22.8 per cent of the GDP was allocated for social protection,<sup>13</sup> i.e. 0.2 percentage points less than in the previous year. 8.6 per cent of resources were allocated to the field of family and children, i.e. for contributions related to pregnancy, birth of a child, adoption, raising of children and maintenance of other family members.

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<sup>12</sup> *Source:* OECD Reviews of labour market and social policies in Slovenia - preliminary version OECD 2009, p. 99.

<sup>13</sup> The Programmes of social protection in Slovenia are mostly financed on the basis of social contributions (approximately 70 per cent). In 2006, the contributions of employers represented 27.2 per cent %, whereas the contributions of insured persons represented 40.7 per cent of all financial resources for social protection. The state and other contributions represented the rest of the resources for financing programmes for social protection (32.1 Per cent).

Image 1

**Expenditure on social benefits by social protection function (risk), Slovenia, 2006**

Source: Statistical Office of the RS.

34. Almost 90 per cent of families with children receive selective child benefits. Child benefits are higher for large families and single-parent families. In 2008, the resources for child benefits increased, which is the result of the amendments of the Parental Protection and Family Benefit Act.<sup>14</sup> The amendments of article 65 of this Act brought into effect the new scale of the amounts of child benefits; the amendments are therefore related to the increase of nominal amounts of child benefits by 8.4 per cent (in January 2008), in addition to the existing regular annual valorisation by 3.6 per cent. In 2007, the Government of the Republic of Slovenia allocated 246,012,095 EUR for child benefits and, in 2008, 275,828,481 EUR, which is an increase of 29,816,396 EUR.

Table 1

**Comparison of child benefits before and after the amendment of the Parental Protection and Family Benefit Act in EUR**

Child benefit	Before the amendment of the Parental Protection and Family Benefit Act	After the amendment of the Parental Protection and Family Benefit Act	Derogation
1st child	25.15	28.24	+3.09
2nd child	31.48	35.35	+3.87
<b>Total</b>	<b>56.63</b>	<b>63.59</b>	<b>+6.96</b>

Source: The Ministry of Labour, Family and Social Affairs.

35. In 2006, the percentage of public spending for education in Slovenia amounted to 5.72 per cent of the GDP (5.74 per cent of the GDP in 2005; in 2000–2004 it slightly decreased). With this percentage, Slovenia substantially exceeds the average of the EU-27

<sup>14</sup> Official Gazette of RS, No 47/2006 – UPB 10/2008 –ZSDP-C.

(5.0 per cent in 2004), which is, to a large extent, related to the high rate of inclusion in education.<sup>15</sup>

36. The amount of assessed resources that we need to pay for a second and any subsequent children from the same family who attend preschool institutions at the same time is 1.67M EUR for 2008 (4 months) and 6.84M EUR for 2009; a similar amount is foreseen for the following years provided that the circumstances remain unchanged. The amount of assessed additional resources that we need for 50 per cent of the payment for children in the second age period attending preschool institutions will be 8.05M EUR in 2010 (the decrease only applies to 5-year-olds), 15.26M EUR in 2012 (the decrease applies to 4- and 5-year-olds) and 21.29M EUR in 2014 (the decrease applies for all children in preschool institutions in the second age period).

37. In April 2008, the Subsidized Secondary School Students Meals Act was adopted,<sup>16</sup> laying down the right of students to a subsidized daily warm meal. Financing of meals in the 2008/09 academic year was provided through the State budget, amounting to 2.42 EUR for each student present in the class, which is approximately 43M EUR on an annual basis.

Table 2

**The percentage of students receiving subsidized meals**

<i>Academic year</i>	<i>No. of students receiving subsidized meals</i>	<i>Average % according to the No. of enrolled students</i>
2000/01	23 869	22.81%
2001/02	23 777	22.80%
2002/03	23 578	22.80%
2003/04	25 469	25.10%
2004/05	26 734	26.50%
2005/06	28 621	28.40%
2006/07	30 372	31.55%

*Source:* The Ministry of Education and Sport.

38. Slovenia allocates a somewhat larger proportion of the GDP to health care than do the EU-27 countries on average. In 2006, the percentage of the overall expenditure for health care in Slovenia was 8.3 per cent of the GDP, whereas the percentage in the EU-27 was 8.2 per cent. In 2005, Slovenia allocated 2,432 million EUR to health care; in 2006 the amount was 2,572 million EUR or 5.7 per cent more than in the previous year.<sup>17</sup>

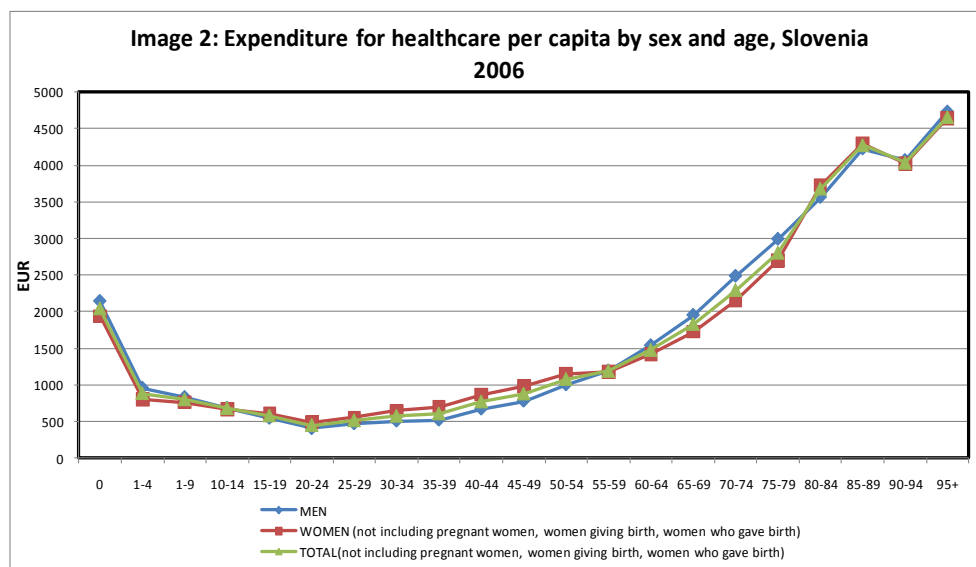
39. According to data from the research study entitled “Costs of treatment according to age groups of patients and disease categories in Slovenia in 2006”,<sup>18</sup> Slovenia allocated 1,123 EUR per capita for health care in 2006, 859 EUR for children aged 0–14 and 541 EUR for children aged 15–19, or 11 per cent for children aged 0–14 and 3 per cent for children aged 15–19.

<sup>15</sup> Social overview, How we live (Socialni razgledi, Kako živimo), UMAR, Ljubljana, February 2009.

<sup>16</sup> Official Gazette of RS, No 45/2008.

<sup>17</sup> ([http://www.stat.si/novica\\_prikazi.aspx?id=1955](http://www.stat.si/novica_prikazi.aspx?id=1955)). According to data from the research study entitled “Costs of treatment according to age groups of patients and disease categories in Slovenia in 2006”.

<sup>18</sup> The OECD project in accordance with SHA methodology – the Statistical Office of the RS in cooperation with the National Institute of Public Health, the Health Insurance Institute of Slovenia, the Pension and Disability Insurance Institute of the RS, the Slovene Haemophilia Society).



*Source:* Marn S., Truden Dobrin P., Zupanc I., Pečar-Čad S. and Štok J.: Costs of treatment according to age groups of patients and disease categories in Slovenia in 2006. 4th Conference: From data to information in health care 2008; Ljubljana (presentation).

40. Line ministries are also planning, implementing and financing a number of projects for children aimed at various needs of children and families. In the framework of the Action plan for the implementation of the Programme for children and youth in the RS 2009–2010, the Ministry of Labour, Family and Social Affairs, the Ministry of Health, the Ministry of Education and Sport, the Ministry of the Interior, the Ministry for the Environment and Spatial Planning and the Ministry of Culture will allocate 93,387,567 EUR to programmes, projects, research assignments and studies for the benefit of children in 2009 and 91,160,732 EUR in 2010.

41. In the period 2009–2010, the Ministry of the Interior will allocate (with the help of the European Refugee Fund) 1,700,000 EUR for various programmes including individual programmes that represent approximately one quarter of all resources aimed at vulnerable groups.

#### Data collection

#### Reply to the recommendations contained in paragraph 17 of the concluding observations

42. The Statistical Office of the RS provides comparative data on the situation and trends in the economic, demographic and social fields and in the fields of the environment and natural resources to the authorities and organizations of the general government sector, the economic sector and the public. With the intent of monitoring the situation of children in the RS, the Child Observatory was established in 2004 in the framework of the public institute of the Social Protection Institute of the RS. At its regular session on 20 July 2004, the Government of the RS adopted an agreement on the supplementations of the Statute of the Social Protection Institute of the RS in the framework of which a special unit for analyses and development – the Child Observatory – was established with the intent of monitoring the situation of children in Slovenia and establish specialized databases for monitoring the situation and welfare of children. In 2004 (1 September 2004), 46,470,776.85 EUR was allocated to the Child Observatory in the framework of the Social Protection Institute of the RS.

43. According to the constituent instruments, the collection of data on the lives of children and youth in the RS is one of the basic tasks of the Child Observatory. In 2005, the Child Observatory analysed the existing database on children and youth and set out a range of indicators in order to continuously monitor the situation of both populations in Slovenia, on the basis thereof and in accordance with the established international methodology. In 2006, the Child observatory began to form a uniform database on children and youth that includes data obtained from national databases collected in various Slovenian institutions and data obtained from longitudinal research studies that included children and youth as the target population. The purpose of establishing such a database is to ensure continuous annual monitoring of the situation of children and youth in Slovenia. In 2007, the existing database was updated with some new indicators, including the indicators for the monitoring of the implementation of the Programme for children and youth 2006–2016. At the moment, the extended database includes data for 776 indicators.

44. In 2005, the Child Observatory prepared an Analysis of the situation of children and youth in the Republic of Slovenia,<sup>19</sup> which deals with the situation of children and youth in the Republic of Slovenia in a comprehensive manner and evaluates the changes in time marked by the economic transition and the related consequences on the development of society. It also prepared indicators for the monitoring of the situation of children and youth in Slovenia and established an information system for the monitoring of the situation of children and youth in Slovenia.

## **B. Training on human rights, including children’s rights (art. 42)**

### **Reply to the recommendations contained in paragraph 19 of the concluding observations**

#### **Training and distribution of information among children**

45. In July 2007, the Minister of Education and Sport adopted the Guidelines for Education for Sustainable Development from Preschool to University Education. The central focus of these guidelines is to bring attention to the meaning of education for sustainable development and to show the possibilities for the implementation of sustainable development in the fields of formal, informal and non-formal education. They apply to preschool institutions and schools, the Ministry of Education and Sport and public institutions, as well as non-governmental organizations and local communities. Education for sustainable development in Slovenia primarily focuses on the respect of common human values, active citizenship, political participation and quality interpersonal relationships, and the development of social competences (for non-violence, tolerance, cooperation, respect, etc.).

46. In 2008, the updated curricula for primary and general upper secondary schools were adopted, focusing on the competence and cross-curricular approach. Teaching cross-curricular dimensions, including, inter alia, human rights education and the rights of the child, may be carried out in the framework of:

- A specially set out timetable (flexible schedule) with thematic days, activity weeks or events focusing on one of the cross-curricular<sup>20</sup> dimensions

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<sup>19</sup> Children and Youth in Transitional Society “The analysis of the situation in Slovenia”, the Ministry of Education and Sport – the Office of Youth, Aristej Publishing House, 2005, editor Andreja Črnak-Meglič – the Child Observatory, the Social Protection Institute of the RS.

<sup>20</sup> Cross-curricular dimension is a special way to reach certain objectives of the curriculum that are

- Projects with partner schools at home and abroad
- School subjects with links between subjects on the basis of common themes or issues
- Activities included in routine schoolwork, such as the organization of exhibitions, work with parents, etc.

47. Development of social and civic competences is one of the general objectives of the syllabuses of environmental education (1st–3rd grade of primary school – ISCED 1), society, natural science and techniques (4th and 5th grade – ISCED 1), geography (6th–9th grade – ISCED 1 and 2), the new syllabus for civic and homeland education and ethics (8th and 9th grade – ISCED 2); development of such competences is also included in the syllabus for history (6th–9th grade – ISCED 1 and 2) and numerous optional subjects (7th–9th grade – ISCED 2). In secondary schools (ISCED 3), the subject of history should be emphasised in addition to sociology since it encompasses a number of measures for the enhancement of human rights education. The curriculum for general upper secondary schools (ISCED 3A) pursues the objectives related to the development of relationships, conduct, orientations and positions. These obligatory and optional activities may also include various fields of social and civic competences.

48. Public tenders were also published for research-development activities related to social and civic competences and education for sustainable development (the themes include healthy lifestyle, identification and prevention of violence, active citizenship, intercultural dialogue) for projects carried out by the educational institutions (e.g. constructive conflict management, identification and prevention of violence, active leisure time and the inter-generational coexistence, environment and space in consideration of sustainable development, active citizenship and education for gender equality) and for in-service teacher training (civic education, education for democratic citizenship, tolerance, intercultural cooperation and education, healthy lifestyle, active citizenship, inter-generational coexistence, gender equal opportunities, care of environment, identification and prevention of violence). The Ministry of Education and Sport financed appendices of a number of didactic materials which the professionals received free of cost, including, inter alia, the publication entitled Human Rights Education, which was drawn up at the 60th anniversary of the proclamation of the Universal Declaration on Human Rights and provides for reflections and assessments on what needs to be done in the future in human rights education; therefore, it is used as a manual by professionals in the field of education.

49. In addition, several projects are being carried out with the aim of teaching children about the respect of human rights, e.g. in the framework of the ASP network of UNESCO schools. Priority themes and tasks of the network include, inter alia, education for sustainable development; peace and human rights; intercultural learning; the fight against HIV/aids and the restriction of poverty; the achievement of the goals of environmental sustainability with the use of ICT. The Ministry of Education and Sport also effectively cooperates with non-governmental and other organizations that operate in this field; e.g. Slovenian UNICEF, the Council of Europe, the Umanotera foundation, the Sloga platform, Amnesty International Slovenia, etc.

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uniform or defined for one subject, for a certain group of subjects or for all subjects (e.g. the development of media literacy as an integrated teaching objective in all subjects, in all years and classes).

*Education and training of the general public*

50. On 10 December 2008, to mark the 60th anniversary of the adoption of the Universal Declaration of Human Rights, the Ministry of Foreign Affairs published a collection of documents entitled “Slovenian Reports under the United Nations Human Rights Treaties”. The collection consists of all reports submitted by the Republic of Slovenia to date to the international treaty bodies that were established under international human rights treaties adopted by the United Nations. It is intended for the expert, political and lay public and enables an accurate overview of the viewpoints and practice of the Republic of Slovenia, and committee conclusions based on these reports, while also providing an opportunity for further study, reflection and specific proposals for strengthening the level of human-rights protection in the Slovenia.

**Judicial education and training**

51. The Judicial Training Centre organizes various types of education pursuant to the Family Violence Prevention Act.<sup>21</sup> In 2008, a seminar was organized entitled “Seminar on the prevention of family violence”; in 2009, two training courses related to this field were organized for State prosecutors and judges. The Centre also cooperated in the organization of a consultation entitled “Family Violence” along with the State Prosecutors’ Association and the General Police Directorate – Criminal Police Directorate.

*Regular vocational education and training for police officers*

52. During the report period, the Police Academy of the General Police Directorate carried out:

- (a) An educational programme for adults to acquire secondary professional education for the profession of police officer;
- (b) An educational programme to acquire higher professional education – senior police officer;
- (c) An educational programme and examination to carry out police powers;
- (d) Basic training for newly employed criminal police officers – criminal police course;
- (e) A training programme for police officers for the surveillance of the European Union external borders, and preparations for the police powers examination; and
- (f) Other programmes.

53. The programmes indicated under (b) to (e) represent basic training programmes, meaning that any police officer or criminal police officer in the Slovenian police must complete at least one of them in order to perform police powers. Individual courses also include contents related to ensuring the protection of human rights and fundamental freedoms, such as the protection of the rights of the child.

54. The programme under (a) above is an educational programme for acquiring a higher level of education (senior police officer) and in one part focuses exclusively on the rights of the child.

55. The programmes under point (f) represent verified or other training and advanced training programmes aimed at police officers, criminal police officers and other police

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<sup>21</sup> Official Gazette of RS No 16/2008.



professionals. They are provided for all the fields of police activities: how often they are carried out depends especially on the established needs and set out priorities.

56. In 2008, the Police, along with the State Prosecutors' Association organized and carried out an interdepartmental panel discussion entitled "Violence against children – what else can we do?" Training was also carried out on the topics of "Investigation of juvenile delinquency", and family violence.

57. In 2007, the following programmes were verified and the following training courses and advanced training programmes carried out, relating to the rights of the child: investigation of the production and distribution of materials concerning sexual abuse of children, investigation of juvenile delinquency, family violence – training of police officers and criminal police officers, training of trainers.

58. In 2006, the following regular and advanced training courses related to the rights of the child were carried out: "Violence against children" and specialist training for the prevention and investigation of criminal offences in the field of sexual abuse materials.

59. In 2005, the following regular and advanced training courses related to the rights of the child were carried out: family violence — training of trainers, training in the field of juvenile delinquency, investigation of criminal offences in the field of trafficking in human beings, and trafficking in human beings and people smuggling — training of trainers.

60. In 2004, the following training and advanced training related to the rights of the child were carried out: training of trainers for the prevention of family violence (restraining orders relating to a specific place or person), training on the rights of foreigners requesting asylum in police proceedings, carrying out interviews with the victims of the criminal offence of trafficking in human beings, inter-institutional cooperation in the proceedings involving criminal offences against children and within the family, specialist training of criminal police officers for the treatment of children and adolescents within the focus on performing interviews with children and the victims of criminal offences, and training of criminal police officers for the treatment of children and adolescents in cases of criminal offences involving the production and distribution of pornographic material.

61. Each year, a two-day "Interdepartmental panel discussion and training for dealing with violence against children and adolescents" takes place. The purpose of this training course is to acquire further knowledge to help with investigating criminal offences involving children and adolescents and to exchange experience among the competent national authorities responsible for the investigation and prosecution of such criminal offences.

#### *Training in the field of social protection*

#### **Reply to the recommendations contained in paragraph 31 of the concluding observations**

62. Pursuant to article 77 of the Social Assistance and Social Services Act<sup>22</sup> and the Rules concerning planning and organizing continuing professional education and training,<sup>23</sup> the Social Chamber of Slovenia has public authorisation for planning and organizing continuing professional education and training for professionals and workers in the field of

<sup>22</sup> Official Gazette of RS No. 3/2007 – official consolidated text 2, 23/2007 – amended, 41/2007 – amended, 114/2006 – ZUTPG (Act regulating adjustments of transfer to individuals and households in the Republic of Slovenia).

<sup>23</sup> Official Gazette of the RS, No. 120/04.

social protection. The Social Chamber of Slovenia<sup>24</sup> carries out a number of educational programmes; however, the programmes intended for the protection of the rights of the child were the following:

- In 2004: training in the protection of human rights in the field of social protection
- In 2004: training concerning a platform with proposed solutions for the systematic regulation of social protection in the field of prevention of family violence and training in dilemmas of the every-day practice of protection of affected children
- In 2005: training in the adoption of children
- In 2006: training of coordinators for the prevention of family violence
- In 2007: training for the prevention of family violence and for the treatment of adolescents with deviated behaviour
- In 2008: training for the prevention of family violence; training for the treatment of adolescents with deviated behaviour; training for the selection of foster families – professional criteria and work methodology; consultation on guardianship of adolescents and guardianship in special cases, and control over a child's property and consultation on the treatment of children who have been sexually abused

*Training of teaching staff*

**Reply to the recommendations contained in paragraph 53 of the concluding observations**

63. Pursuant to article 6 of the Higher Education Act,<sup>25</sup> which provides for the autonomy of higher education institutions, university is an autonomous, scientific-research, artistic and educational institution with a special status operating upon the principle of autonomy, which ensures, inter alia, the drawing up and adoption of study and scientific-research programmes. Pursuant to article 32 of the Act, the chamber of the university or of an autonomous higher education institution must obtain an agreement related to the study programme from the Council for Higher Education of the Republic of Slovenia.

64. In the Department of Pedagogy at the Faculty of Arts of the University of Ljubljana, this issue is dealt with in the 3rd year of Pedagogy; in the Department of Sociology, this issue is dealt with in the Didactics of Sociology, where the students are prepared for teaching Sociology and Civic education and ethics, and which includes the drawing up of creative didactic models for teaching on the rights of the child.

65. At the Faculty of Arts of the University of Maribor, several subjects involve contents in the field of the rights of the child in the framework of the two-subject study programme Pedagogy and ...: the contents on human rights are implicitly included in several chapters of Didactics 1 and 2, and in initial chapters dealing with the treatment of fundamental didactic notions (fundamental human rights include education); the characteristics of the class focus especially on the rights to opinion, evaluation and determination. The subjects of debate are the rights to individual differences, mutual consideration and respect. The same contents are also considered in the framework of Family and Preschool Pedagogy (the students prepare diploma theses and seminar papers in the framework of this issue, guided discussions and debates and the presentations of

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<sup>24</sup> *Source:* the Social Chamber of Slovenia.

<sup>25</sup> Official Gazette of RS No 119/06 — official consolidated text, 59/07 — Scholarship Act 15/08 Decision of the Constitutional Court and 64/08, hereinafter referred to as the Act.

diploma theses/seminar papers). In Andragogy, the fundamental human right (the right to education) is treated as a part of the study contents (in methods, principles of andragogy work and in the history of andragogy), as well as the principles of democracy, tolerance and gender equality. In Special Pedagogy, the guide on the rights of persons with disabilities and the guide on the rights of the child with special needs are dealt with in the framework of lectures and seminars in the field of inclusion (exclusion). The above issue is also dealt with within the subject of General Pedagogy, especially the right to education. In Educational Approaches and Strategies, the rights of the child are considered in the framework of establishing discipline in the classroom.

66. At the Faculty of Education of the University of Ljubljana, the above contents in the Department for social pedagogy are included in the following expert subjects: The basics of social pedagogy, Theoretic notions of social integration issues, Didactics and methodology of social-pedagogy work, Social pedagogy interventions, Phenomenon of deviation, and Personality theory with psychodynamics.

67. All study programmes at the Faculty of Education of the University of Maribor (Preschool education, Elementary education, Music pedagogy, Art pedagogy, Sport training) and all the classes in the mentioned study programmes include fundamental recommendations on the rights of the child. The issue of the rights of the child, in particular, is included in subjects in the field of education theory, preschool pedagogy, school pedagogy, special pedagogy, sports pedagogy, general didactics and special didactics. This issue is also included in the subject related to art and music expression. The students prepare seminar papers and diploma theses on the rights of the child; the practice classes and seminars are aimed at preparation of guided discussions (including the presentations of seminar papers/diploma theses) and expert excursions to day-care centres and schools are organized, where the students are acquainted with e.g. bilingualism, the Roma children, etc. The students are thus encouraged towards openness, understanding, tolerance, peace, gender equality, friendship among nations/nationalities and the acceptance of different views of life and religions.

### **C. International activities**

68. The rights of the child have been a Slovenian foreign policy priority in the field of human rights for many years. Slovenia encourages the promotion and respect of the rights of the child within the scope of its membership of various international organizations and fora, and in the field of development assistance. The rights of the child were also among the priorities during Slovenia's Chairmanship in the OSCE and the Human Security Network, the Presidency of the Council of the European Union and the Chairmanship of the Committee of Ministers of the Council of Europe.

69. The biggest achievement of the Slovenian Presidency of the Council of the European Union in this field is an integrated approach to the rights of the child, linking human rights with development and security policy, especially in issues of children and armed conflict.<sup>26</sup> Owing to the efforts by the Presidency, the rights of the child, especially

<sup>26</sup> During the Slovenian's Presidency, the Council of the European Union adopted the revised Guidelines on children and armed conflict and the Checklist for integration of the protection of children affected by armed conflict into the European Security and Defence Policy missions and operations, and the Conclusions on the promotion and protection of the rights of the child in the European Union's external action – development and humanitarian dimensions. In addition, two other publications were issued: the study entitled "Enhancing the EU Response to Children Affected by Armed Conflict with Particular Reference to Development Policy" prepared for the Slovenian

of children affected by armed conflict, are documented in the conclusions of the European Council conclusions of June 2008. In these conclusions, the European Council calls on all the players, including the Member States and the European Commission, to apply an integrated and comprehensive approach to the issues of children and armed conflict in order to effectively address their short-term, medium-term and long-term needs.

70. In addition, Slovenia included the rights of the child in the programme of its Chairmanship of the Committee of Ministers of the Council of Europe (May–November 2009). In January 2009, Slovenia once more became a member of the UNICEF Executive Board.

71. As regards the promotion of the rights of the child, Slovenia devotes special attention to the issues of children affected by armed conflict, violence against children, and human rights education/the rights of the child and to the empowerment of children. As regards the above Slovenia fosters the establishment of communication procedures under the Convention on the Rights of the Child.

### **Human rights education**

72. During its Chairmanship of the OSCE in 2005, Slovenia launched a pilot project on human rights education entitled “Our rights”<sup>27</sup> on the basis of the Convention on the Rights of the Child. The project was aimed at educating children aged between 10 and 12 on their rights in a simple and child-friendly manner. The teaching instrument was translated into 17 languages for 66,000 children in OSCE countries.<sup>28</sup> The project also included children from minority groups, including Roma children in several countries of South-Eastern Europe.

73. After a few years of independent implementation of the “Our rights” project, the partners from post-conflict areas, affected by wars and terrorist attacks asked for additional expert assistance.<sup>29</sup> During its Chairmanship of the Committee of Ministers of the Council of Europe in 2009, Slovenia supported partners in Bosnia and Herzegovina, Kosovo and North Ossetia-Alania (Russian Federation) in the continuation of the “Our rights” project in the 2009/2010 academic year. In September 2009, the project was launched in all three areas for approximately 50,000 children.<sup>30</sup>

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Presidency by the European Centre for Development Policy Management ([http://www.mzz.gov.si/fileadmin/pageuploads/foto/0803/Sherriff\\_CAAC\\_study\\_final-otroci.pdf](http://www.mzz.gov.si/fileadmin/pageuploads/foto/0803/Sherriff_CAAC_study_final-otroci.pdf)), and the Guide to Mainstreaming Human Rights and Gender into ESDP, [http://www.consilium.europa.eu/ueDocs/cms\\_Data/docs/hr/news144.pdf](http://www.consilium.europa.eu/ueDocs/cms_Data/docs/hr/news144.pdf)). During that time, the Guidelines on the rights of the child were put into operation.

<sup>27</sup> [http://www.mzz.gov.si/en/foreign\\_policy/human\\_rights/the\\_our\\_rights\\_project\\_human\\_rights\\_education/](http://www.mzz.gov.si/en/foreign_policy/human_rights/the_our_rights_project_human_rights_education/).

The implementation of the pilot project on human rights education was established, launched and managed by Slovenian experts and joined together numerous governments of the participating States of the OSCE, non-governmental organisations, experts in the individual fields, ombudspersons, local offices of international organisations and other stakeholders.

<sup>28</sup> Albania, Azerbaijan, Belgium, Bulgaria, Bosnia and Herzegovina, Montenegro, Croatia, Ireland, Kosovo, Former Yugoslav Republic of Macedonia, Germany, Russian Federation, Slovenia, Serbia, Turkey and Ukraine.

<sup>29</sup> Kosovo included education on human rights in the systematic educational programmes or in the curriculum.

<sup>30</sup> For the entire generation of 12-year-olds in Kosovo, the children of all three main communities in Bosnia and Herzegovina and for the entire generation of 11- and 12-year-old pupils in North Ossetia-Alania, Russian Federation.

### **Violence against children**

74. Slovenia was involved in the preparation of the United Nations Secretary-General's Study on Violence against Children developed under the leadership of the Independent Expert Prof. Paulo Sérgio Pinheiro. Slovenia actively advocates the best possible implementation of Study's recommendations. The Study was also presented at the international conference entitled "Prevention of Violence against Children and Human Security" held on 30 November and 1 December 2006 in Slovenia. In December 2007, Slovenia actively promoted the adoption of the resolution in the General Assembly, calling upon the Secretary-General to appoint a Special Representative on violence against children as soon as possible and to strive for the taking up of duties of the above Special Representative as soon as possible.

### **International development cooperation and humanitarian assistance**

75. In the field of international development cooperation and humanitarian assistance, the Republic of Slovenia is making an effort to gradually achieve the internationally agreed-upon goal of developed countries to increase development cooperation and humanitarian assistance resources aimed at the least developed countries and to reduce world poverty, which especially affects children. The achievement of the recommended UN goal which is 0.7 per cent of GNI resources that should be collected by the developed countries for the purposes of official development assistance is also a long-term goal of the Republic of Slovenia. In accordance with the international commitments for the increase of development assistance to 0.17 per cent of GNI by 2010 and to 0.33 per cent of GNI by 2015, Slovenia has been increasing its share of GNI, which it has been allocating to developing countries since 2004, when it officially became a donor country; in 2008, Slovenia allocated 0.13 per cent of GNI to official development assistance. In accordance with the Resolution on International Development Cooperation of the Republic of Slovenia for the period until 2015<sup>31</sup> the Republic of Slovenia has been allocating humanitarian and post-conflict assistance, especially to reduce poverty and famine, to facilitate and counter-mine action and to assist children in post-conflict situations. Slovenia implements the Resolution with the assistance of international, governmental and non-governmental organizations engaged in this field.

## **D. Distribution of the reports on the Convention on the Rights of the Child (art. 44, para. 6)**

76. The second periodic report (CRC/C/70/Add.19) and the concluding observations of the Committee on the Rights of the Child (CRC/C/15/Add.230) were distributed to the competent ministers and non-governmental organizations.

77. The concluding observations of the Committee on the Rights of the Child translated into Slovenian by non-governmental organizations were published in the collection entitled "Slovenian Reports under the United Nations International Human Rights Treaties" and on the following websites:

[http://www.mzz.gov.si/si/zunanja\\_politika/lovekove\\_pravice/60\\_let\\_splosne\\_deklaracije\\_o\\_lovekovich\\_pravicah/zbornik/](http://www.mzz.gov.si/si/zunanja_politika/lovekove_pravice/60_let_splosne_deklaracije_o_lovekovich_pravicah/zbornik/)

[www.eip-cdv.si/simop\\_dokumenti/OZN\\_priporocila\\_RS\\_otroci.pdf](http://www.eip-cdv.si/simop_dokumenti/OZN_priporocila_RS_otroci.pdf)

<sup>31</sup> Official Gazette of RS, No 73/2008.

78. The third draft report was available on websites of the Ministry of Labour, Family and Social Affairs: [http://www.mddsz.gov.si/fileadmin/mddsz.gov.si/pageuploads/dokumenti\\_\\_pdf\\_tretje\\_p\\_oroc\\_konvencija\\_pr160309.pdf](http://www.mddsz.gov.si/fileadmin/mddsz.gov.si/pageuploads/dokumenti__pdf_tretje_p_oroc_konvencija_pr160309.pdf).

#### **Preparation of the third and fourth periodic reports**

79. The report was coordinated by the Ministry of Labour, Family and Social Affairs, whereby the competent ministries and government offices as well as the Child Observatory at the Social Protection Institute were actively involved in its preparation. The Ministry of Labour, Family and Social Affairs intends to actively involve children and young people in the preparation of the next report pursuant to the Convention on the Rights of the Child.

#### **Cooperation with non-governmental organizations**

##### **Reply to the recommendations contained in paragraph 21 of the concluding observations**

80. The cooperation of the competent ministries with the representatives of civil society was subject to debate at the Round Table held in Slovenia entitled “The Rights of the Child Today and Tomorrow” held on 19 April 2004 in Ljubljana. The Round Table was prepared by non-governmental organizations on the basis of the concluding observations on the second periodic report of the Republic of Slovenia submitted by the Committee on the Rights of the Child (CRC/C/15/Add. 230). A representative of the Committee on the Rights of the Child also participated at the Round Table.

81. The involvement of the Government of the Republic of Slovenia or competent ministries with non-governmental organizations in the preparation of the report on the implementation of the Convention on the Rights of the Child and other United Nations reports is also defined in the “Guidelines for the preparation of the reports of the Republic of Slovenia and the implementation of related international activities in the field of human rights, and the consideration of reports of the international monitoring bodies” adopted by the Government of the Republic of Slovenia at its 152nd session on 27 December 2007. In accordance with these Guidelines, the procedure of preparation of the RS reports and related activities require cooperation with national non-governmental organizations, independent institutions for human rights and other interested organizations and institutions. Prior to final harmonisation of the draft report of the Republic of Slovenia and the programme of related activities with the competent government authorities, the coordinator shall organize a meeting with non-governmental organizations and interested independent institutions for human rights with the aim to consider the proposal of the report of the RS and the programme of related activities and to coordinate opinions.

82. The Guidelines also formed a basis of a meeting with non-governmental organizations organized by the Ministry of Labour, Family and Social Affairs in cooperation with competent ministries and offices of the Government of the Republic of Slovenia on 20 April 2009 in Ljubljana. At the meeting, the participants exchanged opinions on the third draft periodic report on the basis of the Convention on the Rights of the Child, which was published on the website of the Ministry of Labour, Family and Social Affairs of the Republic of Slovenia.

83. The assessment of the financing of non-governmental organizations can be defined in accordance with the findings of the research study entitled “Size, Scope and Role of the Private Non-Profit Sector in Slovenia”, which showed that in 2004, the total revenue of all types of non-governmental organizations in Slovenia amounted to 1.91 of the GDP or 119

billion SIT.<sup>32</sup> According to the source, the structure of revenue of non-governmental organizations in 2004 was the following: the state 5.2 per cent, the municipality 28.7 per cent, public funds 2.4 per cent, individuals 9.2 per cent, companies 9 per cent, foundations 0.6 per cent, legacies 0, related organizations 1.5 per cent, non-profit activity 7.4 per cent, profit activity 3.7 per cent, subscriptions 18.9 per cent, EU resources 0.5 per cent, other foreign resources 0.05 per cent, 4.9 per cent from the exceeding preceding year and other 7.7 per cent.

84. Based on the analysis on financing of non-governmental organizations by line ministries in 2005 prepared by the Ministry of Public Administration, we can assess that in 2005, the country allocated most financial resources for non-governmental organizations (68.4 per cent or 33,235,096.61 EUR) through calls for tenders or invitations; 8.5 per cent in the form of direct financing and 20.1 per cent through financing of public service/concession and public authorisations. The country allocated 3 per cent of all resources for non-governmental organizations in other ways that do not fall within the framework of the previous three segments (“other”).<sup>33</sup> The prevailing proportion of the allocated resources in 2005 was obtained by associations, i.e. 60.1 per cent. The remaining resources were proportionately allocated among private institutes and institutions: the institutes obtained 21.4 per cent, the institutes 18.5 per cent. In 2005, the non-governmental organizations were financed by 12 line ministries and 6 government services. Of all financial resources, the most resources in 2005 were allocated for non-governmental organizations by the Ministry of Culture, i.e. 13,154,796.20 EUR or 39.6 per cent of all resources, followed by the Ministry of Labour, Family and Social Affairs at 8,129,845.94 EUR or 24.5 per cent of all resources and the Ministry of Defence at 4,386,006.95 EUR or 13.2 per cent of all resources; the rest was allocated by other line ministries and government services.

### III. Definition of the child (art. 1)

85. In the chapter on human rights and fundamental freedoms (arts. 14 to 65), the Slovenian Constitution provides for children’s rights. It is evident from these constitutional provisions that the rights of children are modelled after the Convention on the Rights of the Child. Under Slovenian law, a person reaches the age of majority at 18.

86. According to the Statistical Office of the Republic of Slovenia at the end of 2008, Slovenia had a population of 2,032,362, of whom 1,003,945 were men and 1,028,417 women. On 31 December 2007, 345,172 children below the age of 18 lived in Slovenia; 177,466 boys and 167,706 girls. On 31 December 2008 there were 346,683 children below

<sup>32</sup> 502,729,313.22 EUR on 1 January 2004.

<sup>33</sup> Other: *the Ministry of Defence*: the operational composition of associations and other non-governmental organizations in accordance with the Protection Against Natural and Other Disasters Act; aero clubs, voluntary fire-fighting associations, the Slovenian Kennel Club, the Scout Association of Slovenia, the Slovenian Catholic Girl Guides and Boy Scouts Association, the Association of Radio Amateurs of Slovenia, the Union of Rescue Dog Guides Associations and Clubs of Slovenia; co-financing of institutions of special national importance – cooperation with the Lipica Stud Farm on the basis of agreement between the Ministry of Defence and the Lipica Stud Farm No. 910-00-42/2004 -10 of 21 September 2004. Contracts for works to ensure the operation of the equestrian unit of the Slovenian army; co-financing of organizations of particular interest for defence – the Union of Slovenian officers; the Ministry of Labour, Family and Social Affairs – the pilot project entitled “Employment Centre”; the Ministry of the Interior – The Action plan of the Interdepartmental Working Group on Combating Trafficking in Human Beings for the Period 2004–2006 – the Government of the RS.

the age of 18 in Slovenia (17.06 percent of the total population); 178,263 boys and 168,420 girls. The number of children has increased by 1,511 in a year.

## IV. General principles (arts. 2, 3, 6 and 12)

### A. Non-discrimination (art. 2)

#### Reply to the recommendations contained in paragraph 23 of the concluding observations

##### (Non) autochthony of the Roma community in the Republic of Slovenia

87. The legal basis for the regulation of the status of Roma community members in Slovenia is provided for by article 65 of the Constitution of the Republic of Slovenia,<sup>34</sup> 14 sector-specific laws<sup>35</sup> (in the field of culture, education, social welfare, regional development, etc., including activities regarding the purchase of land for the purpose of legalisation and development of municipal infrastructure in Roma settlements), and the “umbrella” law on Roma, i.e. the Roma Community Act. Another important document is the Programme of Measures for Assisting the Roma, adopted in 1995. It is still somewhat topical and includes measures for improving the status of the Roma community in key areas such as housing, education, employment, family welfare, social and health care, the cultural development of the Roma community, as well as informing and organizing of Roma.

88. The Republic of Slovenia is aware of the fact that the legal concept of autochthony is hard to define, since even the experts have not managed to find a common definition; therefore, a wide variety of criteria is used by countries. The residing of one or two generations of an ethnic group on a certain territory is not a sufficient criterion for obtaining rights arising out of the concept of autochthony. On the other hand, the written sources show that certain Roma groups have been living in Slovenia since the 14th and 15th century. The Roma are an old-age community that has been residing on the territory<sup>36</sup> of the Republic of Slovenia for hundreds of years. The community was first mentioned in

<sup>34</sup> Article 65 of the Constitution of the Republic of Slovenia stipulates that the status and special rights of the Roma community living in Slovenia shall be regulated by law.

<sup>35</sup> Local Self-Government Act, Local Elections Act, Voting Rights Register Act, Organisation and Financing of Education Act, Kindergarten Act, Elementary School Act, Media Act, Libraries Act, Exercising of the Public Interest in Culture Act, Promotion of Balanced Regional Development Act, Radiotelevizija Slovenija Act, Financing of Municipalities Act, Cultural Heritage Protection Act, Criminal Code of the Republic of Slovenia. In the first half of 2008 two very important regulations were adopted in the field of culture: the Cultural Heritage Protection Act, whose provisions also concern the Roma community and the Resolution on the National Programme for Culture 2008–2011, where the cultural development of the Roma community remains a cultural priority.

An important step forward is the adoption of the Penal Code of the Republic of Slovenia, where the Roma community is now included in the chapter “Criminal Acts against Honour and Good Name”. Hereby the approach of regulating the status of Roma community members in the field of hostile speech is being supplemented with the recognition of the importance of respecting the ethnic and national identity of the Roma community in the public.

In addition to the Constitution of the Republic of Slovenia and the Roma Community Act, there are currently 14 sector-specific laws that form the basis for regulating the status and special rights of Roma community members in Slovenia.

<sup>36</sup> Pavla Štrukelj, *The Historical and Contemporary Settlement and Linguistic Characteristics of the Roma Community Living in Slovenia*, Ljubljana, 2003, p. 4.



historical data in the 14th century. In the archives from the 15th century, an even greater presence of Roma people was recorded. From the 17th century onwards, information about the Roma people can be found more frequently and in a variety of registers. Despite the fact that these groups were primarily nomads, and frequently changed the position of their settlements, today we can firmly discuss specific regions where these groups settled indefinitely: Prekmurje, Dolenjska, Bela krajina and Posavje. In these regions, the Roma Ethnic Community lives traditionally, historically, and has preserved its more or less permanent and specific settlement.

89. In the Constitution of the Republic of Slovenia, the concept of autochthony is not mentioned in regard to the Roma community, so there are only two rights arising out of this concept: the right to a community representative in municipal councils on territories, where Roma communities are historically and traditionally settled, and the obligation of local communities to set up a special working body of the municipal council for the purpose of monitoring the Roma community status; this working body must include several Roma community members along with a Roma councillor (according to the Roma Community Act). As for the Roma who are permanently settled in municipal territories and have permanent residence there, article 39 of the Local Self-Government Act (official consolidated text) (ZLS-UOB2)<sup>37</sup> specifically stipulates that they are entitled to at least one representative in a municipal council. Because of their constitutional status, and apart from other special rights, they also have the right to participate in decision-making in public matters at the local level. There are twenty such local communities in Slovenia.

90. An important turning point in resolving the status of the Roma community in the Republic of Slovenia is the adoption of the Roma Community Act.<sup>38</sup> It was adopted by the National Assembly on 30 March 2007 and entered into force on 28 April 2007. The Act comprehensively regulates the status of the Roma community in Slovenia; it defines the role of the State authorities and authorities of the self-governing local communities in exercising the special rights of the Roma community; it regulates the organization and financing of the Roma community at the national and local levels. The Act accurately defines the scope of special rights accorded to the Roma community and specifies the establishment of an umbrella organization for Roma in Slovenia (Roma Community Council of the Republic of Slovenia, founded on 20 June 2007, with 21 members – 14 members of the Slovenian Roma Association and 7 Roma councillors; it represents the interests of the Roma community in Slovenia in relation to State authorities).

91. By adopting this Act, Slovenia has established all necessary and essential levers for active participation and integration of the Roma community in all matters regarding its status and rights. Through the Council, the Roma Community is able to actively participate in drafting of legal acts and other general regulations concerning the Roma community. Thus, the Council can duly note any professional shortcomings when drafting and adopting regulations; in this way, the Roma community takes on the responsibility to act harmoniously and creatively within the greater community. This also enables strengthening of the awareness of the community's own importance to Slovenia and Europe.

92. With the adoption of this Act, we have finally managed to overcome the issues of dividing the Roma community members between those living in traditional, historical settlements in the Republic of Slovenia and those who are considered immigrants and arrived in Slovenia within the last few decades due to the war in the former Yugoslavia and for economic or many other reasons. Even though certain provisions of the Act are related to Roma members who are traditionally and historically settled in the Republic of Slovenia,

<sup>37</sup> Official Gazette of RS, No. 94/07, 27/2008.

<sup>38</sup> Official Gazette of RS, No. 33/2007.

the spirit of the Act, all its general provisions and the organization of the Roma community (namely, the Council includes 14 representatives of the Slovenian Roma Association, which unites Roma associations throughout Slovenia and does not rely on the provisions of the Local Self-Government Act) are based on dealing with the Roma community as a whole.

93. In the field of education, Slovenia does not distinguish between autochthonous and non-autochthonous Roma. The rights of Roma children regarding education are regulated by these acts:

- Organization and Financing of Education Act<sup>39</sup>
- Preschool institution Act<sup>40</sup>
- Elementary School Act<sup>41</sup>

94. In December 2002, the Ministry of Education and Sport set up a special working group that closely analysed the education of Roma. It was established that a more effective and coordinated educational policy needed to be ensured. In 2004, the Strategy of Education of Roma in the Republic of Slovenia was prepared and then adopted by the highest State authorities in the field of education in May or June 2004.

95. The document contains the following solutions: inclusion of Roma children in pre-school education in preschool institutions at least two years before enrolment in elementary school; introduction of Roma assistants in schools (as a bridge between preschool institutions/school and the Roma community); introduction of the Roma language on an optional basis in elementary schools, teaching of the Slovenian language, integration of topics on Roma culture, history and identity; abolition of homogeneous Roma class-units that cause segregation of Roma children – only statutory forms of individualisation, internal and flexible differentiation and various forms of additional instructions may be used; establishment of trust in the educational system and elimination of prejudice; continuous education and training of the professional staff.

96. The Slovenian Roma Association took part in the entire preparation of the strategic paper. The president of the Association is also the president of the working group for the preparation of annual action plans for the implementation of the strategy. The Association coordinates the project of the European Social Fund for better inclusion of Roma children into the educational system, which was selected in the call for tender published in April 2008. The Ministry of Education and Sport wants to empower the Roma as much as possible, so the Roma themselves will do and contribute everything possible in order to improve the inclusion of their community members in different models of education in the Republic of Slovenia.

97. In addition, the following activities have been carried out so far: appropriate measures for ensuring inclusion of Roma have been adopted; the formation of class-units including only Roma pupils does not exist anymore; a network of schools including Roma pupils has been established for teachers to exchange experience and examples of good practice and take part in additional professional training; schools have carried out projects and other activities with the objective of intercultural dialogue; the Roma language has been standardised in order to form the basis for teaching the Roma language; the basis for forming the occupation of a Roma assistant has been established; the project of developing the didactics (and teaching aids) of teaching of Slovenian as a second/foreign language is being implemented; and, the curriculum of the subject “Roma culture” has been prepared

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<sup>39</sup> Official Gazette of RS, No. 16/2007 – official consolidated text, and 36/2008.

<sup>40</sup> Official Gazette of RS, No. 100/2005 – official consolidated text, and 25/2008.

<sup>41</sup> Official Gazette of RS, No. 81/2006 – official consolidated text, and 102/2007.

and adopted. In order to be efficient when teaching Roma children, programmes for continuous education and training of specialized staff are being implemented along with educational programmes for Roma assistants. Adult Roma education is co-financed by the Ministry of Education and Sport.

**“All Different – All Equal” European Youth Campaign for Diversity, Human Rights and Participation**

98. In 2006/2007, Slovenia participated in a renewed campaign of the Council of Europe, entitled “All Different – All Equal”, which is defined as the European Youth Campaign for Diversity, Human Rights and Participation. Since the campaign was mainly intended for young people, the National Youth Council of Slovenia actively participated in it, in cooperation with the Office of the Republic of Slovenia for Youth. In the beginning of the All Different – All Equal campaign in Europe, the second stage of the campaign was primarily focused on promoting equality, social justice and the right to uniqueness among young people, in accordance with the guidelines of the Council of Europe and the ECC. The target group of the campaign was, in particular, young people as spokespeople of the campaign. Accordingly, national youth organizations, local communities’ youth councils and youth centres have joined the campaign.

**B. Best interests of the child (art. 3)**

99. This provision of the Convention has already been explained in the first and second periodic reports of the Republic of Slovenia (CRC/C/8/Add.25 and CRC/C/70/Add.19).

100. With the enforcement of the Act Amending the Marriage and Family Relations Act,<sup>42</sup> in 2004, questions regarding contact and important family relations and institutes have been solved. Each child now has the right to contact with both parents. This contact will ensure the best interest of the child. The best interest of the child is the ultimate criterion for all decisions regarding visitation rights. Visitation rights are connected with the changed regulation on the placement of the child after divorce and custody rights, the child’s opinion in court and the institute of joint custody. The best interest of the child is the basic principle that must be considered by parents and other persons, State authorities and holders of public authorisations in all activities and procedures regarding the child. With the amendment to the Act, social-work centres are no longer responsible for deciding on visitation rights and child maintenance, and this responsibility now belongs to the courts. Furthermore, the court is empowered to withdraw or restrict visitation rights to protect the best interest of the child. After the entry into force of the amended Act, the role of counselling and the professional role of social work centres will be preserved. According to the amendments, parents who do not live together and cannot reach an agreement on these issues must contact the social-work centre before any judicial proceeding. In this way, an absolute bar to proceeding is defined, so the judicial proceeding may begin.

**C. The right to life, survival and development (art. 6)**

101. This article is in accordance with the Constitution of the Republic of Slovenia, which governs fundamental social rights of all, including the child and the family. Children are entitled to special protection and care.

<sup>42</sup> Official Gazette of RS, No. 16/04 – hereinafter ZZZDR.

## **D. Respect for the views of the child (art. 12)**

### **Reply to the recommendations contained in paragraph 25 of the concluding observations**

102. In deciding on the upbringing and care of children, and on their contact with their parents or other persons, the court shall be bound to advise in an appropriate manner a child who is capable of understanding the meaning of the proceedings and the consequences of the decision, regarding the introduction of the proceedings and his right to state an opinion therein. Considering his age and other circumstances, the child shall be invited, through intermediary of social services or a school social worker, to attend an informal discussion in or outside the court. Such a discussion may be attended by a trusted person whom the child so designates. This person may help the child to express his opinion. (art. 410 of the Civil Procedure Act).<sup>43</sup>

103. The Criminal Procedure Act<sup>44</sup> contains the following security measures regarding hearing procedures for minors:

- Article 236 of the Criminal Procedure Act (para. 3): “Minors who in view of their age and the stage of their intellectual development cannot understand the meaning of the right to decline testimony may not be examined as a witness except where the accused himself demands it.”
- Article 240 of the Criminal Procedure Act (para. 4): “During an examination of a minor person, especially when such a person was injured by a criminal act, it is necessary to be considerate so the examination will not have negative effects on the mental state of the minor. If necessary, an examination of a minor may be carried out with the assistance of a pedagogue or another such expert. During an interrogation of a witness below the age of 14, a person whom the witness trusts may be present.”
- Article 64 of the Criminal Procedure Act: Where the injured party is a minor or a person without capacity to contact, his legal representative shall be entitled to make all statements and perform all acts, which the injured party is entitled to make or perform under this Act. An injured party who has attained the age of sixteen shall be entitled to make statements and perform procedural acts on his own”.
- Article 65, paragraph 4, of the Criminal Procedure Act stipulates that, in a pre-trial and criminal procedure, a person trusted by the minor injured party may accompany them.
- Article 331, paragraph 3, stipulates that if a person under the age of fourteen is examined as a witness, the panel may order that the public should be excluded from the examination.
- Article 331, paragraph 4, stipulates that if a minor participates in the main hearing as a witness or as the injured party, he or she shall be removed from the courtroom as soon as his or her presence is no longer required.
- Article 331, paragraph 5, stipulates that direct questioning of persons under 15 years of age who are victims of criminal offences against sexual inviolability, a criminal

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<sup>43</sup> Civil Procedure Act (ZPP), Official Gazette of RS, No. 73/2007.

<sup>44</sup> Criminal Procedure Act (ZKP), Official Gazette of RS, No. 32/2007 – official consolidated text, 68/2008).

offence of neglect of minors and cruel treatment, criminal offence of trafficking in human beings shall not be permitted in the main hearing.

## V. Civil rights and freedoms (arts. 7, 8, 13–17, and 37 (a))

### A. Name and nationality (art. 7)

#### Reply to the recommendations contained in paragraph 27 of the concluding observations

104. In the recommendations of the Committee on the Rights of the Child (observation contained in paragraph 26 of the concluding observations (CRC/C/15/Add.230)) the term “Erasure from the Register of Permanent Residence” has been used and, according to indications in the report, this resulted in the loss of certain rights of foreign citizens (and their children) who immigrated to Slovenia from former Yugoslav countries. Therefore, let us first explain the issues that emerged when the Republic of Slovenia gained its independence and focus on persons who have been removed from the register of people with permanent residence.

105. After declaring its independence, Slovenia adopted the Citizenship of the Republic of Slovenia Act and the Aliens Act<sup>45</sup> as part of independence legislation; with these two acts, the state body of the new country was established. With the adoption of the Citizenship of the Republic of Slovenia Act, all citizens of other successor republics of the former SFRY, who were not Slovenian citizens at the time of Slovenia’s independence and who on the day of the plebiscite of the republic of Slovenia’s independence, i.e. on 23 December 1990 had permanent residence in the Republic of Slovenia and who actually lived in Slovenia at the time were able to apply for Slovenian citizenship within 6 months (by 25 December 1991). Based on article 40 of the Citizenship of the Republic of Slovenia Act, 171,132 citizens of former Yugoslav countries acquired Slovenian citizenship while at the same time retaining their previous citizenship.

106. The Aliens Act of 1991 defines who are aliens and regulates the entry into force of the provisions of this Act for citizens of other successor republics of the former SFRY. As of 26 February 1992, for citizens of other successor republics of former SFRY who did not obtain Slovenian citizenship, the provisions of the Aliens Act entered into force; under this law, such citizens were able to apply for a residence permit in the Republic of Slovenia. The majority of citizens of former Yugoslav countries chose this option, as they did not want to apply for Slovenian citizenship, but wanted to remain in the Republic of Slovenia.

107. All citizens of other successor republics of the former SFRY, who had registered permanent residence in the Republic of Slovenia, were removed from the register of permanent residence, when provisions of the Aliens Act entered into force as this register includes only data on those citizens of the Republic of Slovenia who registered permanent residence in the territory of the local community. The register of permanent residence is regulated by the Permanent Residence and Population Registry Act<sup>46</sup> and its statutory regulations. Citizens of other successor republics of the former SFRY were able to re-register their residence on the basis of a previously obtained residence permit. Citizens of other successor republics of the former SFRY, who were removed from the register of

<sup>45</sup> Official Gazette of RS, No. 1/91-I, 44/97, 50/98 - Decision of the Constitutional Court, and 14/99 - Decision of the Constitutional Court.

<sup>46</sup> Official Gazette of RS, No 6/83, 26/90 and 11/1991.

residence and have not applied for or have not been granted a residence permit remain registered as aliens without a valid residence permit.

108. The State was aware of this complex and difficult situation of this group of people and of the concerns raised. Upon the Decision of the Constitutional Court of the Republic of Slovenia No. U-I-284/94 of 4 February 1999, the Act Regulating the Legal Status of Citizens of Former Yugoslavia Living in the Republic of Slovenia<sup>47</sup> was adopted in 1999. In this way, conditions for obtaining a permanent residence permit were much better than those stipulated in the Aliens Act for the period following 26 February 1992. Under the ZUSDDD, the only condition for persons to obtain permanent residence permit was having had de facto residence in Slovenia from 23 December 1990 or 25 June 1991. In accordance with the ZUSDDD, 13,508 citizens of other successor republics of the former SFRY applied for a permanent residence permit by 31 January 2009. In 12,303 cases, the applications were granted and permanent residence permits were issued to citizens of other successor republics of the former SFRY.

109. According to the ZUSDDD, a permanent residence permit may also be granted to minor children who have been residing in Slovenia since 23 December 1990 or 25 June 1991.

110. In addition, a permanent residence permit may be issued to a child of a citizen of other successor republics of the former SFRY under the ZUSDDD, at the request of their legal representative, if the child was born in the Republic of Slovenia after 25 June 1991 and if a permanent residence permit has been granted to one of his parents pursuant to the ZUSDDD. In order to obtain a permit, such a child must have been residing in the Republic of Slovenia since the date of his birth.

111. According to the Aliens Act, if a child is born in the Republic of Slovenia and if at least one of his parents obtained a residence permit in the Republic of Slovenia, then such child is issued, ex officio, a permit of the same kind as the one granted to his parent without verifying other conditions. For instance, if a child is born to a foreign citizen in the Republic of Slovenia who already has a permanent residence permit the child shall be issued a permanent residence permit ex officio.

112. In 2002, the Act amending the Citizenship of the Republic of Slovenia Act was adopted, and according to the transitional provision of article 19 of this Act, foreigners who had a permanent residence in Slovenia on 23 December 1990 and who had lived there without interruption since that date were allowed to acquire citizenship of the Republic of Slovenia under more favourable conditions. 2,857 applications were filed and by 31 December 2006, 1,756 aliens acquired citizenship of the Republic of Slovenia based on the aforementioned provision.

113. Official records show that the majority of citizens of other successor republics of the former SFRY that still live in the Republic of Slovenia have resolved their status. This is also evident from the number of applications for permanent residence permits that have been filed under the ZUSDDD since April 2003, when a new deadline was set for filing applications under the aforementioned Act, based on the Decision of the Constitutional Court of the Republic of Slovenia, No. U-I-246/02-28. From April 2003 to 31 January 2009, 445 applications were filed.

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<sup>47</sup> Act Regulating the Legal Status of Citizens of Former Yugoslavia Living in the Republic of Slovenia (Official Gazette of RS, No. 61/1999, 54/2000 – Decision of the Constitutional Court, 64/01 and 36/03 – Decision of the Constitutional Court – hereinafter ZUSDDD).

114. The Constitutional Court of the Republic of Slovenia assessed the constitutionality of the ZUSDDD, and in its decision No. U-I-246/02-28 of 3 April 2003, it ruled that the legislature was obliged to remedy the established non-conformity with the Constitution of the Republic of Slovenia (since the Act did not recognize permanent residence to the citizens of other successor republics of the former SFRY whose permanent residence registration expired on 26 February 1992; does not regulate the acquisition of a permanent residence permit by those citizens of other successor republics of the former SFRY who were deported from the country; and furthermore, does not stipulate the criteria for establishing the undefined legal term of “actual residence”).

115. In 2007, the first draft of the constitutional act amending the Constitutional Act Implementing the Basic Constitutional Charter on the Independence and Sovereignty of the Republic of Slovenia was prepared and submitted to the National Assembly of the Republic of Slovenia for consideration in order to resolve the status of persons whose permanent residence registration in Slovenia expired when the provisions of the Aliens Act entered into force. The draft constitutional act lays down the conditions under which citizens of other successor republics of the former SFRY may apply for a permanent residence permit in the Republic of Slovenia, if they have not done so yet, and the conditions under which the permanent residence permit may be granted to their minor children who have been living in Slovenia since they were born. The draft act further stipulates which citizens of other successor republics of the former SFRY who already acquired a permanent residence permit in the Republic of Slovenia are entitled to a permit with retroactive effect and from which date.

116. The draft constitutional act was presented at three sessions of the Constitutional Commission of the National Assembly; however, it was not examined by the National Assembly itself. The mandate period of the National Assembly that was previously assembled expired in 2008; therefore, the procedure regarding the aforementioned proposal was stopped in accordance with the National Assembly of Slovenia Rules of Procedure.

117. Paragraph 8 of the Decision of the Constitutional Court, No. U-I-246/02-28 of 3 April 2003, stipulated that permanent residence of citizens of other successor republics of the former SFRY is to be determined from 26 February 1992 onwards if those citizens were removed from the register of permanent residence on that day, on the basis of a permanent residence permit issued in accordance with the ZUSDDD or the Aliens Act<sup>48</sup> or the Aliens Act.<sup>49</sup> Furthermore, it imposed on the Ministry of the Interior the obligation to issue, as an official duty, supplementary decisions on the establishment of permanent residence in Slovenia from 26 February 1992 onwards.

118. In light of the said decision of the Constitutional Court, the Ministry of the Interior issued a number of supplementary decisions in 2004, yet not to all eligible citizens. With regard to the above-mentioned facts, since February 2009, the Ministry of the Interior has continued to issue supplementary decisions based on Paragraph 8 of the Decision of the Constitutional Court, No. U-I-246/02-28 of 3 April 2003.

119. In addition, a law is currently being drafted, which will resolve the status of persons whose permanent residence registration in Slovenia expired when the provisions of the Aliens Act entered into force, and which will also eradicate other inconsistencies of the ZUSDDD with the Constitution that were stated in the Decision of the Constitutional Court of the Republic of Slovenia, No. U-I-246/02-28 of 3 April 2003.

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<sup>48</sup> Official Gazette of RS, No. 1/91-I and 44/1997.

<sup>49</sup> Official Gazette of RS, No. 61/1999.

**Implementation of the decision of the Constitutional Court**

120. The basic principle that must be followed in order to ensure legal security in the field of citizenship is continuity in the field of past legislation on citizenship. This means that all acts by which the conditions regarding the acquisition and the loss of citizenship were regulated at the time of the Federal People's Republic of Yugoslavia or, later, of the Socialist Federal Republic of Yugoslavia, are a part of the hard law (there were three such acts, adopted in 1950, 1965 and 1976). Before 25 June 1991, citizenship of the republic could not exist on its own without citizenship of the federation, but existed only in connection with federal citizenship; therefore, a part of Slovenian hard legislation includes all legal provisions that have governed the acquisition and loss of federal citizenship since 1945 (again, there were three such acts, adopted in 1945, 1965 and 1976). All federal laws imposed the duality of citizenship on the republic and federal levels; however, these laws also stipulated that every citizen of SFRY was entitled to citizenship of only one republic. According to all citizenship acts of individual republics, it was possible to apply for a change of citizenship under the condition that the applicant had registered residence in the territory of the republic he lived in. If application for citizenship of another republic was granted, the applicant automatically lost his former republic citizenship. All laws on citizenship in former Yugoslavia as well as laws on federal citizenship and laws on republic citizenship of all republics, laid down conditions that ensured citizenship of a particular republic to each person, and the statutory acts concerning federal legislation or legislation of the republic defined the procedure of recording citizenship into official registers (civil registers and later, in registers of births).

121. On 25 June 1991, when Slovenia declared its independence, the Citizenship of the Republic of Slovenia Act entered into force. This Act is based on the following principles:

- The principle of voluntary acquisition and cessation of citizenship
- The principle of effectiveness of Slovenian citizenship
- The principle of equality of legitimate and illegitimate children
- The principle of equality of men and women
- The principle of continuity
- The principle of the prevention of statelessness

The last two principles are crucial for ensuring legal security and for preventing statelessness, since the Act includes precautionary provisions that prevent the occurrence of statelessness as much as possible.

122. The dissolution of the former Yugoslavia did not result in statelessness (*de jure*) of the citizens of former Yugoslav citizens in the Republic of Slovenia; with article 39 of the Citizenship of the Republic of Slovenia Act, Slovenia applied the principle of continuity, so former Yugoslav citizens became *ex lege* citizen of the relevant new successor State. The aforementioned article is important to Slovenia in terms of statehood. It stipulates that any person, who held citizenship of the Republic of Slovenia and of the Socialist Federal Republic of Yugoslavia before the enforcement of the Act and according to regulations that governed the issue of nationality until the enforcement of the Act, is considered to be a citizen of the Republic of Slovenia. This applies to all who held citizenship of the Republic of Slovenia and of the Socialist Federal Republic of Yugoslavia before 25 June 1991 and under regulations that were in force until this date. The provision is based on the principle of legal continuity of all citizenship frameworks, by which the citizenship was regulated at the time of the SFRY; however, the ethnic affiliation of a person in regard to Slovenian citizenship granted under the Act was legally irrelevant. This means that all persons who held their citizenship before gaining independence were considered Slovenian citizens,



regardless of their ethnic origin. The above-mentioned article is based on the principle of blood bonds, which has a long legal tradition in Slovenia, since it was mainly present in all legal systems that regulated citizenship in this territory in the past. Through this principle, the Citizenship of the Republic of Slovenia Act enforced a genuine link, whereas the principle of territorial origin, regarding the proving of genuine link, is hardly ever taken into consideration.

123. For those permanent residents with citizenship of former Yugoslavia who were not Slovenian citizens at the time of Slovenian attainment of independence according to article 39 of the Citizenship of the Republic of Slovenia Act, the Citizenship Act included a provision in article 40, which regulated the specific situation of citizens of other successor republics of the former SFRY in terms of acquiring Slovenian citizenship. 40. According to article 40 of the Citizenship Act, the acquisition of Slovenian Citizenship is not conditional upon the loss of original citizenship; at the same time, all permanent residents of the Republic of Slovenia with citizenship of a former Yugoslav state who did not have a Slovenian citizenship at the time of Slovenian attainment of independence, were able to acquire citizenship of the Republic of Slovenia under rather favourable naturalization conditions. Under this provision, all permanent residents of the RS with citizenship of a former Yugoslav country who were not Slovenian citizens at the time of Slovenian attainment of independence, but who had registered permanent residence in the Republic of Slovenia on 23 December 1990 and had actually been living here, were able to acquire citizenship within six months. According to the Act, minors might have been granted citizenship upon the request of their parents if at least one of their parents acquired citizenship of the Republic of Slovenia. Therefore, persons who had not acquired citizenship in accordance with article 40 were not stateless residents, because they had citizenship of one of the former Yugoslav countries. The above-mentioned fact also applies to children of persons who were removed from the register of people with permanent residence, since the principle of blood bonds or *ius sanguinis* was present in all acts of former Yugoslavia, which means that parents pass their citizenship on to their children. Even children who were born in Slovenia after 1992 and who did not become Slovenian citizens because the criteria stipulated by the Citizenship of the Republic of Slovenia Act had not been met, were not stateless, because they had been passed on the citizenship of their parents pursuant to the “*ius sanguinis*” principle; as explained above, accordant with the principle of continuity, parents had the citizenship of one of the former Yugoslav countries. Furthermore, with this Act, children are protected in case of stateless parents; such a child is granted a Slovenian citizenship if he is born or found in the territory of the Republic of Slovenia, even when citizenship of his parents cannot be determined or if parents are not known. This is the only example of the “*ius soli*” principle in Slovenian law (the acquisition of citizenship by birth in the territory of the State).

## **B. Preservation the identity (art. 8)**

124. The provision of the Convention was explained in the initial report (CRC/C/8/Add.25).

## **C. Freedom of expression (art. 13)**

125. The project ‘The Children’s Parliament’ has been implemented by the ‘Slovenian Association of Friends of Youth’ since 1990 and is one form of encouraging children to express their own views on questions they select on their own, through the democratic process. The Children’s Parliament is an education programme for democracy for children and adolescents. The parliaments are carried out as forms of democratic dialogue in all

schools across Slovenia. On the second level are municipal and regional parliaments, and on the final level is the national Children's Parliament. Children (pupils from most primary schools) participate in the program with the support of mentors and volunteers. The topic for the Children's Parliament is chosen by children at the national Children's Parliament.

#### **D. Freedom of thought, conscience and religion (art. 14)**

126. On 3 March 2007, the Religious Freedom Act<sup>50</sup> entered into force. The provision of article 10 of the ZVS includes a standard that gives parents the right to educate their children in accordance with their religious beliefs; however, when doing so, they must respect their child's physical and emotional inviolability. The mentioned standard limits the freedom of religion to children under the age of 15, which is part of the freedom of thought, conscience and religion of article 14 of the Convention. However, this limitation is based on article 18, paragraph 4 of the International Covenant on Civil and Political Rights, under which the State Parties have committed to respect the right of the parents or legal guardians to secure religious and moral education for their children in accordance with their own beliefs. At the same time, in compliance with article 10, paragraph 2 of the ZVS, children aged 15 or more have the right to make decisions related to freedom of religion on their own (without their parents). Article 14 of previous sectoral law – Legal Status of Religious Communities in the Republic of Slovenia Act<sup>51</sup> stipulates that besides his own consent, a minor requires permission from parents or guardian to be able to attend religious lessons.

127. In favour of children, the new sectoral law (ZVS) extended freedom of religion to all decisions related to religious freedom. The law laid down that the child should be independent when making decisions related to religious freedom and lowered the age for the aforementioned extended freedom of religion, at which children are allowed to make all decisions regarding freedom of religion on their own.

#### **E. Protection of privacy (art. 16)**

128. The provision of the Convention was explained in the initial and second reports (CRC/C/8/Add.25 and CRC/C/70/Add.19).

129. Due to the accession of the Republic of Slovenia to the EU and the requirements of Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and the free movement of such data, the Personal Data Protection Act (ZVOP-1)<sup>52</sup> was adopted, which entered into force on 1 January 2005 and stated that on 1 January 2006, an independent national supervisory body responsible for supervising protection of personal data would start operating. During the interim period, the Information Commissioner Act (ZInfP) was adopted, on the basis of which a new autonomous and independent state body, called the Information Commissioner was established. This body is responsible *inter alia* for the inspection of the implementation of the Act and other rules governing the protection or processing of personal data or removal of personal data from the Republic of Slovenia, as well as the performance of tasks laid down in these rules, i.e. the rules concerning the protection of personal data.

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<sup>50</sup> Official Gazette of RS, No. 14/2007; hereinafter ZVS.

<sup>51</sup> Official Gazette of RS, No. 15/1976; hereinafter ZPPVS.

<sup>52</sup> Official Gazette of RS, No. 86/2004, with amendments: Official Gazette of RS, No. 113/2005-ZInfP, 51/2007-ZUstS-A, 67/2007, 94/2007-UPB1.

## **F. Access to appropriate information (art. 17)**

130. Slovenia has a very well developed and branched system of public libraries regulated by the Librarianship Act.<sup>53</sup> All elementary and secondary schools have their own libraries. Additionally, there are 58 general libraries in Slovenia with more than 250 local libraries and 12 bibliobuses with more than 600 stations.

## **G. Prohibition of torture and other cruel, inhuman or degrading treatment or punishment (art. 37 (a))**

131. The provision of the Convention was explained in the initial and second reports. (CRC/C/8/Add.25 and CRC/C/70/Add.19).

132. In 2008, the new Criminal Code<sup>54</sup> was adopted, which, on the basis of recommendations of the United Nations Committee against Torture, autonomously incriminated torture (art. 265/I.). Concerning the incrimination, the legislator followed the definition of torture in article 1 of the Convention against Torture. Hence, the Criminal Code now includes not only this incrimination but also the incrimination of torture in the framework of crimes against humanity (art. 101, indent 6) and in the framework of war crimes (art. 102 first part of the indent 2 (I.)).

133. The new Criminal Code also defined the new criminal offence “family violence” (in the previously applicable Criminal Code, family violence was dealt with within the framework of the criminal offence of violent conduct). In the new Code, children are also directly protected by the criminal offence “neglect of children and violent behaviour” and punishment for this offence is more rigid.

## **VI. Family environment and alternative care (arts. 5, 9–11, 18, paras. 1 and 2; 19–21, 25 and 27, paras. 4 and 39)**

### **A. Parental guidance (art. 5)**

134. Counselling for parents is carried out in social work centres, counselling centres for children and adolescents, medical and educational centres as well as non-governmental organizations.

#### **Counselling session**

135. Prior to filing a divorce suit or an application for divorce, the spouses have to take part in a counselling session at the social work centre. The counselling session comprises of counselling and assistance in the organization of life after a breakdown of a marriage, information about the consequences arising from the breakdown of a marriage for spouses and children under 18. *Work methods:* working with the spouses on a partnership level, working with parents and children on a parenting level. When this procedure is carried out, a report with an opinion on the further care and upbringing of the children under 18, on maintenance and on personal contacts is sent to the court by the social work centre.

<sup>53</sup> Official Gazette of RS, No. 87/2001.

<sup>54</sup> Criminal Code-1, Official Gazette of RS No: 55/08, 66/08.

**Family mediation**

136. Family mediation is a procedure in which one or more impartial third parties (family mediator(s)) help(s) the participants to settle all disputed questions originating from personal and property relations as well as family relations. It is particularly important that the child (in the case of a divorce) is informed about the divorce and is given the opportunity to express his own view. The mediator has to protect the child's best interest during the entire procedure (mediation).

137. Family mediation can take place before or during court proceedings. At the end of 2009, the Act on Alternative Settlement of Legal Disputes<sup>55</sup> entered into force regulating the settlement of court proceedings within the procedures of alternative dispute settlement provided to the parties by the courts. The Act is applied to disputes arising from economic, employment, family and other civil relationships, with regard to claims that are at the parties' disposal and that the parties can agree upon, unless otherwise stipulated by a special Act for an individual dispute. According to this Act, an alternative dispute settlement is a procedure that does not entail trial and in which one or more neutral third parties co-operate in the dispute settlement using the procedures of mediation, arbitration, preliminary neutral evaluation or other similar procedures. Provisions on family mediation are also included in the Draft Family Code,<sup>56</sup> currently in the legislative procedure.

138. Programmes for the support of the family are annually co-financed by the Directorate for Family at the Ministry of Labour, Family and Social Affairs. The programmes are selected in public tenders, and the contractors are primarily NGOs. In 2007, the Directorate for Family initiated programmes for personal growth of children and adolescents as well as 'schools for parents' programmes. In 2008, additionally to these two fields, youth centre programmes, programmes for preparation of the act and schools for parents programmes were introduced. In 2009, new programmes for the support of the family were initiated that include family mediation programmes (year-round programmes available continuously to users during the calendar year or academic year, at least three times a week) and family centre programmes (improvement of the quality of family life with the help of topics covering education of the family as well as topics on the improvement of communication within the family, schools for parents, personal growth of children and adolescents programmes and programmes for creative spending of free time together).

**B. Parental responsibilities (art. 18, paras. 1 and 2)**

139. Upon the entry into force of the Act Amending the Marriage and Family Relations Act<sup>57</sup> the joint upbringing and care stipulations were also introduced.

**C. Separation from parents (art. 9)****Reply to the recommendations contained in paragraph 29 of the concluding observations**

140. The Marriage and Family Relations Act (ZZZDR) from 1976 has been extensively updated three times: in 1989, 2001 and 2004. Some provisions of the ZZZDR were later

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<sup>55</sup> Official Gazette of RS, No. 97/09.

<sup>56</sup> The Official Gazette of the National Assembly of RS "Poročevalec Državnega zbora RS št. 168/2009".

<sup>57</sup> Official Gazette of RS, No. 64/2001.

replaced by provision of acts from other legal areas, e.g. the Notary Act<sup>58</sup> the Civil Procedure Act<sup>59</sup> and the Infertility Treatment and Procedures of Biomedically-Assisted Procreation Act.<sup>60</sup> Upon the entry into force of the Act Amending the Marriage and Family Relations Act those provisions of the ZZZDR that were obsolete or, due to the diction or contents, did not comply with the new constitutional and legal situation were nullified or amended. This was done with the amendment of the ZZZDR in the year 2004, i.e. upon the entry into force of the Act Amending the Marriage and Family Relations Act.<sup>61</sup> This amending act also regulates other issues concerning contacts, along with some important family relations specifications. It should be noted that, according to the amending act, the child is also (and above all) the holder of the right to contact; the child's best interests are the highest and the decisive criterion for all decisions on the right to contact with parents. Concerning contact between children and parents, there is a modification of the regulation of the care and upbringing of the child in accordance with the child's best interests: taking into account the opinion of the child, exercising joint custody.

141. On the basis of the Act Amending the Marriage and Family Relations Act<sup>62</sup> the court must find out, during the divorce process and on the basis of the agreement between the spouses, whether the spouses have reached an agreement on the care, upbringing and child support of common children as well as contact between the child and the parent according to the child's best interests. The court must also take into consideration the child's view, whether he has expressed it himself or through a person he trusts (hereinafter referred to as: the confidant) or if he is able to understand its meaning and consequences (art. 64, para. 2). The court has to find out, during the divorce process initiated by the proposal of the spouses, how to ensure the best interests of the child, while at the same time taking into consideration the child's view, whether he expressed it himself or through a confidant (art. 78, paragraph 2). The court takes into account the child's view in proceedings in which the court decides who will be granted the care and upbringing of the child. The parents can agree that they will share the upbringing and care, that one of them is granted the care and upbringing of all children or that some children may stay with one of the parents and others with the other parent (art. 105, para. 3). The child's view, expressed by himself or through a confidant, is taken into account by the court when deciding about the child's contact with the parent not living with the child or contact with other persons to whom the child is related or personally attached (art. 106 and 106. a.). If the parents are not living together and do not share common responsibilities for the care and upbringing of the child, decisions about issues that have a major influence on the child's future development are made by both parents in agreement. If they are unable to reach an agreement on this issue, the matter shall be settled with a decision by the court that takes into account the child's view expressed by himself or through a confidant (art. 113, para. 4).

142. On the basis of an analysis of the situation and past findings on the implementation of article 12 of the Convention on the Rights of the Child on the initiative of the Human Rights Ombudsman, an initiative working group for the implementation of the pilot project "Advocate – a child's voice" was set up, in which the Ministry of Labour, Family and Social Affairs participates as an equal partner on all levels: the professional, financial, promotional and international levels of exchanging good practices. In this way, it participates actively in the activities of the group for the implementation of the project and in subgroups of experts and by providing financial support. During the presidency of the

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<sup>58</sup> Official Gazette of RS, No. 13/1994, 48/1994, 82/1994, 41/1995, 83/2001, 73/2004.

<sup>59</sup> Official Gazette of RS, No. 26/1999, 96/2002, 12/2003, 2/2004.

<sup>60</sup> Official Gazette of RS, No. 70/2000.

<sup>61</sup> Official Gazette of RS, No. 16/2004.

<sup>62</sup> Official Gazette of RS, No. 16/2004.

Council of the EU by the Republic of Slovenia, Slovenia presented the project as a good practice example of the implementation of article 12 of the Convention on the Rights of the Child in the framework of the Meeting of the intergovernmental group “L’Europe de l’Enfance” held in Ljubljana on 26 March 2008. The meeting was attended by representatives of 21 Member States of the European Union and the representative of the Commission of the EU.

143. The project is a response to the actual situation concerning the implementation of the part of the Convention on the Rights of the Child about the child’s right to express his view on the activities and proceedings he is involved in. Since, in family disputes, the child is too often the “means” through which parents try to promote their interests, the need to establish a stipulation has arisen. This stipulation will enable the child to express his view on all matters concerning himself through an independent advocate, who will be the child’s support when parents fail to act in the best interests of the child and exercise the child’s rights. Thus, we want to:

- Ensure effective implementation of the rights of children to express their view in all proceedings and activities affecting them, and that their view is actually taken into consideration
- Ensure that children participate actively in the decision-making process in proceedings and activities directly affecting them
- Ensure the children the right to be acquainted with the meaning and consequences of the proceedings and activities directly affecting them
- By means of an advocate, strengthen their procedural position and procedural rights in proceedings affecting them
- Ensure, through activities of the advocate, the implementation and compliance with the principle of the best interests of the children in all proceedings and activities affecting them

#### **D. Family reunification (art. 10)**

144. This provision of the Convention was described in the initial and second reports (CRC/C/8/Add.25 and CRC/C/70/Add.19).

#### **E. Recovery of maintenance for the child (art. 27, para. 4)**

##### **Reply to the recommendations contained in paragraph 33 of the concluding observations**

145. From 1 May 2004 the financial responsibility for a child and the amount of child maintenance are set by a court, either on the grounds of a lawsuit or an agreement on maintenance. A court ruling also sets maintenance for the parents to be paid by the children, as well as between spouses, however, the parties may conclude an agreement on child support or maintenance in the form of an enforceable notarial record.

146. On 1 April 2009, there were 64,283 child maintenance paid in the Republic of Slovenia, with an average amount of EUR 113.47.

Table 3

**Number and amount of maintenance by act with which it is set**

<i>Act by which child maintenance is set</i>	<i>Number of payments</i>	<i>Amount of maintenance (in Eur)</i>		
		<i>Highest</i>	<i>Lowest</i>	<i>Average</i>
Agreement reached at a social work centre	20 571	904.32	0.47	96.41
Court settlement	21 126	2 000.00	0.00	117.40
Court ruling setting the maintenance	21 439	1 358.59	0.01	127.46
Enforceable notarial record	1 147	900.00	5.00	85.87
<b>Total</b>	<b>64 283</b>	<b>Average amount of child maintenance</b>		<b>113.47</b>

*Source:* Ministry of Labour, Family and Social Affairs.

147. When amending criminal legislation in 2004, article 203 of the Criminal Code<sup>63</sup> was also amended. Article 203 sets out that not paying maintenance is, in itself, considered to be a crime (previously it has only been a crime to evade the payment of maintenance), since the person obliged to pay for maintenance and who does not despite the fact that he is able to, will be punished by imprisonment for up to one year, and for evading the payment, for up to three years.

148. In 2008, the new Criminal Code of the Republic of Slovenia<sup>64</sup> was adopted and entered into force. It contains an identical provision regarding non-payment of maintenance under article 194. According to the Statistical Office of the Republic of Slovenia, 105 people were convicted due to non-payment of maintenance in 2006 under article 203 of the Criminal Code of the Republic of Slovenia, and 105 people were convicted in 2007.

149. In order to increase the efficiency of the judiciary and to eliminate the backlog of cases in Slovenian courts, the Ministry of Justice prepared the “Lukenda” project, the implementation of which started in 2006 and the last version of which was acknowledged by the decision of the Government of the RS on 28 November 2007. Two strategic objectives of the “Lukenda” project are to increase the efficiency of the judiciary and to eliminate the backlog of cases in courts by the end of 2010. All judicial authorities are responsible for implementing this project; however, other authorities may also contribute to solving court backlogs in various ways.

150. Among efforts for increased efficiency of the judiciary, it should be mentioned the possibility of foundation of the family department for deciding on issues that lie within the competence of district courts under the provisions of the Marriage and Family Relations Act (ZZZDR). The family department should, with adequate specialisation, lay (more) stress on the facilitation and quality of judicial decision-making. Beginning 1 January 2009, due to a change of judicial regulations, all district courts have the possibility of establishing family departments intended to deal with family civil matters. Two such departments have been operating for some years now in Ljubljana and Kranj. Two more were established – one in Murska Sobota in 2008 and in 2009 in Slovenj Gradec. In 2010, family departments are organized also at the Maribor’s District Court (Okrožno sodišče) and at the Krško District Court (Okrožno sodišče).

<sup>63</sup> Official Gazette of RS, No. 95/2004 – official consolidated text.

<sup>64</sup> Official Gazette of RS, No. 55/2008 and 66/2008 – corr.

**Replacement maintenance**

151. Ensuring the enforcement of the right to replacement of maintenance to children who have been allocated maintenance by final judgement, interim decision or agreement with a social work centre, when the respondents are not paying it, is the responsibility of the Public Guarantee and Maintenance Fund of the Republic of Slovenia.

152. In 2007, 438 applications for 594 children were submitted to the Maintenance Fund. 496 applications for 662 children were resolved. The right to maintenance replacement was recognized for 575 children. At the end of 2007, 3,100 children were paid out replacement maintenance in the average amount of EUR 70.23. In 2007, the Fund paid out replacement maintenance in the total amount of EUR 2,630,612.

153. In 2007, the Fund was paid back EUR 1,100,105, that is, 41.8 percent of all payments. In 2006, the Fund was paid back EUR 747,256, that is, 28.3 percent of all payments. In 2007 the amount of refunds increased by 47.2 percent.

154. In the preceding years, the portions of amounts recovered by the Fund in comparison to the paid-out amounts within individual years were the following: 2005 – 24 per cent, 2006 – 28 per cent, 2007 – 42 per cent, 2008 – 48 per cent.

155. The rise in the number of recovered amounts can be attributed to the fact that the Fund itself supports the process of recovery of maintenance by information, thus connecting itself to all databases from which it draws information on the debtor's eventual employment and property. This means that proposals for execution specify definite executive means that can then be used by the court, thus making the proceedings shorter. At the same time, in 2007, the Fund decided to implement the recovery of maintenance within the period of 1.5 years and not within the three-year limitation period.

156. We estimate that the general level of recovered amounts can reach, cumulatively, around 30 percent of paid amounts within the total period of the Fund's operation. Debtors are mainly those whose conditions worsened during the payment of maintenance liability (they lost their job, created a new family, etc.), did not require determination of a new amount of child support in court, but were not able to pay maintenance any longer.

**F. Children deprived of family environment (art. 20)****Reply to the recommendations contained in paragraph 35 of the concluding observations**

157. When children or juveniles are not cared for by their parents or have no parents or family care, they are granted special protection by the State. Their situation is regulated by the Marriage and Family Relations Act,<sup>65</sup> which regulates foster care, guardianship and adoption.

158. At the end of 2007, a total of 249 children were under guardianship as a special form of social care. At the end of October 2008 in Slovenia, there were 813 foster families, where 1,153 children and juveniles were placed. Slovenian legislation knows only full adoption, by which the adoptee is completely separated from his birth family and incorporated into the family of the adopter. In the last 10 years, the number of adoptions in Slovenia was between 20 and 40 per year.

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<sup>65</sup> Official Gazette of RS, No. 16/2004.



159. In January 2003, the Act Concerning the Pursuit of Foster Care<sup>66</sup> entered into force, by which Slovenia systematically regulates the implementation of this activity. Here, it should be emphasised that this Act does not substantively intervene in the institutes on foster care as a form of family-law care of juveniles, since this is regulated by the Marriage and Family Relations Act, but it only, more precisely, defines the roles and tasks of all persons involved in foster care – that is, foster mothers and foster fathers and their families, foster daughters and foster sons and their original families and social work centres. The guiding principle of the preparation of the Act was the principle of the child's best interests, that is, that a child placed in a foster family is provided with conditions that are as appropriate as possible for his emotional and physical development or that he is placed with a family that allows for a positive family experience. The Act regulates the conditions that must be fulfilled by a person who wishes to provide foster care, the procedure to obtain a licence to provide foster care, the conditions and the procedure for the implementation of foster care as a full-time job; it defines the obligations of foster-parents and tasks of social work centres in the implementation of foster care, regulates financing of foster care and some other issues related to the implementation of the Act. In addition, the Rules on conditions and procedures for the implementation of the Act concerning the pursuit of foster care<sup>67</sup> have been adopted, which, among other things, provide compulsory training of foster parents.

160. The implementation of foster care is also supported by information. The information system comprises information on foster parents and foster children, along with providing the possibility of all payments of fostering fees and social security contributions via the system for foster parents carrying out fostering as an occupation. The information system enables us up-to-date information on the number of foster families in the Republic of Slovenia, the number of currently available free placements with foster families for the entire country, the number of available placements with professional foster mothers and fathers, the educational level of foster mothers and fathers, the number of children in foster care, the age structure of foster daughters and sons, the amount of time children spent in foster care, their problems and similar information.

161. According to the data of social work centres, 1,470 children were placed in foster families in 2003, 1,279 in 2004, 1,278 in 2005, 1,307 in 2006 and 1,301 children in 2007. According to the data of social work centres, the number of foster families is increasing year by year; in 2003, there were 894 foster families and in 2005, there were 912.

162. In Slovenia, the monitoring of the situation of children in foster families is the responsibility of social work centres. They monitor children in foster families, by law, at least once a year. For each foster child, an individual project group made up of social workers, the foster parents, the biological family and the foster child, prepares an individual plan designed to ensure the integrated treatment and monitoring of the child.

163. Adoption can also be an adequate solution for children in foster families; however, this is not common in the case of foster families. According to the data of social work centres, only a few children placed in foster families (26 children from 2004 to 2008) were adopted. The basic reason for this is that the biological parents do not give their consent for adoption.<sup>68</sup>

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<sup>66</sup> Official Gazette of RS, No 110/2002.

<sup>67</sup> Official Gazette of RS, No. 54/2003.

<sup>68</sup> Črnak-Meglič, Andreja. National report on international adoptions: Slovenia. IRSSV-Unit for analysis and development – Child Observatory, Ljubljana, 2008.

164. According to the data from the information system prepared for the area of adoptions, there is currently (at the end of November 2008) a total of 333 applications for adoption filed with social work centres in Slovenia – whereas 204 applicants (pairs) have been evaluated as possible or adequate adopters and the other 129 have not had a final opinion be issued yet. Adoptions are always unique situations in which the basic guidance should be that the best substitute parents be found for the child (with regard to his needs, age, other circumstances) and not the other way around; therefore, the “waiting period” can vary greatly.

165. According to data from the civil registry, the number of adopted children in previous years was the following: in 2003, 30, in 2004, 17, in 2005, 31 (including international adoptions) and in 2007, 24 (including international adoptions).

166. The preparation of future adopters is certainly a very special, constituent part of the professional work that has to be done with adopters. The centres make use of, in particular, individual discussions with future adopters, psychological evaluations of future adopters and, group preparations organized by individual centres. With regard to the work in the area of adoptions, some social work centres connect with other centres, and some centres connect with the “Clover” organization.

167. The Government of the Republic of Slovenia on 17 December 2009 adopted the draft Family Code,<sup>69</sup> which have been submitted to the legislative process. The Draft Family Code more precisely regulates the “pre-procedure for adoption” in the area of adoptions, to which the preparation of the candidates for the adoption also belongs.

## **G. Adoption (art. 21)**

168. This provision of the Convention has already been explained in the first and second reports of the Republic of Slovenia (CRC/C/8/Add.25 and CRC/C/70/Add.19).

169. Slovenia ratified the Convention on Protection of Children and Cooperation in Respect of Inter-country Adoption<sup>70</sup> which entered into force in 2002. According to the Convention, the Ministry of Labour, Family and Social Affairs was appointed as the central body and the professional work is carried out by 62 social work centres.

170. At the end of 2007, the Republic of Slovenia and the Republic of Macedonia signed and ratified the Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Macedonia on inter-country adoptions.<sup>71</sup> The Agreement was prepared on the basis of the provisions of the Hague Convention, and lays down basic conditions for the adopter and the child or minor, the procedure of inter-country adoption of a child (persons wishing to adopt a child from another country must submit the application for the inter-country adoption to the competent authorities of the State in which they reside), the central (the Ministry of Labour, Family and Social Affairs of the Republic of Slovenia and the Ministry of Labour and Social Policy of the Republic of Macedonia) and authorized bodies (social work centres of both states) for the implementation of inter-country adoptions. Furthermore, it sets out the arrangement of exit from the country of origin as well as entry and residence of the child or minor in the receiving country, along with the arrangement of health insurance for the child during the time of temporary

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<sup>69</sup> The official Gazette of the National Assembly of RS “Poročevalec Državnega zbora RS, št. 168/2009-23.12.2009”.

<sup>70</sup> Act Ratifying the Convention on Protection of Children and Cooperation in Respect of Inter-country Adoption (MKVO) Official Gazette of RS-MP, No. 14/1999.

<sup>71</sup> Official Gazette of RS-MP, No. 15/2007.

placement. Since March 2008, 16 applications for the adoption of a child have been sent to Macedonia.

## **H. Illicit transfer and non-return (art. 11)**

171. On the basis of the Act Ratifying the Convention on the Civil Aspects of International Child Abduction,<sup>72</sup> the appointed central regulatory body is, according to the Convention on the Civil Aspects of International Child Abduction, the Ministry of the Interior. The Ministry of Justice and the Ministry of Health are responsible for implementation of the Convention.

172. In 2008, the central regulatory body treated 6 cases in which three requests for the return of the children were received from abroad and three requests for the return of illegally transferred children were sent to other countries. In 2007, Slovenia did not implement any new procedures under the Convention on the Civil Aspects of International Child Abduction, whereas five of these kinds of procedures took place in 2006 (all applications received from abroad) and two took place in 2005 (one was received from and one was sent to another country).

## **I. Abuse and neglect (art. 19), including physical and psychological recovery and social reintegration (art. 39)**

### **Reply to the recommendations contained in paragraph 37 of the concluding observations**

173. Every year the Slovenian police receive around 300 reports of suspicions that children are victims of sexual abuse. In approximately 80 per cent of all reported cases, the police succeed in proving that the acts constitute an offence and file a crime report at the competent State Prosecutor's Office. In other cases, even where there is no basis for a crime report, the police inform the prosecutor with a report specifying all the facts. In such cases, the prosecutor himself decides either to require supplementary information or to obtain additional information themselves.

174. Information on the suspicion of a criminal act of sexual abuse is often reported to the police by social work centres or other institutions (for example, health-care institutions and schools). Frequently, such cases are also reported by parents or one of the parents, close relatives or individuals who are not in direct connection with children.

175. In more than 80 per cent of the cases, children know the offenders. Approximately half of them are related to the children; in almost 50 per cent of these cases, one of the parents is the abuser, and in other cases the abusers are relatives, family friends or neighbours. In the remaining 20 per cent of these cases, the offenders get to know the children and perhaps even actively try to get access to the child in order to carry out the criminal offence more easily.

<sup>72</sup> Official Gazette of RS, No 23/93, IT, No. 6/1993.

Table 4  
Number of children victims of criminal offences

Year	2003	2004	2005	2006	2007
Number	4 205	3 046	2 593	2 675	2 642

Source: General Police Directorate.

Table 5  
Number of reported cases

Year	Article 173 of the KZ-1	Article 174 of the KZ-1	Article 175 of the KZ-1	Article 176 of the KZ-1	Chapter XXI of the KZ-1	Article 192 of the KZ-1	Total
2003	196	23	1	14	743	252	<b>1 233</b>
2004	218	26	5	14	383	210	<b>856</b>
2005	188	32	9	36	477	242	<b>984</b>
2006	173	18	18	21	314	276	<b>820</b>
2007	<b>203</b>	<b>25</b>	<b>4</b>	<b>32</b>	<b>767</b>	<b>257</b>	<b>1 288</b>

Source: General Police Directorate.

Note: The statistical data is shown by articles applicable after the adoption of the Penal Code on 1 November 2008, but is also consistent with the contents of the old articles.<sup>73</sup>

176. Over the last 10 years, the number of reported criminal offences has increased. According to their opinion of experts, the increase in reported cases is a consequence of increased sensitivity of the public to this phenomenon, better qualification of experts to recognize the signs of abuse and reflection of better cooperation between the police and social services, schools, preschool institutions and health-care institutions and, consequently, greater trust of people and victims in institutions.

177. Every year the Criminal Police Directorate of the General Police Directorate organizes in cooperation with the State Prosecutors' Association of Slovenia, a two-day intersectoral conference and training course for dealing with violence against children and minors. The purpose of this conference is to acquire additional knowledge to investigate criminal offences related to children and minors at all levels covered by law enforcement authorities and to exchange the experience and strengthen good practices between criminal investigators, prosecutors, representative of child victims and judges responsible for the trial and pursuit of criminal offences against children. In cooperation with other institutions and organizations, the police trained 40 trainers for the transfer of knowledge on the recognition, prevention and investigation of family violence. In the year 2006, they started to carry out training of all police officers at police directorates. By the end of 2007, all police officers successfully underwent the initial programme. The General Police Directorate is planning further training. Both programmes, for the trainers as well as police officers, are contained in the act on compulsory training of police. Every year, the police carry out additional verified training programmes in the areas of juvenile delinquency; work with victims, family violence, violence at schools and prevention and investigation of

<sup>73</sup> Article 173 of the KZ-1 (Sexual Assault on a Person Below Fifteen Years of Age), Article 174 of the KZ-1 (Violation of Sexual Integrity by Abuse of Position), Article 175 of the KZ-1 (Exploitation through Prostitution), Article 176 of the KZ-1 (Presentation, Manufacture, Possession and Distribution of Pornographic Material) Chapter XXI of the KZ-1 (Criminal Offences against Marriage, Family and Children), Article 192 of the KZ-1 (Neglect and Maltreatment of a Child).

criminal offences of abuse of children for the purpose of child pornography. These training courses are attended by police officers and crime experts who specialize in the above-mentioned areas of work.

178. Article 65 of the Criminal Procedure Act<sup>74</sup> defines a representative who, from the initiation of the criminal proceedings onwards, looks after a child's rights, particularly in connection with the protection of his integrity during examination before the court and during the assertion of a claim for indemnification. Such representative is assigned to the injured party who is a minor by the court *ex officio* in cases of treatment of crimes against sexual inviolability, the neglect of minors and cruel treatment and trafficking in human beings.

179. On 1 November 2008, a new Criminal Code (KZ-1)<sup>75</sup> entered into force bringing several new stipulations. Thus, article 84 sets out a special record of persons convicted of certain criminal offences against sexual inviolability committed against children. On the basis of a legally justified request by institutions or associations justified by law, to which the children or minors were entrusted, information from the criminal record shall be released, even for the removed convictions for criminal offences. Under article 90, the KZ-1 sets out the conditions for the limitation of criminal prosecution. The period of the limitation of criminal prosecution of criminal offences against sexual inviolability and criminal offences against marriage, family and youth committed against a minor, shall begin when the victim becomes an adult. Another important new stipulation of the Criminal Code is a new criminal offence defined as family violence under article 191 placed in the chapter "Criminal Offences against Marriage, Family and Youth" (according to the previously applicable Criminal Code, family violence was prosecuted in the context of criminal offence of violent conduct defined in the chapter "Criminal Offences against Public Order"). This criminal offence is punishable by imprisonment for not more than five years or for not more than three years, when family violence is carried out in a community in which the perpetrator lived and this community fell apart. The criminal offence under article 190 of the KZ-1 (abduction of minors) also received an addition: when the offence causes deterioration of mental or physical health of the child or threatens his development, it is now considered an aggravated form of committing the criminal offence. This is punishable by imprisonment up to five years. Under article 287, the KZ-1 defines the criminal offence of violation of the secrecy of proceedings. Sanctions are provided for the publication of personal data of the child involved in any kind of proceedings, or for the publication of information that may cause the identity of the child to be revealed.

180. In order to inform and educate children, teachers and parents, the police carry out two preventive programmes, i.e. "One-One-Three" and "Take Courage and Tell". The programmes are implemented within the framework of the "Police for children" project. The puppet show "113" is intended for pre-school children and children in primary school up to the 5th grade of nine-years of primary school. The show offers children the telephone number 113, where a child can call a police officer for help. The preventive programme "Take Courage and Tell" is intended for the information of children, advisory workers and teachers in primary schools on violence among peers. The programme is carried out in primary and secondary schools and is conducted by specially trained police officers and criminal police officers in cooperation with teachers.

181. In the event of violence and abuse, the children can be provided help by social work centres and regional rapid response teams. The children or minors at risk or victims of

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<sup>74</sup> Criminal Procedure Act (official consolidated text, Official Gazette of RS No. 32/2007 – official consolidated text, 102/2007-ZSKZDÈEU, 23/2008-ZBPP-B, 68/2008).

<sup>75</sup> (Official Gazette of RS, No 55/2008 and 66/2008 – corr.).

violence can entrust their problems to advisers at schools. In case of possible violence, they can also call the free-of-charge anonymous blue number for primary school children (080 1552) – the “Peter Klepec” number. A call to this number is always answered by the qualified experts of the crisis centre for youth, who can also refer the child to the crisis centre in critical situations.

182. In short, if we summarize the doctrine of the work of the professional worker at the social work centre, when the child reveals sexual abuse, it is very important that:

- The professional worker competent for the area of sexual abuse of children takes enough time for the conversation
- The message to the child is that the professional workers believe that he is not to be blamed for the sexual abuse, that he is very brave and that he did the right thing by telling someone about it
- The child is not asked questions like “Why, exactly, did this happen to you?” or other suggestive questions
- The child is allowed to reveal, in his own words, only as much as he wishes to or is prepared to reveal
- The professional worker tells the child that he is not the only one to whom this has happened and that the abuse is solely the responsibility of the perpetrator
- The professional worker is not allowed to promise the child something that cannot be done (for example, that he will not tell anyone), since he is obliged to take action in accordance with applicable legislation and report the act to the police or the prosecutor’s office

### **Violence in schools**

#### **Reply to the recommendations contained in paragraph 39 of the concluding observations**

183. In the year 2004, the commission for the analysis of the violence issues in schools at the Ministry of Education and Sport (MES) elaborated the “Guidelines for the analysis of the prevention and treatment/management of violence in the area of education”. Within the framework of the Guidelines, examples of good practice in the Republic of Slovenia were also presented. These activities have been performed for many years in a large number of schools and can thus represent an appropriate basis for the implementation of various activities for the prevention of violence in schools.

184. Beside that, in 2008, the public tenders of the European Social Fund (ESF) were published for the development of research models, identifying and preventing violence in schools (the model should be evaluated by the end of 2010) for the projects implemented by networks of educational institutes and for the training of professional workers on the topic of identifying and preventing violence. In the years 2010 and 2011, education for professional workers in educational institutions on the issue of identifying and preventing family violence will also be implemented.

185. In 2009, in accordance with the Family Violence Act, the Rules on the Treatment of Domestic Violence for Educational Institutions were adopted by the Minister of Education and Sport, in agreement with the Minister of Labour, Family and Social Affairs. The rules entered into force on 2 January 2010. Rules are intended for professional workers in educational institutions. They will lay down the practice of educational institutions in case of violence against the child (perception and reporting of violence, work at the educational

institution after the report, membership of the professional worker in a multidisciplinary team at the social work centre, etc.). The principal of the school is responsible for the implementation of the Rules. In accordance with the Family Violence Prevention Act and following the Rules, all professional workers will be trained to work with the child in case of family violence.

### **Corporal punishment**

#### **Reply to the recommendations contained in paragraph 41 of the concluding observations**

186. In its legal order, Slovenia includes corporal punishment of children in the prohibition of physical violence, but not explicitly. Corporal punishment is not included in the Family Violence Prevention Act because physical punishment of children is a problem of education and not an anomaly or deviation in interpersonal relations, as is family violence. In the background of this basis, the provision on the prohibition of corporal punishment of children was included in the proposal of the Family Code.

187. An important new feature in the field of child maltreatment was the adoption of the Family Violence Prevention Act.<sup>76</sup> The Act distinguishes between physical, sexual, psychological and economic violence and negligence of necessary care for a family member. Special protection against violence is provided for children, elderly people and people with disabilities. When the victim of family violence is a person over 18, the authorities and the organization that learns about the circumstances in their work, are obliged to inform the social work centre, except when the victim explicitly opposes that and there is no suspicion of criminal offence, *ex officio*. In case the victim is a child, anybody with suspicion of abuse must inform the social work centre, the police or the state prosecutor's office. The novelty of the Act is that the victim can choose the victim's assistant, who will attend all procedures related to family violence with him and who will help him by looking for solutions and providing him with psychological support. The victim also has the right to a legal representative, who will protect his benefits in proceedings. In cooperation with other authorities and organizations, a multidisciplinary team from a social work centre elaborates the aid plan for the victim in cooperation with the victim.

188. The Act also provides for free legal aid to victims of family violence in legal proceedings. Prohibitions due to violent acts imposed on the perpetrator of family violence by the court upon the proposal of the victim are the following: entrance to the apartment where the victim lives; dwelling in the vicinity of the victim's apartment; dwelling in and approaching places where the victim regularly frequent; making contacts with the victim, including means for remote communication; establishing any meetings with the victim. Thus, the victim is no longer the one who has to withdraw from the apartment and leave, but the perpetrator of violence has to withdraw. On proposal of the victim, the court can order the perpetrator of violence to cede the common apartment for the explicit use of the victim. In a divorce, the spouse (victim) can demand that the other spouse (perpetrator of violence against the spouse or his children) cede the apartment in which they lived together for the explicit use of the victim. For the security of the children, the court allocates the apartment to the spouse with whom the children live. All prohibitions and measures can continue for up to six months; however, the victim can propose prolongation for another six months. In accordance with the law, all competent authorities (police, schools, health care and social service) have to adopt their sectoral rules of action in case of family violence. On

<sup>76</sup> ZPND – (Official Gazette of RS No 16/2008).

20 April 2009, the Rules on cooperation of bodies and operation of social work centres, multidisciplinary teams and regional services on the treatment of family violence entered into force.

189. At the meeting on 27 May 2009, the National Assembly of the Republic of Slovenia adopted the Resolution of National Programme of Family Violence Protection 2009–2014.<sup>77</sup> The Resolution is a strategic document that stipulates the objectives, measures and key policy makers for the prevention and reduction of family violence in the Republic of Slovenia by 2014. Definite tasks and activities for the attainment of objectives and implementation of individual measures will be stipulated in action plans that will be created every two years and will specify the deadlines and implementation methods.

190. In order to prevent violence and ensure efficient assistance in cases of violence against children and successful awareness regarding these issues, the partnership of the Ministry of Labour, Family and Social Affairs and Ministry of Education and Sport carried out a common project entitled “Adults are here to help” aimed at the entire primary-school population in Slovenia.

191. As part of the project, all elementary school pupils received an information brochure with key information on various forms of violence, including contacts for counselling and assistance as along with the key message that in cases of violence, it is necessary to turn to trustworthy adults who will help them out of the situation. Moreover, one class was dedicated exclusively to the issue of violence, causes and consequences of violent relationships as well as types of assistance. In this way, pupils obtained information about their basic rights and about respecting the rights of others, the knowledge of how to recognize violence and how to react in cases of experiencing, observing or committing violence, as well as receiving information regarding to whom to turn in case of possible violence at school, playgrounds or at home.

192. It is important that the State ensure that various opportunities for children and youth are known and accessible to them and that they should notify their parents who can help them and are obliged to do so in connection with their problems and distress. Therefore, the Ministry of Labour, Family and Social Affairs adopted a decision to open and finance a free-of-charge anonymous blue phone number for use by children in distress.

193. The anonymous number — (080 1552) — the “Peter Klepec” number, can be used by children and youth in case of possible violence. Children were informed about this option in the mentioned brochure and class. Besides accessibility, such forms of assistance can enable a child or juvenile to remain anonymous, which increases the feeling of safety. Even though this is not personal contact, direct dialogue with a qualified expert is established, and that expert directs the conversation and encourages a child or juvenile to find possible solutions. This way, the child also has the opportunity to participate in planning solutions, which significantly contributes to his active role in finding a way out of the situation.

194. Since crisis centres for youth are intended for children and juveniles who, for various reasons (especially due to unbearable conditions in a family frequently connected with violence and abuse), find themselves in a stressful situation, the centres are accessible 24 hours a day, while phone calls are redirected from the free-of-charge blue number to the closest of the seven crisis centres for youth. Besides professional support and counselling to children and youth, the advantage of the involvement of these centres in such a form of assistance is also that they can offer immediate safe accommodation if necessary.

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<sup>77</sup> Official Gazette of RS No. 41/2009.



195. The Republic of Slovenia supports the Council of Europe campaign against corporal punishment of children. At the press conference on 17 June 2008, the opening ceremony of the campaign was also attended by the representatives of the responsible ministries (Ministry of Labour, Family and Social Affairs, Ministry of Education and Sport), who committed themselves to include the prohibition of corporal punishment of children in the legislation governing this specific work area. The partnership of the Government and civil society is of exceptional importance in order to achieve a better quality of children's lives and to exercise children's rights; therefore, the Slovenian Government endeavours towards active cooperation with the non-governmental sector.

196. In accordance with the above-mentioned information, the Ministry of Labour, Family and Social Affairs co-funded the publication of the book entitled "Youth without Corporal Punishment for our Children", published by the Slovenian Association of Friends of Youth. In the framework of this Association, a Forum against Corporal Punishment of Children in the Family was established in 2004. The basic purpose of the activity of this new organizational form of civil society is to inform public and professional workers that it is an inappropriate educational measure to physically punish a child.

#### **J. Monitoring the measures (art. 25)**

197. According to the Marriage and Family Relations Act, the Social Welfare Act, the Social Assistance Act and the Act Concerning the Pursuit of Foster Care, social work centres shall monitor the implementation of measures related to foster care, guardianship and placement in institutional care. On the basis of the Rules on carrying out inspections in the field of social assistance,<sup>78</sup> control over the work of all operators of service programmes and other activities in the field of social protection in Slovenia is to be organized and implemented by the Social Affairs Inspection Service as of 31 July 2004.

### **VII. Basic health and welfare (arts. 6, 18, para. 3, 23, 24, 26 and 27, paras. 1–3)**

#### **A. Children with disabilities (art. 23)**

##### **Reply to the recommendations contained in paragraph 43 of the concluding observations**

198. In Slovenia, the concept of inclusion was enforced in 2000. The adopted concept includes the preparation of educational programmes adapted to the needs of children with special needs as well as the provision of adequate assistance to such pupils. The Law on Guiding Children with Special Needs<sup>79</sup> also anticipates that an individualised programme is elaborated for every pupil with special needs. In elaborating the programmes, professional workers, pupils and parents take part. Pupils with special needs are guided in various sorts of programmes by independent professional commissions at the National Education Institute of the Republic of Slovenia, composed of experts from various professions providing their relevant opinion on children's abilities. The guiding is not based on a disorder, deficit or handicap of the child, but on the estimated ability for learning according to the programme and type of assistance appertained to the child within the framework of

<sup>78</sup> Official Gazette of RS, No 74/2004.

<sup>79</sup> Official Gazette of RS, No. 54/2000, 3/2007.

an individual programme. According to their handicaps, disorders or deficits, children with special needs are guided in various programmes (a nine-year primary school programme, a nine-year primary school programme with additional professional assistance, a nine-year primary school programme with an equal educational standard and a nine-year primary school programme with a lower educational standard). On the basis of the decision on guiding, pupils with special learning needs are provided with additional professional assistance in overcoming deficits, handicaps or disorders and a learning aid intended for easier learning of a subject. Severely physically impaired pupils and students have the possibility to be accompanied by a caregiver during the educational process. Regarding their handicaps, disorders or deficits, secondary-school students can choose between various kinds of programme and are entitled to additional professional assistance. The issue of enrolment of female children with disabilities in schools with adapted programmes will be paid more attention in the future.

199. According to the data of the Ministry of Education and Sport, in the academic year 2007/08, the public primary schools were attended by 8,600 pupils with special needs out of a total of 163,305 pupils. The extent of children provided for by the Law on Guiding Children with Special Needs proves that the process of inclusion of children having disturbances in mental development did not stop. What is more, during recent years, the National Education Institute carried out two important projects in this area. One of them was intended for inclusion of children with disturbances in mental development and education of children guided in the programme with a lower educational standard within the mainstream primary school programme.

#### **Convention on the Rights of Persons with Disabilities and its Optional Protocol**

200. On 2 April 2008, the National Assembly of the Republic of Slovenia adopted the Act ratifying the Convention on the Rights of Persons with Disabilities and Optional Protocol to the Convention on the Rights of Persons with Disabilities.<sup>80</sup> In relation to the key issues, the Republic of Slovenia consulted people with disabilities and their representational organization. In the last three years, the Government of the Republic of Slovenia has adopted and amended basic regulations prohibiting the discrimination on the basis of disability – for example:

- Implementation of the Principle of Equal Treatment Act
- Employment Relationships Act
- Vocational Rehabilitation and Employment of Persons with Disabilities Act
- Social Security Act and
- Family Violence Prevention Act

201. The Government also adopted a series of programmes and resolutions founded on the respect for human rights and provision of equal opportunities for disabled persons; namely, the Action Programme for Persons with Disabilities 2007–2013 and the Resolution on the National Social Assistance Programme 2006–2010.

### **B. Health and health services (art. 24)**

202. On 26 June 2008, the National Assembly of the Republic of Slovenia adopted the Resolution on the National Healthcare Plan 2008–2013 “Satisfied users and performers of

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<sup>80</sup> Official Gazette of RS, No 37/08, IT, No. 10/2008.

medical services”,<sup>81</sup> which, in relation to the protection of the health of children and young people, establishes that the infant mortality level in Slovenia is very low in comparison to other countries; however, health-related problems during childhood and adolescence are still present. The primary problem is personal injury, which is the leading cause of youth mortality. An increase is encountered in relation to diseases such as: allergies, asthma and diabetes; there are numerous problems in the field of mental health that will have a significant impact on the health of adults in the future. If compared to other age groups, not many serious disease conditions exist between school children and young people; however, the occurrence of various symptoms is rather frequent. The symptoms of stress are also frequent. This is the period of life when the lifestyle of a person is formed, which includes nutritional habits, tobacco smoking, alcohol drinking, physical activities, and sexual behaviour. According to research studies, children spend more and more time watching television or working with computers. In schools, they encounter problems with violence among peers. Children with school problems and the related poor study results are marginalised among peers. The condition in Slovenia indicates that the risk of occurrence of an unhealthy lifestyle and the related diseases must be decreased.

203. The Resolution of 2008–2013 provides further definitions of criteria for determining the network at the primary level, as well as on the level of children and family:

- (1) For the activity of family medicine – the present average number of 1,800 inhabitants per one medical team, which is necessary for the basic health-care services provision of the population;
- (2) For the activity of health care of children and young people – 850 children per paediatrician when health care for children aged 0–6 is organized; 1,400 children per paediatrician (or school doctor) when health care for children aged 0–19 is organized (former bivalent clinics); and 1,700 children per paediatrician (or school doctor) when the health care for children and young people aged 6–19 is organized;
- (3) Medical care for women – 6,500 women from the age of 13 per gynaecologist in the activity, regardless of the location of the activity (considering the current number of determined women per team, and 23.5 per cent of undetermined women); covering the women who are still undetermined would require another 31 gynaecologists in order to provide the same accessibility as the determined women have today;
- (4) For dental care activity – 1,300 children and young people per dentist in the activity of dental care for children and young people.

#### **Organization of health care of children and young people**

204. In Slovenia, health care of children and young people at the primary level (accessible without a doctor’s note) is carried out by paediatric specialists and specialists in school medicine, and in some cases, by general practitioners, in cooperation with nurses, medical technicians and other staff. An individual medical team carries out curative and preventive activities that include periodic health examinations, vaccination, health education and health promotion.

205. In the period from 2003 to 2007, there were about 171 doctors, 93 nurses and 162 medical technicians (as full-time equivalent) who worked in the health-care team for preschool children (0–6 years). The number of staff in this period was stable; a slight decrease in the number of doctors has been noticed in the last two years, which is mostly

<sup>81</sup> Official Gazette of RS, No. 72/08, hereinafter, Resolution 2008–2013.

because of more instances of retirement. Nevertheless, the health-care staff provision of inhabitants is good; the average situation is one doctor for less than 800 preschool children. The health care of preschool children is characterised by a high share of paediatricians, which exceeds 85 per cent of all doctors.

206. In this period, there were about 172 doctors, 88 nurses and 169 medical technicians (as full-time equivalent) who worked in the health-care team for preschool children and young people (7–19 years). Also, the number of medical workers in this field has been decreasing during the last two years. However, this change had no significant impact on the health-care staff provision of inhabitants, since the number of children and young people in this age group is facing a decrease due to demographic conditions. A doctor engaged in the health care of children and young people still cares for less than 1,700 persons.

#### **Preventive programme of medical care of children**

207. Implementation of a preventative programme for individual ages of children is also an important indicator of access to health care. This is provided for by the Rules on the provision of preventive health protection at the primary level.<sup>82</sup>

208. In 2005, an amendment to the Rules on the provision of preventive health protection at the primary level was adopted, which provides for the preventive health care of newborn babies in maternity hospitals. During their stay in a maternity hospital, newborn babies are subject to a periodic health examination within 24 hours after birth, an examination at discharge, and screening for some metabolic diseases; furthermore, ultrasound of hips, examination of hearing, and activities performed with a view to stimulating breast-feeding, and health education activities are carried out.

Table 6

#### **Preventive attendance of children and young people aged 0–19 in primary health care, Slovenia 2004–2006**

<i>Age classes</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>Total</i>
0 to 6	234 050	250 226	229 511	<b>713 787</b>
No./1,000	1 870	1 993	1 815	<b>1 892</b>
7 to 19	194 288	194 142	167 830	<b>556 260</b>
No./1,000	668	686	607	<b>654</b>

*Data source:* Computerised report on outpatient specialist services (ZUBSTAT), IPH.

209. Each year, developmentally and behaviourally handicapped children are provided with medical examinations of an identical scope, adjusted to their handicap. In the meantime, such children are subject to, if necessary, 'examinations according to the systematic' that are adapted to the child's problems.

210. In this period, all children are provided with regular annual preventive examinations by a dentist along with receiving health education in this field. In the period 2004–2006, preventive services were indicated as having been increasing. However, if comparing a longer period, for example, 2000 with 3,147.7 preventive services per 1,000 inhabitants aged 0 to 19, and 2007, when the number of such services was 2,497.8, these are observed to be in decline (20 per cent).

<sup>82</sup> Official Gazette of RS, No. 19/1998, 31/2005.

211. The vaccination rate in Slovenia has been high for several years. In 2007, we reached 95.3 per cent immunisation of preschool children with the vaccine against whooping cough, 95.3 per cent immunisation against diphtheria and tetanus, and 95.9 per cent immunisation against measles/mumps and rubella.

Table 7

**Proportion ( per cent) of preschool and school children fully vaccinated against certain contagious diseases in Slovenia (2004–2007)**

<i>Disease/year</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>
Diphtheria				
Preschool children	95.3	95.3	95.3	95.3
Whooping cough				
Preschool children	95.3	95.3	95.3	95.3
Tetanus				
Preschool children	95.3	95.3	95.3	95.3
Poliomyelitis				
Preschool children	95.3	95.3	95.3	95.3
Measles/mumps/rubella				
Preschool children	94.1	94.3	96.1	95.9
School children	97.3	97.5	99.1	98.4
Diphtheria/tetanus				
School children	No data	98.4	99.1	98.7
Tetanus				
Secondary school children	No data	No data	96.5	93.4
Tuberculosis	96.2	19.4*	8.0	6.1

*Source:* National Institute of Public Health.

\* From 2005, only groups at risk are vaccinated against tuberculosis.

212. The attitude of a portion of civil society towards obligatory vaccination is negative, since, in its opinion, legal obligation of vaccination represents a violation of children's basic human rights.

### Health condition of children and young people

213. Outpatient specialist treatment at the secondary and tertiary level can be accessed only with a note from the selected family doctor of the child or young adult, while hospital treatment takes place in all general hospitals throughout Slovenia.

214. In 2006, there were 115 clinics in Slovenia for preschool children and school children, and 16 clinics for children at risk ('developmental' clinics).

Table 8

**Curative attendance of children and young people aged 0–19 in primary health care, Slovenia 2004–2006**

<i>Age classes</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>Total</i>
0 to 6	786 368	804 647	689 541	<b>1 681 233</b>
No./1,000	6 281	6 408	5 453	<b>6 046</b>
7 to 19	894 865	884 168	732 184	<b>2 511 217</b>

Age classes	2004	2005	2006	Total
No./1,000	4 042	4 135	3 527	<b>3 904</b>

Data source: Computerised report on outpatient specialist services (ZUBSTAT).

215. During the period 2004–2007, all hospitals in Slovenia treated children in children's hospital units, regardless of the illness, and children had their medical condition monitored by a paediatrician who was a regular staff member.

Table 9

**Hospital treatment rate for children (0–19 years), Slovenia, 2004–2006**

Age	2004		2005		2006	
	0 to 6 years	7 to 19 years	0 to 6 years	7 to 19 years	0 to 6 years	7 to 19 years
Number of young people	125 180	290 670	125 556	282 827	126 443	276 585
Rate per 1,000	331.98	74.95	332.74	73.02	345.82	75.54

Source: Institute of Public Health of the Republic of Slovenia.

**Mortality of children and young people**

216. Child mortality aged up to 18 in the years 2004–2007 is shown in Table 10.

Table 10

**The number of deaths of children and the mortality rate of children younger than 18 years (per 1,000 children in the age group) by age group, Slovenia 2004–2007**

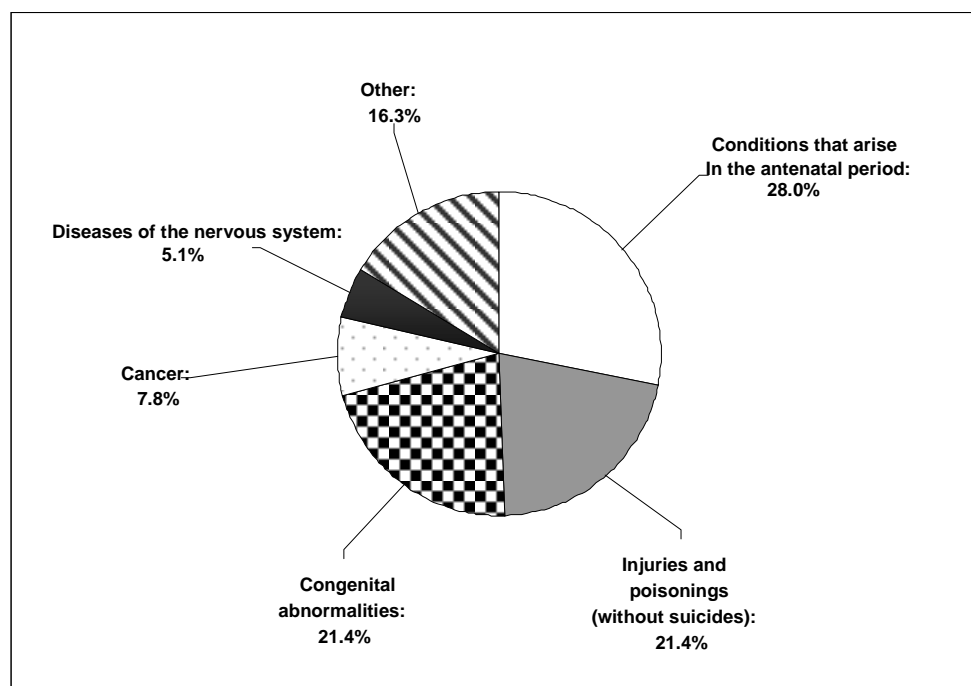
Age groups	2004		2005		2006		2007		2004–2007	
	No. of deaths	Rate	No. of deaths	Rate	No. of deaths	Rate	No. of deaths	Rate	No. of deaths	Rate
Less than 1 year	66	3.75	75	4.15	64	3.47	55	2.81	260	3.53
1 to 4	17	0.24	21	0.29	10	0.14	18	0.25	66	0.23
5 to 9	11	0.12	9	0.10	10	0.11	10	0.11	40	0.11
10 to 14	19	0.18	15	0.15	12	0.12	14	0.14	60	0.15
15 to 17	20	0.27	25	0.34	20	0.29	23	0.35	88	0.31
<b>Total</b>	<b>133</b>	<b>0.37</b>	<b>145</b>	<b>0.41</b>	<b>116</b>	<b>0.33</b>	<b>120</b>	<b>0.35</b>	<b>514</b>	<b>0.36</b>

Source: Institute of Public Health of the Republic of Slovenia.

217. About one half of children who die before the age of 18, die in their first year of life. Infant mortality in Slovenia has decreased significantly during the last decade. In 2007, there were only 2.8 dead newborn babies per 1,000 live children, which classifies Slovenia among the most successful EU countries. In 2008, the infant mortality rate was somehow, according to preliminary data, even lower. The most frequent causes of infant mortality are conditions that arise in the antenatal period, particularly problems with premature babies and congenital abnormalities.

218. During the 2004–2007 period, conditions that arise in the antenatal period were the most frequent cause of death in children up to 18; these were followed by injuries, poisonings and congenital abnormalities. The structure of causes of deaths of children aged below 18 is shown in Figure 3.

Figure 3

**The structure of causes of deaths of children aged below 18, Slovenia 2004–2007**

Source: Institute of Public Health of the Republic of Slovenia.

219. In Slovenia, injuries and poisonings are the main cause of mortality of children older than 1 year. During the period 2004–2007, injuries and poisonings caused the deaths of a total of 129 children and young people aged up to 18 (80 boys, 49 girls), most of which (107) were the result of unintended injuries, 19 resulted from suicides and 3 from violence. On average, 6 children aged 0–4 died as a result of injuries and poisonings per year, 4.5 children aged 5–9, 7 children aged 10–14, and 14.5 adolescents aged 15–17.

220. External causes of deadly injuries of children aged 0–6 are predominated by traffic accidents, drowning, suffocations and falls. Children aged 7–14 usually died as a result of transport accidents, suicide, attack, falls and drowning. As for young people, the most frequent causes of death are transport accidents, suicide, attack, falls and poisonings.

221. In the group of diseases that includes HIV/AIDS, malaria, tuberculosis, poliomyelitis, hepatitis and acute upper and lower respiratory tract infections, 5 children died in the years of 2004–2007 in Slovenia, all from respiratory tract diseases. One girl died as a result of acute tonsil infection, three boys as a result of pneumonia, and one baby, a boy, as a result of acute bronchitis caused by *Mycoplasma pneumoniae*.

**The number of children infected by HIV/AIDS in Slovenia**

222. During the last 10 years (1998–2007), 4 cases of newly diagnosed infections with HIV in children and young people have been reported in Slovenia, namely, 3 cases in children aged less than 15 and 1 in the range of 15–19.

**Traffic accidents**

223. Traffic accidents are the major cause of fatal injuries of children and young people in Slovenia. On average, 19 children and young people die each year in such accidents.

Most children aged 0–6 who are road-users suffer fatal injuries as pedestrians and car passengers. Most children at the age of 7–14 who die in traffic accidents are also parties to accidents as pedestrians and car passengers, but also as cyclists and motorcyclists. Young people are primarily injured in traffic as car passengers, pedestrians and motorcyclists. (Dead persons and mortality rate (per 100,000) of children and young people (0–17 years) caused by injuries, Slovenia, 2004–2006; see the table in the Annex).

224. In addition, on average 4,110 children and young people (925 children aged 0–4; 909 children aged 5–9; 1,153 children aged 10–14; and 1,124 young people) are hospitalized each year for injuries and poisonings. Injuries and poisonings fall among the first four reasons for admittance of children older than one year and young people into hospitals. External causes of injuries that require hospital treatment for children aged 0–6 are predominated by falls, transport accidents, poisonings and exposure to hot liquids and objects. Children aged 7–14 are most frequently admitted to hospital because of falls, traffic accidents, unintentional hits from/with another person, sports equipment, or other objects. However, young people are primarily hospitalized because of traffic accidents, falls, unintentional self-injuries, or unintentional hits from/with another person.

225. Traffic accidents are the second reason for admittance into hospital due to injuries; each year, about 720 children and young people are hospitalized. Most children aged 0–6 suffer serious traffic injuries as cyclists, pedestrians and car passengers. Injured hospitalized children aged 7–14 are also predominated by cyclists, pedestrians and car passengers. Hospitalization of young people is usually due to injuries that occur when they use roads as car passengers, motorcyclists and cyclists. Hospitalization level as a result of transport accidents increases with age. In young people who suffer injuries as car passengers, motorcyclists or pedestrians, hospitalization level is significantly higher than in children aged 10–14; however, the hospitalization level of adolescent cyclists remains the same as in school children. Gender disparities begin to manifest after the age of 10 years, when the hospitalization level in boys aged 10–14 and young people is twice as high as in girls of the same age.

#### **Measures aimed at decreasing the number of injuries in traffic accidents**

226. In 2006, the Resolution on the National Programme of Road Traffic Safety 2007–2011 “Skupaj za večjo varnost” (“Together for a greater safety”)<sup>83</sup> and the Road Traffic Safety Act<sup>84</sup> were adopted. The main objective of the resolution is to cut the number of road traffic victims in half with regard to the year 2001. The national programme includes the analysis of the situation from the period 2001–2005, when the objective was attained by 81 per cent, provides for priority areas, measures in individual areas and performers, and anticipates the preparation of action plans in respect of certain periods. In order to attain the objectives of the national plan, measures are foreseen to be implemented in the four major fields: human behaviour, traffic environment, safety of vehicles and institutional operation.

227. Regarding the field of changing human behaviour in traffic, certain measures are indicated, which aim towards: greater use of safety belts and child safety seats; decreasing the traffic speed; preventing the abuse of alcohol, illegal drugs and other psychoactive substances in traffic; ensuring the safety of pedestrians, cyclists and drivers of two-wheeled vehicles; and ensuring the safety of young drivers. In the field of ensuring safe road infrastructure and safety of vehicles, the following measures are foreseen: the elimination of dangerous points and road sections; improving road safety (safety rails, road surface, signalling, crossroads); ensuring traffic safety in settlements (crossroads, bike paths, safe

<sup>83</sup> (Official Gazette of RS, No. 83/2004, 35/2005 UPB I, 67/2005).

<sup>84</sup> (Official consolidated text ZVCP-I-UPB5, Official Gazette of RS, No. 56/2008).



school roads, bus stops, traffic calming, bypasses); establishment of a system for safe assessment and examinations of roads and their environment; ensuring safety at level crossings of roads and railway tracks; stimulating the introduction of new technologies for passive protection in the vehicle and improved safety of cargo vehicles. In the institutional field, the following is foreseen: updating of legislation and its implementation; information system development; inspection supervision; research activity; modernisation of the first aid system and emergency medical treatment.

228. In 2006, the Road safety action plan for the year 2007 was adopted, which included planned activities, measures and programmes as well as their performers (ministries, professional institutions, non-governmental organizations) for providing safety in road traffic. The Elementary School Act also provides for the organized transport of first-graders, and that transport be organized for all children who live more than 4km away from school or whose school road is dangerous. Traffic education is included in the curriculum of preschool institutions and elementary schools; cycling exams – the entire programme is prescribed by the Expert Council of the Ministry of Education and Sport; all transport and conditions regarding vehicles for the transport of children are laid down in the rules.

#### **Measures aimed at decreasing the number of injuries at home and during leisure time**

229. In 2005, the government adopted the National programme for children and youth 2006–2016, which lays down, among other priority fields, the prevention of injuries and poisonings of children.

230. In 2007, the Protection against Drowning Act<sup>85</sup> was adopted, which lays down, along with other executive acts, safety measures in the following fields: protection against drowning at public baths; traffic safety along waters and on water; measures for safe diving; measures for safety at work; the training of inhabitants in locations where there is a risk of drowning. The Rules on technical measures and requirements for safe operation of bathing sites and for protection against drowning at bathing sites<sup>86</sup> lay down obligatory fencing of public baths.

231. Swimming courses for children are a part of the curriculum in preschool institutions (swimming courses for children aged 4–5) and elementary schools (20-hour swimming courses in the second or third class). Swimming courses are financed by the Ministry of Education and Sport.

232. The Explosive Substances and Pyrotechnic Products Act<sup>87</sup> provides for the time limitation of the sale of pyrotechnic products (19 December–31 December), and the purchase and use of pyrotechnic products for children younger than 14 years.

233. The safety of toys is laid down in the General Safety of Products Act<sup>88</sup> and the Rules on Safety of Toys<sup>89</sup>. The act lays down that toys that are dangerous or insufficiently safe are prohibited from being placed on the market or in use, thus providing for a higher level of health protection and safety of children.

<sup>85</sup> Official Gazette of RS, No. 42/2007 – official consolidated text.

<sup>86</sup> Official Gazette of RS, No. 88/2003, 56/2006, 84/2007.

<sup>87</sup> Official Gazette of RS, No. 35/2008.

<sup>88</sup> Official Gazette of RS, No. 101/2003.

<sup>89</sup> Official Gazette of RS, No. 62/2003, 35/2004, 47/2007.

**Measures aimed at decreasing the number of injuries in kindergartens and schools**

234. The Rules on Norms and Minimal Technical Conditions for Place and Equipment in Preschool Institution has been in force since 2000, and lay down the rules for construction and equipment of habitable rooms of preschool institutions and playgrounds so as to ensure a safe environment for children and the supervision of performance.

235. In cooperation with experts, the Ministry of Education and Sport is preparing a recommendation for taking actions in preschool institutions in the event of emergency situations, which will provide for first aid training of staff as well as other conditions and equipment necessary for taking actions in the event of injuries, poisonings and other emergency situations.

**Malnutrition/over-nutrition**

236. According to the research on obesity of children at the age of 5 (n=4685) and young people at the ages of 15 and 16 (n=2474) conducted by the University Children's Hospital in Ljubljana (Avbelj and contemporaries, 2005) between 2003 and 2005, 18 per cent of boys and 21 per cent of girls up to 5 in Slovenia are over-nourished, while 9 per cent of boys and 8 per cent of girls of the same age are obese. According to the same research, 17 per cent of male and 15 per cent of female adolescents aged from 15 to 16 in Slovenia are over-nourished, and 6 per cent of male and 4 per cent of female adolescents are obese.

237. When discussing the nutritional habits of adolescents, nutritional disorders connected with nutrition issues of previously healthy adolescents shall also be considered (especially in young girls and women). These adolescents, in a society overburdened with beautiful, slim and successful women, have difficulty in creating their own ideal physical appearance and value.

238. The basic pillar of health that enhances physical activity (movement) is physical activity in the school environment or in the school environment as extra-curricular activity and transport-related health-enhancing physical activity. With the aim of promoting physical activity, in 2007 the Government of the Republic of Slovenia adopted the Strategy of the Government of the Republic of Slovenia for Physical Activity to Strengthen Health for the Period 2007–2012.

239. In 2005, the Guidelines for healthy nutrition in educational institutions were adopted (from the age of 1 on). The guidelines have been adjusted with the Reference values for nutrient intake of the Ministry of Health. The main focus of the guidelines is on planning healthy nutrition in educational institutions in Slovenia, and may assist in planning menus for preschool institutions and schools with appropriate staff and technical conditions in kitchens. Based on the Guidelines for healthy nutrition in educational institutions and by means of computerised dietary menu planning, the Practicum with menus for educational institutions was adopted in 2008. It is intended for schools and preschool institutions or kitchen staff in preparing daily meals for children. In order to ensure high quality of supplied food, the Quality criteria manual for public food ordering in educational institutions was adopted in 2008, laying down the food buying criteria for educational institutions. In 2008, the Recommendations for nutritional treatment of hospitalized patients were prepared and adopted, proposing menus for nutritional support of hospitalized patients. The recommendations summarize European recommendations for a clinical diet and include a chapter on paediatrics. The recommendations are focused on problems of malnutrition during rehabilitation and appropriate dietary support for children and young people.

### **Clean drinking water**

240. In Slovenia, this field is governed by the Rules on Drinking Water.<sup>90</sup> Supervision of drinking water is performed according to the Rules on Drinking Water and the Drinking Water Monitoring Programme. Samples are taken for regular and occasional testing at the place of use (tap of consumer). The testing includes supply areas for 50 and more inhabitants. Regular testing provides information on microbiological pollution of drinking water; occasionally, it also includes chemical parameters, the limit values of which are set on the basis of health risk (pesticides, nitrates, heavy metals, etc.).

241. In 2007, supervision included 974 supply areas that supplied water to 1,844,874, or about 91 per cent, Slovenian inhabitants.

242. The results of regular tests of samples of drinking water in 2007 (3,002 samples) indicated that 25 per cent of samples did not comply due to microbiological parameters, and 11 per cent of samples did not comply due to the presence of *E. coli* (faecal pollution). In the lowest size class (50–500 inhabitants), 54 per cent of samples turned out to be non-compliant, and 31 per cent due to *E. coli*. The percentage share of non-compliant samples decreases significantly with the class size of the supply area.

243. The results of occasional tests of samples of drinking water (461 samples) indicated that 7 per cent of samples did not comply due to chemical parameters; these tests fell in class sizes of up to 50,000 inhabitants. On bigger systems, no chemically non-compliant samples were detected. The highest number of non-compliant chemical parameters and samples go to the agricultural area in Northeast Slovenia (pesticides, nitrates).

244. Children whose supply of drinking water comes from supply areas for 50–1,000 inhabitants are particularly exposed to microbiological risks of infections, in particular, infections in digestive organs, while those whose supply of drinking water comes from supply areas with 50–20,000 inhabitants (areas in Northeast and Southwest Slovenia with intensive agriculture) are exposed to chemical pollution.

### **Environmental contamination**

245. At the fourth (most recent) European ministerial conference of the World Health Organization on the environment and health held in Budapest in 2004, the Declaration on Environment and Health was adopted, as well as the decision on the preparation of the Action Plan for the Environment and Health, emphasising the protection of children's health (CEHAPE – Children's Environment and Health Action Plan for Europe). Aiming to implement an appropriate, wider policy that would be acceptable for all, cooperation of all sectors (environment, traffic, educational system, agriculture, etc.) is necessary. Countries committed themselves to prepare national action plans for the environment and children's health. The Republic of Slovenia prepared a draft action plan for the environment and children's health, which is continuing the procedure of intersectoral coordination and is aimed towards decreasing the burden of disease that is the result of major risk factors from the environment.

246. About third of all acute bronchitis in the country per year in children can be attributed to exposure to air pollution in the urban environment.

247. The minister of health has also appointed a working group for the preparation of the Action Plan for Children's Chemical Safety Against Dangerous Chemicals in the Environment. The Strategy on Chemical Safety of Children in the Republic of Slovenia has

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<sup>90</sup> Official Gazette of RS, No. 19/2004, 35/2004, 26/2006, 92/2006.

been prepared along with, on the basis of an estimate of the situation, the Action Plan for Children's Chemical Safety in the Republic of Slovenia.

### **Medical care for women in relation to reproductive health, pregnancy and childbirth**

#### **Reply to the recommendations contained in paragraph 45 of the concluding observations**

248. The Republic of Slovenia ensures the right to overall preventive medical care for women in relation to reproductive health, pregnancy and childbirth. The objective of such preventive programmes is to lower the risk of diseases associated with reproduction, unplanned and unwanted pregnancies, early detection of cancer, exercise of reproductive rights, and reproductive health promotion. The following programmes are being carried out:

- Examinations and advice for family planning, use of contraception against sexually transferable infections and resulting infertility. Prescribed contraceptives are paid for with the funds of mandatory health insurance.
- Preventive examinations during pregnancy — 10 periodic health examinations in total — at least two ultrasound scans, individual counselling and laboratory tests (as well as examinations for syphilis, toxoplasmosis and hepatitis B). Examinations are carried out by gynaecologist's teams in medical centres.
- For pregnant women aged between 35 and 37 years, the screening test for Down syndrome is performed, and for pregnant women aged above 37 an amniocentesis is also administered.
- Examinations and counselling after confinement, spontaneous and legal abortion, and after extra-uterine pregnancy.
- Examinations and counselling in relation to menopause.

Preventive activities for the protection of health in home nursing activity (preventive visits for pregnant women, neonatal mothers and newborns by community nurses).

- Early detection programme for pre-malignant and malignant changes in the cervix (ZORA programme).

249. During the period 2004–2007, about 135 gynaecological teams in medical centres, private clinics and gynaecology and maternity departments of hospitals were carrying out primary reproductive medical care for women. Thus, the gynaecological team provided medical care for, on average, somewhat less than 6,500 women over the age of 15.

250. In the period 2004–2007, during a pregnancy, each pregnant woman had, on average, 9.8 examinations, which is about two more than 10 years before. During the said period, only 0.3–0.5 per cent of women giving birth had no examinations during their pregnancy. Two thirds of pregnant women attended antenatal classes; women pregnant for the first time had 80 per cent attendance at the classes. The majority of pregnant women (99.8–99.9 per cent) gave birth in one of 14 maternity hospitals.

251. In the period 2004–2007, the share of children with a low birth weight (under 2,500kg) amounted to between 6.1 and 6.7 per cent, and is somewhat higher than 10 years before, which is mostly due to the higher share of multiple births. Infant mortality rate in the said period varied between 4.3 and 6.1 per 1,000 births and is still relatively high; however, it should be considered that a significant share of stillborn children is represented by late abortions or feticides as a result of severe congenital anomalies of the child that are found. Early infant mortality has still been decreasing over the last few years in Slovenia, and reached its minimum value so far in 2007, namely 1.4 per 1,000 live-born children.

Table 11  
**Number of stillborn and deceased newborn babies, and stillborn, early infant mortality, antenatal mortality, and infant mortality rates, Slovenia 1998–2007**

<i>Year</i>	<i>Number of stillborn</i>	<i>Stillborn</i>	<i>Deceased 0–6 days</i>	<i>Early infant mortality</i>	<i>Stillborn and deceased 0–6 days</i>	<i>Antenatal mortality</i>	<i>Deceased newborn babies</i>	<i>Mortality newborn babies</i>
1998	116	6.5	52	2.9	168	9.4	93	5.2
1999	87	5.0	42	2.4	129	7.4	79	4.5
2000	68	3.7	59	3.3	127	7.0	89	4.9
2001	85	4.9	40	2.3	125	7.1	74	4.2
2002	93	5.3	42	2.4	135	7.7	67	3.8
2003	94	5.5	41	2.4	135	7.9	69	4.0
2004	98	5.5	35	2.0	133	7.4	66	3.7
2005	111	6.1	46	2.5	157	8.6	75	4.1
2006	82	4.3	35	1.8	117	6.1	64	3.4
2007	101	5.1	27	1.4	128	6.4	55	2.8

*Source:* Institute of Public Health of the Republic of Slovenia, Perinatal information system of the Republic of Slovenia, and Medical report on death and causes of death.

*Note:* All cases are included, regardless of birth weight.

### **Maternal mortality**

252. In the field of maternal mortality, the Working group for treating data on maternal deaths operates in Slovenia and holds regular meetings. The cases of maternal deaths are subject to active opening and analysing, and a common report is prepared every three years that includes proposals for expert clinical and public health measures for decreasing maternal mortality. The report is communicated to the Ministry of Health and is presented at the extended professional board for gynaecology and perinatology, and at the extended professional board for public health.

253. Cases of maternal deaths are actively detected by means of two methods: checking the forms “Medical death certificate and report on the cause of death” for all women in fertility period, and computerised connecting of medical information databases. In continuation, additional information is requested with respect to all selected cases (according to both methods); the autopsy record is usually the first to be requested. For those that turn out to be associated with pregnancy, confinement or after-birth period, the group addresses further requests to all treating doctors to provide copies of medical documentation. On the basis of the documentation collected, the group treats each case according to the uniform protocol, and prepares an internal report.

254. In 2008, the report on maternal mortality in the period 2003–2005 was concluded. The maternal mortality rate in this period was 9.4/100.000 live-born children. In absolute numbers, there were 5 cases of early maternal deaths on account of eclampsia, brain bleeding and lung embolia in pregnancy, amniotic liquor embolia on the occasion of confinement, and suicide. In the same period, there were also 3 cases of late maternal deaths: two from malign disease and one from suicide.

### Teenage pregnancy

255. The number of teenage pregnancies in Slovenia is relatively low. In the period 2004–2007, the annual number of childbirths was, on average, about 5.3 per 1,000 teenage girls under 20. The girls under the age of 20 thus represented less than 2 per cent of all women giving birth, and girls under the age of 18, less than 0.5 per cent of all women giving birth.

256. The rate of legal abortions in young women is still falling. In the period 2004–2007, there were, on average, 7.6 legal abortions per 1,000 young women under 20, or 5 legal abortions per 1,000 young women under 18. Detailed data on the annual number of childbirths and legal abortions of young women are given in Tables 12 and 13.

Table 12

#### Number of childbirths of young women by age and rates per 1,000 young women, Slovenia 2004–2007

Age	2004		2005		2006		2007	
	No. of cases	Rate per 1,000	No. of cases	Rate per 1,000	No. of cases	Rate per 1,000	No. of cases	Rate per 1,000
Up to 15 years*	7	0.6	11	1.0	7	0.6	9	0.9
16 years	19	1.5	18	1.5	25	2.3	16	1.4
17 years	41	3.3	55	4.4	34	2.9	39	3.5
18 years	85	7.0	87	6.9	70	5.6	65	5.6
19 years	174	13.3	190	15.6	141	11.2	171	13.5
Up to 17 years**	67	1.8	84	2.4	66	2.0	64	2.0
18–19 years	259	10.3	277	11.2	211	8.4	236	9.7
<b>Total up to 19 years***</b>	<b>326</b>	<b>5.3</b>	<b>361</b>	<b>6.0</b>	<b>277</b>	<b>4.7</b>	<b>300</b>	<b>5.3</b>

\* Rate is the proportion of the number of all cases in young women aged up to and including 15 per 1,000 young women aged 15.

\*\* Rate is the proportion of the number of all cases in young women aged up to and including 17 per 1,000 young women aged 15–17.

\*\*\* Rate is the proportion of the number of all cases in young women aged up to and including 19 per 1,000 young women aged 15–19.

Table 13

#### Number of legal abortions of young women by age and rates per 1,000 young women, Slovenia 2004–2007

Age	2004		2005		2006		2007	
	No. of cases	Rate per 1,000	No. of cases	Rate per 1,000	No. of cases	Rate per 1,000	No. of cases	Rate per 1,000
Up to 15 years*	31	2.7	27	2.5	23	2.1	28	2.8
16 years	66	5.3	54	4.6	49	4.4	46	4.1
17 years	101	8.1	98	7.8	88	7.5	83	7.5
18 years	128	10.6	133	10.6	125	9.9	130	11.1
19 years	180	13.7	148	12.1	150	11.9	131	10.3
Up to 17 years**	198	5.4	179	5.1	160	4.7	157	4.9

Age	2004		2005		2006		2007	
	No. of cases	Rate per 1,000	No. cases	Rate per 1,000	No. of cases	Rate per 1,000	No of cases	Rate per 1,000
<b>18–19 years</b>	308	12.2	281	11.3	275	10.9	261	<b>10.7</b>
<b>Total up to 19 years***</b>	<b>506</b>	<b>8.2</b>	<b>460</b>	<b>7.7</b>	<b>435</b>	<b>7.4</b>	<b>418</b>	<b>7.4</b>

\* Rate is the proportion of the number of all cases in young women aged up to and including 15 per 1,000 young women aged 15.

\*\* Rate is the proportion of the number of all cases in young women aged up to and including 17 per 1,000 young women aged 15–17.

\*\*\* Rate is the proportion of the number of all cases in young women aged up to and including 19 per 1,000 young women aged 15–19.

### Breast-feeding

257. In Slovenia, 11 maternity hospitals out of 14 acquired the title “Baby friendly hospital”. According to data in the Perinatal information system of the Republic of Slovenia, in the period 2004–2007, more than 97 per cent of children in Slovenia were breast-fed when discharged from the maternity hospital.

258. In 2006, the International Code of Marketing of Breast Milk Substitutes and corresponding WHO resolutions were translated.

### Health of Roma children

259. The results of the research study: “Risk factors for contagious diseases in adult inhabitants of the Roma community”.<sup>91</sup> (Institute of Public Health, Murska Sobota; 2007) confirmed the estimates considering certain features of the Roma community: that low educational structure, high unemployment rate, poor socio-economic condition, poor participation in preventive programmes and presence of chronic diseases contribute to inequalities in the health of Roma people. The research is the basis for the preparation of programmes and projects for enhancing health or reducing inequalities in health.

260. In order to eliminate intra-regional inequalities in health, the “Strategy for enhancing health and action plan for reducing inequalities in health in the Pomurje region” was prepared and adopted in Pomurje, which is the region with the highest number of Roma inhabitants in Slovenia. The general objective of this strategic plan is to improve the health condition of the regional population and thus decrease the differences in health between regions; on the other hand, the plan also treats inequality in health within the region. The enhancing health programme, which is focused first of all on individual and vulnerable groups of inhabitants, strives at affecting inequality in health. The strategy is based on the

<sup>91</sup> The research study “Risk factors for contagious diseases in adult inhabitants of the Roma community” (Pomurje) is the first Slovenian research of health-related lifestyles of smoking, dietary and physical exercise habits, drinking habits (alcoholic beverages), behaviour in relation to safety in road traffic, etc., in the Roma population. The questionnaire used by the World Health Organisation within its programme for combating non-contagious diseases CINDI (Countrywide Integrated Noncommunicable Disease Intervention) was used, which also serves to conduct national research studies in the Republic of Slovenia.

analysis of the current situation and priorities of the region and is classified in the Regional Development Programme 2007–2013.<sup>92</sup>

261. The Institute of Public Health, Murska Sobota, is already carrying out the programme “Reducing inequalities in health”, which refers to the said objectives. One of the priority vulnerable groups in the strategy is the Roma. The institute thus includes the problem of health of the Roma in the national health care programme since 2006, and employed a Roma in the public-health team. The institute also closely cooperates with the Slovenia Roma Association; after adoption of the Roma Community Act, it cooperates with the Roma Community Council of the Republic of Slovenia as well. The development of ‘culturally’ appropriate programmes for enhancing health is in progress, and, after a pilot study, it will be possible to include these programmes in other Roma communities (at the national level).

262. The second round of health-enhancing activities for women is now taking place. These activities include improving reproductive health and practicing a healthy lifestyle. A project is being carried out, in cooperation with cross-border partners, which includes the promotion of physical activities (Roma Olympic Games). Numerous activities are carried out in the field of awareness via the media (e.g. Roma broadcasts). Within the framework of realising strategic objectives of the “Strategy for enhancing health and action plan for reducing inequalities in health in the Pomurje region”, improving the capability of the Roma community in the field of enhancing health is planned, focusing on girls and women as the target group.

263. In the preparation of the National programme of measures for the Roma of the Government of the Republic of Slovenia, the Ministry of Health included, among the measures to improve health care of the Roma and the elimination of inequalities in the health of the Roma community, the carrying out of conferences and technical consultations concerning the health of the Roma. In autumn 2008, the ministry, in cooperation with public health experts and representatives of the Roma community, organized the first national conference on the health of the Roma, “Reducing inequalities in the health of the Roma population”, and in 2009, the second national conference, “Health of Roma women”. Conferences and technical consultations on the health of the Roma will be organized every year in regions with the highest number of Roma inhabitants.

#### **Tobacco use**

264. According to data from the latest research studies conducted in Slovenia after 2002, the number of smokers among adult inhabitants (at the age of 18 or more) and young people has been facing a decline in the last few years. Comparison of data regarding HBSC 2002 and HBSC 2006<sup>93</sup> shows a statistically significant decrease in the use of tobacco in young people. Statistically, the number of initiations or first smoking attempts is lower, as well as the percentage of regular smokers, while the average age of beginning to smoke cigarettes is higher.

265. Decline in the number of smokers among adult inhabitants of Slovenia and young people can be attributed to several factors: first, a decrease in the number of smokers occurred after 1996, when the Restriction of the Use of Tobacco Products Act,<sup>94</sup> which

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<sup>92</sup> <http://www.zzv-ms.si>.

<sup>93</sup> Health-related behaviour in the school period: HBSC Slovenija 2006 (author of the text Helena Jerišek. et al; editors Helena Jerišek, Darja Lavtar, Tatjana Pokrajac, Ljubljana, Institute of Public Health of the Republic of Slovenia, 2007).

<sup>94</sup> Official Gazette of RS, No. 57/1996.



includes various measures to decrease the use of tobacco products, came into force. In 2007, amendments to the Restriction of the Use of Tobacco Products Act<sup>95</sup> were adopted, which introduced the prohibition of smoking in all closed public and working places and the prohibition to sell tobacco product to persons younger than 15 years. In addition, the act provided for the following inscription to be printed on each package of tobacco products: "Smoking kills, quit smoking, tel. 080-2777." An advertising campaign promoting complete prohibition of tobacco products has been in force since 2005.

#### **Alcohol use<sup>96</sup>**

266. In recent years, registered consumption of pure alcohol in Slovenia has been facing a slow but constant decline; in 2005, it amounted to 8.8 litres/inhabitant, while the EU average amounts to 10.3 litres/inhabitant. Slovenes consume the highest quantities of alcohol through drinking wine (almost half); however, the increased alcoholic strength consumed with distilled spirits is also alarming.

267. In 2006, Slovenian young people drank their first glass of an alcoholic beverage, on average, at the age of 13.3 (in 2002, 13.1), while they got drunk for the first time, on average, at the age of 14 (before 13.9). According to HBSC 2006 research,<sup>97</sup> less than one third of questioned persons had been drunk at least once in their life. However, about 43 per cent of boys and almost 27 per cent of girls at the age of 15 had been drunk more than twice. Although the percentages are high and alarming, the share of young people who had been drunk at least two or more times in their lives has, in comparison to data from 2002, statistically significantly decreased – the difference being the most expressive in those aged 15. The said data probably partly reflects the effects of the Restriction of the Use of Alcohol Act<sup>98</sup> as of 2003, which, among other things, prohibits the sale and offer of alcohol to persons younger than 18 and provides for a time limitation of the sale of alcohol beverages. The next positive effect that may also be, in part, the result of legislative measures (in particular, the restriction of sale to minors) is a significant rise in the age of young persons drinking alcohol for the first time, as well as getting drunk for the first time.

268. International institutions are also active on this issue. The World Health Organization has, in recent years, prepared numerous documents in the field of alcohol politics (Alcohol Action Plans, European Alcohol Charter 1995, Declaration on Young People and Alcohol 2001, Framework Alcohol Policy for the European Region 2005, etc.), as has the European Union (e.g. Council Recommendation 2001/458/EC refers to alcohol drinking of young people and children). In the past year, the European Commission represented the EU strategy to support Member States in reducing alcohol-related harm (2006/625/EC) by means of which it laid down five priority fields: protection of young people, children and unborn children, reduction of injuries and deaths in traffic accidents that occur as a result of alcohol use, prevention of harm related to the use of alcohol in adults, information, education and awareness on the impact of risky alcohol use and risky forms of alcohol use, and the development and maintenance of the common European database supported by evidence.

<sup>95</sup> Official Gazette of RS, No. 93/2007.

<sup>96</sup> *Source:* Health-related behaviour in the school period: HBSC Slovenija 2006 (author of the text Helena Jeriëek. et al; editors Helena Jeriëek, Darja Lavtar, Tatjana Pokrajac, Ljubljana, Institute of Public Health of the Republic of Slovenia, 2007).

<sup>97</sup> *Source:* Health-related behaviour in the school period: HBSC Slovenija 2006 (author of the text Helena Jeriëek. et al; editors Helena Jeriëek, Darja Lavtar, Tatjana Pokrajac, Ljubljana, Institute of Public Health of the Republic of Slovenia, 2007).

<sup>98</sup> (Official Gazette of RS, No. 15/2003).

269. In general, most Slovenian young people drank alcohol during the HBSC 2006 survey, but it was limited to rare occasions. European trends show a similar picture: alcohol drinking is usually a part of adolescent experimenting when the young person is not aware of the effect that alcohol has on his feelings and behaviour. As in 2002, Slovenian young people indicate beer as the most popular alcohol, which does not make them different from other European young people. In 2006, blended aerated alcohol beverages gained popularity, since the alcohol industry targeted young people, attracting them with attractive colours and sweet and tasty flavours; in some European countries, special measures that restrict the sale of blended aerated alcoholic beverages (e.g. special taxes) have been introduced for this reason. Presently, no such measures have been introduced in Slovenia so far.

### **Mental health**

#### **Reply to the recommendations contained in paragraph 47 of the concluding observations**

270. In Slovenia, suicide is the second major reason for mortal injury of children aged 10–14. On average, five children and young people die each year as a result of suicide. Young people die more frequently as a result of suicide than children aged 10–14. Differences between genders are apparent: mortality in boys is three times more frequent than in girls. Besides that, on average, 72 children and young people are hospitalized every year due to intentional self-injury. Children and young people who have been hospitalized because of self-injury most frequently tried to poison themselves with sedative-hypnotic medications, alcohol and analgesics. Young people are two times more frequently hospitalized due to self-injury than children aged 10–14. Considering mortality, the hospitalization rate of girls is three times higher than in boys. Self-poisoning in girls is more often executed by means of medications, while boys use alcohol and narcotics. According to data from the Statistical Office of the Republic of Slovenia, in 2006, there were 10 suicides in the age category from 15 to 19 years, while in 2007, there were 6 suicides in the same age range.

271. With the aim of solving this urgent problem, the Mental Health Act<sup>99</sup> was adopted in 2008, and, in 2009, the special National Programme for the Protection of Mental Health was under preparation and shall put special emphasis on activities in relation to suicide prevention. The national programme will treat children and young people as a special group of inhabitants who will be dedicated special attention and a relevant adapted programme.

### **Preventive measures**

272. Besides the network of public services and other organizations in this field, in 1993, Slovenia, with its 12 pilot schools, became a member of the European Network of Health-Promoting Schools. The project is supported by the Ministry of Health and the Ministry of Education and Sport. The Institute of Public Health of the Republic of Slovenia is the national support centre for Healthy Schools. In 2008, the network was extended for the third time. It now includes 268 institutions (212 elementary schools, 47 secondary schools, seven residential homes for students, two institutions – the Institute for the Deaf and Hard of Hearing, Ljubljana, and the Centre for Education and Rehabilitation of Physically Handicapped Children and Adolescents, Kamnik). The Slovenian network thus includes 43 per cent of all Slovenian schools. The Health-Promoting Schools' programme has three characteristics:

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<sup>99</sup> Official Gazette of RS, No. 77/2008.

- Education on health included in other subjects (health is a cross-curricular area)
- Hidden curriculum (life in school supports, enables and promotes health – rules, climate, human relations, organization of eating, extra-curricular and other activities, projects)
- Cooperation with parents, medical and other specialized services, community.

273. Within Slovenian health-promoting schools, a number of training courses were organized for teachers, as well as national consultations and professional meetings. Each year, schools report on the progress within their work (self-assessment of activities). According to the results of assessment of the success of the project at individual schools from 2007, the project is most successful when it enjoys the support of management, the majority of co-workers, parents and pupils/students. Successful projects are oriented particularly towards the field of human relations, teamwork, nutrition, movement, and other fields. The main message is that health promotion contents should be included in the regular programme (as cross-curricular connections) and in the education plan of every school.

### **Health education**

274. In 2006, a proposal for the action plan for Health education for children and young people was put forward at the Institute of Public Health of the Republic of Slovenia, which defines the activities, contents and work methods for health education with respect to the target group from 0 to 19 years, within the framework of the medical and school environments (performed by medical and pedagogic professionals). The proposal relied on the Instructions for carrying out preventive examinations at the primary level, experience of the performers, epidemiological data, and data on research studies in respect of certain periods in the field of health-related behaviour of children. For this purpose, updated contents of health education for children and young people were prepared in 2007, in addition to periodic health examinations. For pre-school children and parents, the contents include the following: motor and emotional development, prevention of injuries, breast-feeding, family diet and others. For school children, the contents are related to: healthy lifestyle, healthy habits, leisure time, diet, movement and body weight, and contents related to growing-up and sexuality. The contents and work methods are adjusted to the age of the target population. We prepared free-of-charge training courses for those who implement the programme, as well as manuals and material for children and parents. At the finishing stage, updated contents for carrying out education for future parents are provided (early pregnancy and preparation for childbirth).

### **Co-financing of projects/programmes for health protection and enhancement**

275. The Ministry of Health carries out annual or two-year public tenders for co-financing programmes for health protection and enhancement. The carrying out of public tenders is intended, first of all, for co-financing of non-governmental organizations that promote and enhance the health of inhabitants of Slovenia through their programmes. In the past few years, the ministry has been giving priority to children and young people within the framework of the following fields: nutrition; physical activity and obesity; prevention of tobacco use; restriction of the use of alcohol and illegal drugs; HIV/AIDS programmes; mental health; healthy and safe sexual life; environment and health; decreasing inequalities in health; injuries; and reproductive health. In the period 2003–2008, the ministry earmarked EUR 2,373,749 for these programmes.

### C. Standard of living (art. 27, paras. 1–3)

#### Reply to the recommendations contained in paragraph 49 of the concluding observations

276. In Slovenia, we have numerous and internationally comparable poverty indicators (Leaken indicators). These indicators show that Slovenia is classified among countries with the lowest values of poverty in the EU. In 2005, the at-risk-of-poverty rate of the entire population in Slovenia amounted to 11.7 per cent, and in 2007 to 11.5 per cent.<sup>100</sup> In 2005, about 234,000 people lived below the poverty threshold. The at-risk-of-poverty rate of children at the age of 0–17 amounted to 11.5 per cent in 2005 and 11.3 per cent in 2007 (which is 0.4 percentage points less than in 2005). In 2005, 19,979 children lived below the poverty threshold. Considering the share of children who live below the poverty threshold, Slovenia is classified into the group of five EU countries (Denmark, Finland, Sweden, Cyprus, Slovenia) in which the at-risk-of-poverty rate of children is lower than the average the at-risk-of-poverty rate of children in EU countries, and at the same time, equal to or lower than the at-risk-of-poverty rate of the entire population. The at-risk-of-poverty threshold for an adult expressed as income amounted to EUR 466 per month in 2005 and EUR 495 per month in 2007. The at-risk-of-poverty threshold of a household of two adults and two children amounted to EUR 978 in 2005 and EUR 1,040 in 2007. A four-member family with two adults and two children in 2005 had to receive a total income of at least EUR 978 per month to remain above the poverty threshold.

277. One of the essential factors that affect the socio economic situation of children is the size and structure of the household. Data for 2005 acquired through the SILC survey (Statistical Office of the Republic of Slovenia) shows that the at-risk-of-poverty rate of households with children (9.3 per cent) is one-fifth lower (by 2.4 percentage points) than the at-risk-of-poverty rate of the entire population (11.7 per cent). However, different types of households with children show great differences. 17 per cent of children in Slovenia live in big families, and 7 per cent live in one-parent families. The at-risk-of-poverty rate of big families (households with two adults and at least three children) is just over half (6 percentage points) that of all families with children, and the at-risk-of-poverty rate of one-parent households with children is more than twice higher (12.8 percentage points). In Slovenia, one fifth of children who live in one-parent families live below the poverty threshold.

278. When stating data on the at-risk-of-poverty rate in one-parent families, it should be mentioned that these kinds of families are most at risk, since the data indicates that the at-risk-of-poverty rate of such families increased in the period 1997–2004 by 4.9 percentage points (from 18.5 per cent in 1997 to 23.4 per cent in 2004). The at-risk-of-poverty rate of these families significantly increased particularly after 2005, in comparison to 2007, by 7.2 percentage points (from 21.4 per cent in 2005 to 28.6 per cent in 2007).<sup>101</sup>

279. The international research study “Child poverty and child well-being in the EU”, which analysed poverty and the situation of children in all EU countries, confirmed that poverty of children is the result of the complex interaction of several factors that affect the situation of parents in the labour market and the impact of social transfers on the decrease

<sup>100</sup> *Source:* Analiza revšèine in socialne izkljuèenosti druŹin z otroki, Obraz revšèine – Otroška opazovalnica (Analysis of poverty and social exclusion of families with children, The face of poverty – Children’s observatory) Assist. Prof. Dr. Andreja Èrnak Megliè, BSc Soc. RuŹica Boškoviè, BSc Soc., Ljubljana, 25 July 2008.

<sup>101</sup> *Source:* SURS-SILC.

of the poverty rate. Considering all key indicators and determinants that influence the poverty of children, Slovenia is classified among the most successful countries, falling in Group A, which includes, besides the Scandinavian countries, Austria, Cyprus and the Netherlands.

280. Slovenia applies various legislative and programme measures to decrease poverty that are quite successful in decreasing the at-risk-of-poverty rate (in one-parent families, child benefit is increased by 10 per cent under the Parental Protection and Family Benefits Act, and social assistance funds are increased by 30 per cent under the Social Assistance Act). Other poverty-preventing measures are the following: in the housing field – rental subsidies; in the field of education – subsidy of preschool institution, food, transport, text book funds and scholarships; in the employment field – active employment policy programmes, EQUAL initiative test programmes for employment of vulnerable groups of persons (disabled persons, migrants, the Roma); in the field of justice administration – the institute of free legal aid; in the tax field – income tax relief and certain other tax relief; and in the health field – exemption from payment of compulsory health insurance for materially weak persons.

281. With the aim to mitigate unfavourable inflation movements, in 2008, the Government of the Republic of Slovenia prepared measures among which the amendments to the Parental Protection and Family Benefits Act (ZSDP)<sup>102</sup> were included. One amendment to article 65 of the ZSDP refers to the increase in nominal amounts of child benefits by 8.4 per cent in addition to the 3.6 per cent existing regular annual revaluation.

282. In the field of preschool education in preschool institutions, the Preschool Institution Act<sup>103</sup> was amended and supplemented in 2008, which provides a long-term strategy in the field of payments by parents to preschool institutions and the unburdening of parents to make such payments.

283. This year, the Ministry of Labour, Family and Social Affairs ordered a study that will check the suitability of the amount of so called minimum income that is used in various acts as a criterion for the acquisition of rights, or in exercising various transfers. The study shall represent the basis for the ministry to undertake amendments of certain acts or censuses. The study shall also be the basis for the calculation of social cash benefits under the Social Assistance Act.

284. In 2009, the Partial subsidising of full-time work Act<sup>104</sup> (the act on the provision of employers with subsidies for employees who are laid-off) was adopted with the aim to mitigate the consequences of an economic crisis, which will enable surplus employees who should be discharged by the employer due to insufficient amounts of orders, to remain in the working relationship as lay-offs.

285. Furthermore, this year (2009), the Ministry of Labour, Family and Social Affairs has strengthened active employment policy programmes with EUR 315 million. The MLFSA also intends to modify and extend the public work programme in a way that reaches, to a greater extent, into the field of promoting the development of certain public services, and includes more less-employable categories of inhabitants. At the end of the year, public work should engage 10,000 persons.

<sup>102</sup> Official Gazette of RS, No. 10/2008.

<sup>103</sup> Official Gazette of RS, No. 12/1996, Official Gazette of RS, No. 44/2000, 78/2003, 113/2003-UPB1, 72/2005, 100/2005-UPB2, 25/2008, 98/2009.

<sup>104</sup> Official Gazette of RS, No. 5/2009.

286. At the beginning of 2009, in the field of employment, the Ministry of Labour, Family and Social Affairs adapted the Catalogue of active employment policy measures to assist those unemployed who seek new opportunities in a crisis situation; introduced co-financing of training and education of employees and unemployed young people (graduates) who enter the labour market; allowed access to re-employment of workers to prospective workplaces and self-employment; and provided support to development projects such as social entrepreneurship.

287. Besides State measures, which are based on regular systemic solutions, mitigation of the material distress of people is also carried out through inclusion in projects at the EU level. In this respect, 640 tons of food were distributed in 2006 for the first time in Slovenia within the project of food distribution from EU intervention stock, as well as more than 2 million litres of milk for almost 100,000 persons. Cooperation in the project continued in 2007 and 2008.

288. Local communities or municipalities also contribute to the reduction of poverty. Within Mesto Ljubljana, low-income citizens are provided with additional financial assistance from the city budget (Ordinance of the city of Ljubljana) once a year. Financial assistance from the city budget is also allocated for the following purposes: partial coverage of costs at the beginning of a new academic year for children in elementary and secondary school; school in nature, holidaymaking/wintering for elementary school pupils; lunches for children in elementary and secondary school with organized diets; birth benefits.

289. Warning, awareness raising and preparation of priorities for the prevention of poverty and social exclusion is also dedicated a lot of attention through the preparation of reports on national strategies of social protection and social inclusion that take part within the Open coordination method at the EU level (Social Protection Committee). Key challenges in the field of social protection for the period 2008–2010 in Slovenia<sup>105</sup> are the following: greater social inclusion of individuals and social cohesion; better accessibility and quality of social services of general meaning; and improved effectiveness and appropriateness of social transfers through the modernisation of systems and social protection institutions.

### **Poverty among the Roma**

290. The Roma are more exposed to being at-risk-of-poverty. Due to the course of history and other circumstances, there are significant differences among the Roma living in Slovenia based on tradition, specific way of life, level of socialisation and integration into their everyday environment. We assess that the conditions among the Roma living in the northeast part of Slovenia are significantly better than those in the south. Acceptance of members of the Roma community by the majority of the population is indicated to be much greater in Prekmurje, where a constructive search for solutions that took place for several decades was successful. Social circumstances in this part of Slovenia were much more favourable and no disparities and intolerances were present as in the areas of Dolenjska and Bela Krajina.

291. In 2007, the Roma Community Act/ZRomS-I,<sup>106</sup> was adopted in Slovenia. The Act lays down that the Government, in cooperation with local self-government units and the Roma Community Council of the Republic of Slovenia, adopt a programme of measures for a coordinated implementation of special rights of the members of the Roma community. In

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<sup>105</sup> The National Strategy of Social Protection and Social Inclusion for the 2008–2010 Period (adopted by the Slovenian Government on 4 September 2008).

<sup>106</sup> Official Gazette of RS, No 33/07.

autumn 2007, the Government organized a working group for the preparation of the said programme of measures. Members of the working group are representatives of competent ministries that cover various fields, representatives of the Council and of local communities (municipalities). The programme of measures will be designed in such a way as to determine or foresee, as far as possible, implementation deadlines or deadlines for the implementation of an individual measure, while each measures will be subject to a financial evaluation. Tasks and obligations laid down in the Government programme of measures will be carried out by competent ministries, other State bodies, and organs of local self-government units, which will, to this end, adopt detailed sectoral programmes and measures and provide necessary funds in their financial plans. In March 2009, the Government of the Republic of Slovenia established and appointed the Commission of the Government of the Republic of Slovenia for the protection of the Roma Community, which under the ZRomS-I, consists of 16 members (eight representatives of State bodies, four representatives of the Roma Community Council of the Republic of Slovenia and four representatives of local self-government units in which are representatives of the Roma community in the city or local council). The president of the commission is the minister for education and sport, and administrative matters for the commission are managed by the Office of the Government of the Republic of Slovenia for Nationalities. At least once a year, the competent State bodies and bodies of local self-government units will have to report to this working body on the realization of the government programme of measures.

292. In the field of combating poverty and social exclusion, the efforts of the country to improve the situation of members of the Roma community must be emphasised, and numerous programmes and sectoral measures must be designed for this purpose.

#### **Housing conditions**

293. On 1 December 2006, at the Ministry of the Environment and Spatial Planning, an expert group was appointed for resolving space problems of Roma settlements with the aim of carrying out counselling and strategic activities to provide spatial and housing conditions for the Roma community in Roma settlements. The group prepared a comprehensive study entitled Spatial Problems of Roma Settlements in Slovenia in which it defined the existing problems of Roma settlements in Slovenia and proposed concrete measures for resolving them in the form of beginning operations of the chosen scenario of Roma settlement planning.

294. In the field of the regulation of basic municipal infrastructure in Roma settlements, public tenders have been conducted for several years, first under the auspices of the Ministry of Economic Affairs, and now within the Government Office for Local Self-Government and Regional Policy of the Republic of Slovenia; in autumn 2007, the Ministry of the Environment and Spatial Planning published the first public tender for co-financing the elaboration of municipal detailed plans for the planning of Roma settlements, which resulted in pilot co-financing of two municipalities. Discussions are currently taking place on repeating such a public tender, or on financial assistance in the elaboration of these acts to be provided by the ministry in the future.

295. During the period between 2002 and 2004, the Ministry of Economic Affairs prepared public tenders through which municipalities were allocated irreversible funds for the regulation of Roma settlements. A public tender for co-financing projects of basic public utility infrastructure in Roma settlements was prepared in 2004 by the Public Fund of the Republic of Slovenia for Regional Development and Preservation of the Settlement of Slovenian Rural Areas. An important step was taken in July 2005 when the Government adopted the "Implementation Programme for Assistance to municipalities for resolving the most urgent public utility infrastructure problems in Roma settlements." Funds for this programme were allocated to municipalities in 2006, while in 2007, the Government Office

for Local Self-Government and Regional Policy (hereinafter SVLR) allocated funds to municipalities for the period 2007–2009 through the public tender for co-financing the projects of basic public utility infrastructure in Roma settlements. SVLR published a similar public tender at the end of February 2008 (Official Gazette of RS, No. 21/08 and 25/08) in order to allocate funds to municipalities for the period 2008–2010.

### **Education**

296. For education of the Roma see chapter IV, article 2 (non-discrimination).

### **Employment**

297. The Roma represent a particularly vulnerable group in the labour market. Through active employment policy measures, the State tries to decrease their unemployment, improve their educational structure and increase employment. In this respect, the Active Employment Policy Programme for 2005 and 2006 was adopted in the last period, while in 2006, the Government adopted the Programme of Measures of the Active Employment Policy for the period 2007–2013 and the implementation plan of the said programme for 2007 and 2008. The majority of the Roma live in the Pomurje and Dolenjska regions. Since 2004, the Employment Service of Murska Sobota has been trying to stimulate younger Roma inhabitants to finish elementary school and acquire a profession, including them in public work and other forms of education. For several years, the Employment Service has been engaged in employing them as seasonal workers in agriculture. Within the framework of Equal programme, Roma mentors are being employed by elementary schools.<sup>107</sup>

298. Special attention is also given to the Roma as a vulnerable group of inhabitants in the Resolution on the national social assistance programme, 2006–2010.<sup>108</sup> Besides that, the Ministry of Labour, Family and Social Affairs prepares invitations to tender for co-financing programmes in the field of social security and family support. It has also co-financed two development partnerships within the EQUAL Community Initiative whose activities focussed on members of the Roma community in Slovenia. In 2006, the Government also adopted the Public Work Programme, 2007 and 2008. The target group of unemployed persons to be included in the public work programmes are long-term unemployed persons, among whom the Roma, who are, as a group that faces special obstacles in employment, are also the subject of this programme. The programme is intended for the activation of unemployed persons, their social inclusion, the preservation and development of their working ability, and the stimulation of the development of new work-places.

### **Health care**

299. All citizens of the Republic of Slovenia are provided with equal accessibility to medical care, be it curative or preventive. Roma girls are thus provided with the same extent of rights to medical care. The Ministry of Health finances a research study within the programme “Competitiveness of Slovenia, 2006–2013” with the following title: “Assessment of use of medical services in the population of Roma women and children in Slovenia – contribution to decreasing inequality in health”. The results of the research study will be the basis for the preparation of appropriate programmes for health protection and enhancement, and measures for decreasing inequality in health. Representatives of the Roma are included in the preparation and implementation of the project, which will make use of the results more easily at a later stage.

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<sup>107</sup> (<http://www.ess.gov.si/slo/Predstavitev/LetnaPorocila/lp06/LP2006NM.pdf>).

<sup>108</sup> (Official Gazette of RS, No. 39/2006).



### Culture and information activity

300. In the field of cultural activity, the Resolution on the National Programme for Culture, 2004–2007<sup>109</sup> includes a special chapter of which is dedicated to the aims and measures in the field of culture for the Roma community. The Resolution on the National Programme for Culture, 2008–2011<sup>110</sup> maintains stimulation of the cultural development of the Roma community as a cultural priority. The Ministry of Culture has been providing appropriate conditions for cultural activities of the Roma community since 1993 on the basis of the needs expressed by members of the Roma community, and has ensured conditions for their participation in relation to the measures intended for their community.

301. A positive trend in the field of informative activities of the Roma community can be encountered in the preparation of radio and television broadcasts for the Roma. These have been prepared for several years on local radio and television stations, and now they are prepared and broadcast within the programme of national RTV Slovenija. Since December 2007, a Roma programme entitled “Naše poti – Amare droma” has been broadcast every week on national radio, and since 23 March 2008, a 15-minute programme entitled “So vakeres? – Kaj govoriš?” has been broadcast every 14 days on the first programme of national television, prepared exclusively by the Roma.

302. Under the auspices of the Slovenia Roma Association, the Roma information centre – ROMIC has operated since 2003, and succeeded at the last invitation to tender of APEK<sup>111</sup> so as to acquire a local radio frequency for the area of Murska Sobota and its surroundings (97.6 MHz).

### Raising awareness and anti-discriminatory measures

303. In accordance with the Roma Community Act, the Government of the Republic of Slovenia is obliged to adopt the national programme of measures for the Roma. The document is prepared by the working group appointed for this purpose by the Government. While in the preparation phase, certain measures were to be included that would contribute to raising awareness of the majority population as regards the existence, culture, customs and habits of members of the Roma community, and awareness of minority members regarding the rights and obligations pertaining to them as nationals of the Republic of Slovenia. Within the programme of measures, various activities should be approached: from training and education for public servants and employees of justice administration and Roma councillors, to activities for eliminating prejudices and stereotypes (e.g. research assignments, studies, conferences, consultations, round tables, confrontations, etc.).

304. In 2008, the Republic of Slovenia decided to officially begin implementation of one of the most important awareness-raising campaigns within the joint programme of the Council of Europe and the European Commission for the elimination of prejudices associated with the Roma – the campaign “*DOSTA! Osvobodimo se predsodkov, spoznajmo Rome!*” (“*ENOUGH! Get free of prejudices, get to know the Roma*”) Slovenia was thus the first European Union Member State to begin the campaign, in autumn 2008, on an official basis through establishing contacts with the Council of Europe and the general secretary of the organization, Terry Davis. The purpose of the campaign is to: establish better understanding and knowledge of the Roma culture and identity; contribute to the formation of more effective communication channels for raising awareness and

<sup>109</sup> Official Gazette of RS, No. 28/2004.

<sup>110</sup> Official Gazette of RS, No. 35/2008.

<sup>111</sup> The resolution on the introduction of an invitation to tender for acquiring a radio frequency for the performance of broadcasting was published in the Official Gazette of RS, No. 118/2007.

informing the public of the condition of the Roma; contribute to the promotion of tolerance, interculturality and coexistence. The Republic of Slovenia officially started the campaign on 17 November 2008 (the official speaker was Dr. Pavel Gantar, president of the National Assembly of the Republic of Slovenia, who supported the campaign). In the Republic of Slovenia, the campaign is being carried out by the Government Office for National Minorities in cooperation with the Information Office of the Council of Europe in the Republic of Slovenia. The Roma community takes an active part in the campaign and prepared a supportive song for this purpose. The campaign will last for about 2 years.

## **VIII. Education, leisure and culture activities (arts. 28, 29 and 31)**

### **A. Education (art. 28)**

#### **Inclusion of children in preschool education programmes**

305. The share of children enrolled in preschool institutions has been increasing year by year. The number of children enrolled in preschool institutions in the academic year of 2008/09 was higher (by 7.5 per cent) in comparison to the previous year. Almost 66,000 children, or 70 per cent of all children of the appropriate age, are included in preschool education in preschool institutions and day-care families. Since September 2008, new measures have been introduced for unburdening parents of the payments for preschool institutions: preschool institutions are slowly becoming free of charge for the second and every further child from the same family who are included in preschool institution at the same time, and a gradual decrease in payments for preschool institution being introduced (2014) for children from the age of 3 on.

#### **Inclusion of children in elementary and secondary schools**

306. The number of pupils in elementary schools in the year 2007/08 was 163,208 and was slightly lower when compared to the year 2006/07. In the period 2000/01–2007/08, a decline in the number of births resulted in the reduced number of elementary schools from 816 to 792. The number of young people in secondary schools is facing a decrease as a result of the decrease in the number of generations for entry in secondary schools. In the academic year 2007/08, 91,623 young people were included in secondary education, which is 4.9 per cent less than in the year 2006/07. However, Slovenia has the highest inclusion rate of young people aged 15–19 in secondary schooling among European countries.

#### **Dropout rate of students in secondary school**

#### **Reply to the recommendations contained in paragraph 51 of the concluding observations**

307. The trend of (non) inclusion in the education process can also be followed by means of the indicator of the dropout rate. This represents the share of young people aged 18–24 who are not included in education or training and have completed only elementary school (ISCED 2 or less). This data has been published since 2001 for Slovenia by Eurostat. It indicates that in 2001, this share was 7.5 per cent, later falling below 5 per cent, and stopped in 2005 at 4.3 per cent. In 2006, the share again slightly increased to 5.2 per cent.

Data for Slovenia is positive in comparison to EU States, since in the Euro area, this share mounted in 2006 to 17.8 per cent, and in all 27 Member States, to 15.3 per cent.<sup>112</sup>

308. The share of dropouts among secondary school students in Slovenia is lower than in other EU Member States. Since 1995, the share of secondary school students who successfully complete a grade has not changed significantly (90 per cent). In 2005, 91.7 per cent of students successfully completed their grade, and in 2006, 92.6 per cent were successful. The highest share of students repeating a grade in the academic year 2005/06 was among the students of secondary vocational programmes (4.8 per cent), secondary professional programmes (4.3 per cent), and grammar schools (1.9 per cent), which had the lowest share. In 2006, 72.7 per cent of students repeating a grade were successful in completing the year.<sup>113</sup>

309. An extensive research study took place in 2006 considering the reasons for students to drop out from regular forms of education in secondary schools. The research indicates that more boys than girls drop out from regular secondary education. The most vulnerable population is those who attend secondary vocational and technical programmes. For most students, this was the first dropout, while for 20 per cent it was the second. The decision to drop out is most frequently the result of poor study results or negative marks in one or more subjects. One of the most important reasons for poor study results and dropping out is staying away from school and insufficient learning. One third of students who dropped out in the academic year of the study (2005/06) pointed out that nobody told them or demonstrated to them how studying should be carried out. About one fifth of students are of the opinion that nobody had acquainted them with studying and learning techniques for certain subjects. Students with learning and other problems usually turn for help to friends, instructors, schoolfellows, and less to teachers of the problematic subject. The Ministry of Education and Sport has thus started a systematic promotion of teachers in the role of counsellors and mentors. More than one third of students who drop out of school have no clear vocational or educational goal.<sup>114</sup>

310. In the future, more attention should be paid to the question of how reasonable it is to repeat a grade and to conducting activities to prevent poor study results (some models and strategies have already been drafted in the past). By means of the European Social Fund, some projects for decreasing the dropout rate in schools have already been financed since 2007. In this respect, the project PUPO was conducted (preventive measures for preventing dropout) with the participation of 20 vocational schools, along with the ISM project (informing and counselling for young people), which established a counselling network for young people who dropped out from the school system. Schools should elaborate a curriculum with regard to the enrolled population and needs of individual students. They should prepare individualised plans for students who do not attain minimum standards of knowledge and provide them with additional learning assistance. Those who are not capable of successfully concluding education can be granted a certificate of national vocational qualification that will enable them to enter the labour market.

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<sup>112</sup> Eurostat, 2008: Europe in figures – Eurostat Yearbook.

<sup>113</sup> *Source:* National Report of Slovenia on the implementation of the education and training 2010 work programme, April 2007.

<sup>114</sup> *Source:* National Report of Slovenia on the implementation of the education and training 2010 work programme, April 2007.

**B. Aims of education (art. 29)**

311. In the next decade, the development of education will be based on the following objectives or starting points:

- (a) Regarding preschool education, this will be based on:
  - The provision of possibilities for a greater inclusion of preschool children, namely 40 per cent of children of the first age bracket and 90 per cent inclusion of children of the second age bracket
  - The provision of parents with assistance concerning the payment of preschool institutions (the State will provide the payment for the second and every further child from the same family to be included in preschool institution at the same time)
  - The development of various forms of preschool education
  - The provision of parents with the right to opt for various types of preschool education
  - The establishment and provision of a quality preschool education
- (b) Development of elementary school will be focused on:
  - The development of more flexible organizational forms of educational work
  - The establishment and provision of quality learning and teaching
  - Raising the level of students' learning results, in particular in the field of key competences
  - The implementation of a more effective inclusion of all social groups in education
  - The performance of the educational role of the school (through an educational plan which includes fundamental values, principles, and vision of the school's work, duties and rights of pupils, etc.) and
  - The inclusion of parents in the elaboration of the education plan of the school
- (c) Regarding secondary school education, the educational objectives are the following:
  - The establishment and provision of high-quality learning and teaching
  - The development of the model for assessing student's results
  - The development of various didactic teaching strategies
  - Training of students for further education and inclusion in various forms of lifelong learning
  - The development of various organizational forms and educational possibilities
  - The development of modularly based and open-structure educational programmes subject to credit assessment so as to provide a quick response to new labour market needs and responsiveness, while adults should have the possibility to obtain national vocational qualifications and education in parts
  - Lowering school failure and in particular dropouts in vocational and technical education

- Developing systems of recognition of non-formal and informal learning, and linking the formal school and certification system in the context of lifelong learning and the national qualifications framework
- Reinforcing links between research, learning practice and school policies

312. The above-mentioned objectives are encompassed in amendments and supplements to basic acts in the field of education: the Organization and Financing of Education Act,<sup>115</sup> the Elementary School Act<sup>116</sup> the Preschool Institution Act,<sup>117</sup> the Gimnazije Act<sup>118</sup> the Vocational Education Act<sup>119</sup> the Post-secondary Vocational Education Act,<sup>120</sup> the National Vocational Qualifications Act.<sup>121</sup>

313. In the Organization and Financing of Education Act,<sup>122</sup> the following objectives were supplemented or added:

- Ensuring optimal development of an individual regardless of gender, social and cultural origin, religion, race, ethnic origin, association with a national minority, or physical or mental constitution or disability
- Ensuring quality education
- Raising awareness of nationality and national identity and knowledge on the history of Slovenia and its culture
- Education for sustainable development and active participation in democratic society, which also includes a profound knowledge of and responsible attitude towards oneself, one's health, other people, one's and others' cultures, the natural and social environment, and the generations to follow

314. Amendments to the Elementary School Act<sup>123</sup> provide for, in addition to old objectives for education for respect and cooperation: acceptance of differences and tolerance, the protection of human rights and fundamental freedoms, provide for the education for sustainable development and active participation in democratic society, which also includes a profound knowledge of and responsible attitude towards oneself, one's health, other people, one's and others' cultures, the natural and social environment, the generations to follow, and the development of the competence to communicate in other languages.

315. The following are the programme documents that include children's rights either directly or indirectly: the Concept of Inclusion of Health in the Curriculum (2004); the Resolution on the National Programme for Drugs (2004); the Guidelines for the Analysis, Prevention and Treatment/Management of Violence in School (2004); the Strategy for Education of the Roma in the Republic of Slovenia (2004); the Resolution on the National Programme for Equal Opportunities of Women and Men 2005–2013 (2005); the Resolution on the National Programme of Food and Nutrition Policy 2005–2010 (2005); the Strategy for Developing Literacy (2006); the Concept of Work with Children with Learning Difficulties (2007); the National Strategy on Lifelong Learning (2007); the Guidelines for

<sup>115</sup> Official Gazette of RS, No. 16/2007-UPB5, 36/2008.

<sup>116</sup> Official Gazette of RS, No. 81/2006-UPB3, 102/2007.

<sup>117</sup> Official Gazette of RS, No. 100/2005-UPB2, 25/2008.

<sup>118</sup> Official Gazette of RS, No. 1/2007-UPB1.

<sup>119</sup> Official Gazette of RS, No. 79/2006.

<sup>120</sup> Official Gazette of RS, No. 86/2004.

<sup>121</sup> Official Gazette of RS, No. 1/2007-UPB2.

<sup>122</sup> Official Gazette of RS, No. 36/2008.

<sup>123</sup> Official Gazette of RS, No. 102/2007.

Education for Sustainable Development from Preschool Education to Pre-university Education (2007); the Strategy of the Government of the Republic of Slovenia for Health Enhancing Physical Activity from 2007 to 2012 (2007); the Strategy for Inclusion of Children, Pupils and Student Migrants in the Educational System of the Republic of Slovenia (2007).

#### **Important shifts in the education system in the period 2005–2007**

316. In the field of organization and financing of education, changes are being introduced on a trial basis, that are based on the changed comprehension of knowledge, evaluation of all pupils' results (not only those associated with school subjects), introduction of credit system (easier transfer between parts of the formal system), and more flexible organization of education (no more organization of education by classes or grades determined at the national level).

#### **Accessibility and equal opportunities**

317. Education-related measures laid down by the Resolution on the National Programme for Equal Opportunities of Women and Men 2005–2013<sup>124</sup> are targeted so as to lead to a systematic inclusion of gender equality in all levels of the education system, namely in the curricula and learning material as well as in initial teacher study programmes and continuous education and training of professional workers engaged in education and training.

318. The most important measures of the Strategy for Inclusion of Children, Pupils and Student Migrants in the Educational System of the Republic of Slovenia are the following: adjusted implementation of the curriculum for a faster and quality inclusion in the education process; preparation of strategies for work with migrant parents and their inclusion in school life; encouraging intercultural learning and positive attitude towards understanding and accepting differences; introduction of Slovenian language as a second language; quality teaching of languages for migrant children; quality education and training of professional workers.

319. For education of the Roma (see chapter IV, article 2 (non-discrimination)).

#### **Introduction of the learning achievements concept**

320. Tasks of the national assessment of knowledge in elementary schools are designed in a way that provides an analysis of achievements with regard to the objectives of the curriculum and according to classification levels (taxonomic levels). Learning results in vocational education and training are determined in terms of acquiring vocational competences and upgrading key competencies and general knowledge.

#### **Quality identification and assurance systems**

321. In Slovenia, we introduced quality identification mechanisms at the national level through inclusion in international research studies (such as PISA, TIMSS and PIRLS), national assessment of knowledge (upon completion of elementary school, general and vocational secondary school final examination) and national quality indicators. At the same time, various self-evaluation mechanisms and internal mechanisms of quality assurance were developed and established.

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<sup>124</sup> Official Gazette of RS, No. 100/2005.

**Cooperation with the environment**

322. Cooperation of school with the environment is carried out through various projects. The new curricula in vocational education and training are open in 20 per cent and stimulate schools towards intensive cooperation with, for example, local enterprises.

**Strengthening preschool education**

323. One of the important objectives is greater inclusion of children in various forms of preschool education and a more rightful determination of payments by parents.

**Reforming curricula and assessment systems**

324. A trial introduction of a flexible syllabus in elementary schools is currently being carried out. In elementary schools and general upper-secondary schools, the curricula that include the concept of key competencies have been designed, along with vocational education and training programmes that have been modularly structured, competence based and subject to credit assessment.

**C. Culture and cultural activities (art. 31)**

325. In the National Programme for Culture 2004–2007, Cultural education as creative education and as education for creativity was indicated as one of the national priorities of cultural policy. In the description of this priority, it is clearly stated as follows: “... One of the key priorities of numerous European cultural policies is stimulating programmes and projects that link cultural, educational and scientific spheres and the media sphere and which stimulate the learning population of all age levels, both in understanding culture and in being creative. Cultural literacy will thus be raised, which is one of the aims of the Convention on the Rights of the Child ...”.

326. Since cultural education is important in the development of national culture, as well as being an important area of education, in the period 2004–2007, the Ministry of Culture closely cooperated with the Ministry of Education and Sport. We have also introduced joint measures with the aim of following the guidelines set at the UNESCO world Conference on Arts and Education (Lisbon, 2006), which, in the document “Road Map for Arts Education”, includes children’s rights to education and activity in culture (cultural and art education).

327. In the period from 2004 until today, The Ministry of Culture has co-financed a number of cultural programmes and projects for children and young people in any field of art, cultural heritage or media. The allocated funds contribute to better accessibility to quality cultural goods. We support numerous programmes and projects in the national, regional and local field, many of which can be attended free of charge or are easily accessible for children and young people or preschool institutions, elementary and secondary schools and families, due to the granted financial aid.

328. In the period from 2004 until today, intersectoral cooperation has been particularly successful in raising awareness of professional workers in education, as well as professional workers in cultural institutions and artists, on the importance of cultural education for children and young people. In the presentation of the importance of cultural education for the development of children and adolescents, we always point out basic children’s rights in the field. Numerous presentations, symposia, professional trainings for professional workers engaged in education in this field, which we carried out with the help of the Ministry of Education and Sport and the National Education Institute, are reflected in successful projects at the national, regional and local levels. Also reports for individual

fields of culture in 2007 indicate an increase in the number of programmes and projects intended for children and young people, whose effect has also increased.

329. In 2008, and before then, the Ministry of Culture also included cultural education in all fields of all financing procedures, either as one of the priority criterion for assessment of the received programme or project proposals, or as a special sub-field that was formed (for example, in the field of books, the sub-field ‘reading culture’ was established). A constant increase in the offer for young people, and consequently an increase in visiting or inclusion of children and young people, has been noticed in all cultural fields. The number of pedagogical and popularisation programmes is growing, mostly in the form of various workshops linked to certain projects, in all fields of art, cultural heritage and media.

330. In the future, greater attention will be given to more detailed and systematic data collection (statistics), which will enable us to make comparative analyses of development in this field – so far, the statistics of such projects intended for children and young people have not been subject to separate treatment.

The new National Programme for Culture 2008–2011<sup>125</sup> states, among the basic principles of cultural policy, the principle “right to culture” which points out: “... This is an inalienable right of all citizens, arising from article 59 of the Constitution of the Republic of Slovenia, and also from article 27 of the Universal Declaration of Human Rights. National cultural policy must implement this right – in which it covers a wider range and is a State guarantee to individuals that they can freely deal with cultural creativity and that they have free access to its offer and to information and communication. This right, besides the aforementioned, also includes the right to one’s own identity, language and education, as well as cultural heritage: individuals, who identify themselves with the heritage of the space they live in, can recognize and understand this heritage as a part of their identity at the level of immediate community, nation, etc. Particular attention of the State, in accordance with the Constitution, has to aid the exercise of rights of national communities, the Roma ethnic community, members of various minorities, immigrants and children. The right to culture must also be recognized for various and marginal groups to which the State is, in accordance with legislation, obliged to give opportunity for cultural participation and integration, and in their language if necessary ...”.

331. Among its basic principles of cultural policy for the implementation of the Convention on the Rights of the Child, particularly its article 31, the new National programme for Culture 2008–2011<sup>126</sup> includes an important principle of “development of cultural awareness and expression of children and youth”, which emphasises systematic care for the culture of children and young people. In the chapter Priorities and Objectives – Measures – Indicators, the Ministry of Culture and the Ministry of Education and Sport created a more detailed joint provision of the planned measures in this field:

1. Objective: Systematically engage in programme offer of cultural institutes for children and youth in all areas of culture, for availability and popularisation of culture among youth.

Expected effects: Better availability of culture education programmes for children and youth.

2. Objective: Cultural education as cross-curricular content and dimension.

<sup>125</sup> The Resolution on the National Programme for Culture 2008– 2011 /ReNPK0811/ (Official Gazette of RS, No. 35/2008).

<sup>126</sup> The Resolution on the National Programme for Culture 2008– 2011 /ReNPK0811/ (Official Gazette of RS, No. 35/2008).



Expected effects: Better inclusion of cultural content and approach in the educational process, popularisation of culture, improving the attitude of children and youth towards cultural content and developing creativity as one of the fundamental educational competences.

3. Objective: Systematic provision of additional professional training in cultural education for experts in education, and additional training for experts and authors in cultural institutions that prepare projects and programmes for children and youth in or for preschool institutions and schools.

Expected effects: Additional training will provide new approaches in the area of cultural education and the development of cultural capacities of children and youth.

4. Objective: Preparation of an action plan for cooperation and establishment of a network of participating, partner, education and cultural institutions in the area of cultural education.

Expected effects: More systematic and better cooperation between educational and cultural institutions.

5. Objective: Provide availability of information on quality cultural goods (offer) for children and youth within the national cultural portal.

Expected effects: Better availability of information on the possibilities for participation in culture.

332. In carrying out its work, the Sector for Minority Cultural Rights and the Development of Cultural Diversity, with the help of the Ministry of Culture (hereinafter as “sector”), takes special care of children. The sector, in compliance with its competencies, implements article 56 of the Constitution of the Republic of Slovenia, in particular in the field of human rights and fundamental freedoms, which are also enjoyed by children, according to their age and maturity. A special working group for human rights has been formed at the Ministry of Culture on the basis of a resolution of the minister to provide help with the implementation of human rights. Members of the working group, which is composed of NOE representatives, are obliged, in their organizational units or informally via communication, to contribute to the conversation on human rights and strive for their implementation in practice, as well as informing their superiors of remarks and initiatives of the human rights ombudswoman. Members of the working group decided to pay special attention, among other international documents, to the Convention on the Rights of the Child. In the preparation of the new National programme for Culture 2008–2011,<sup>127</sup> the sector provided a special element for the care for vulnerable groups, which also includes children, since people’s awareness of their cultural rights represents one of the conditions for inclusion in open society, which is based on the autonomy and freedom of an individual. When making a public call for the selection of cultural projects in the field of various other minority ethnic communities and immigrants, and when making a public call for the selection of cultural projects in the field of the Roma community, the sector pays special attention to children.

333. During the period 2004 to 2008, the funds granted for the needs of cultural programmes for the Italian and Hungarian national communities associated with the implementation of the Convention on the Rights of the Child amounted to EUR 15,273.98 or 1.75 per cent, and EUR 16,167.15 or 1.25 per cent, respectively. In the period 2005–

<sup>127</sup> The Resolution on the National Programme for Culture 2008– 20011 /ReNPK0811/ (Official Gazette of RS, No. 35/2008).

2008, Roma communities were granted a total of EUR 95,715.33 or 27.39 per cent for the needs of cultural programmes associated with the implementation of the Convention on the Rights of the Child. Considering other minority ethnic communities and immigrants, in the period 2006 to 2008, EUR 69,492.86 or 10.21 per cent was granted for the needs of cultural programmes associated with the implementation of the Convention on the Rights of the Child. (In the annex, the list of approved cultural projects for the Italian national community for 2006, 2007 and 2008, the Hungarian national community for 2008, and Roma communities for 2005, 2006, 2007 and 2008, as well as the list of approved cultural projects and other minority ethnic communities and immigrants for 2006, 2007 in 2008, is attached).

## **IX. Special protection measures (arts. 22, 30, 32–36, 37, 38, 39 and 40)**

### **A. Children in situations of emergency**

#### **Refugee children (art. 22)**

#### **Reply to the recommendations contained in paragraph 55 of the concluding observations**

##### *Temporary protection*

334. The field of provisional protection is regulated by the Temporary Protection of Displaced Persons Act.<sup>128</sup> This act provides for systemic regulation of provisional protection in the case of a mass influx of persons as a result of war or mass violations of human rights in their country. The extent of medical care, social care and schooling at elementary schools and secondary schools for children who have temporary refugee status is completely equal to that of children who are Slovenian citizens. The act came into force in 2005 and, since then, no crisis areas have existed in the direct vicinity of the Republic of Slovenia and the act has, luckily, not been applied yet.

##### *International protection*

335. International protection is regulated by the International Protection Act<sup>129</sup> and the executive act Rules on the Rights of Applicants for International Protection.<sup>130</sup>

336. The International Protection Act has a special provision for vulnerable social groups and provides them with special care and attention. Vulnerable persons with special needs are defined as children, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence.

337. According to the International Protection Act and the Decree on the Methods and Conditions for Ensuring the Rights of People with International Protection,<sup>131</sup> persons granted international protection will be in an equal position to that of the citizens of the

<sup>128</sup> Official Gazette of RS, No. 65/2005.

<sup>129</sup> Official Gazette of RS, No. 111/2007 and 111/2008 – Constitutional Court Decision.

<sup>130</sup> Official Gazette of RS, No. 67/2008.

<sup>131</sup> Official Gazette of RS, No. 67/2008.

Republic of Slovenia by exercising their right to social protection; furthermore, they are entitled to health care under the same conditions as the citizens of the Republic of Slovenia.

338. Regarding elementary and secondary education, minors are in an equal position to that of nationals of the Republic of Slovenia. Funds for the education and training of persons with international protection will be provided by the ministry responsible for education in accordance with regulations governing this field. The Ministry of education also provides persons with international protection textbooks from the textbook fund. For the persons with international protection who have no own income or whose subsistence is not provided otherwise, the ministry will cover other costs in relation to education. The costs to be covered also include costs of school activities, such as sport, cultural and life science days, and for the students of secondary professional and vocational schools, school requisites such as uniforms.

339. The Act further indicates that an unaccompanied minor who has been granted international protection must be accommodated by his adult relatives, a foster-family, in special accommodation centres with special provisions for minors, or in other accommodation suitable for minors.

340. The Decree on the Methods and Conditions for Ensuring Rights of Persons with International Protection<sup>132</sup> points out that when accommodating vulnerable persons with special needs who have been awarded international protection, particularly children, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with children and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, their specific needs must be taken into account and housing conditions adjusted.

341. In exercising the extent of children's rights, the following supporting services are also important:

(a) Children and unaccompanied minors – applicants for international protection are, on the basis of the findings of the competent medical or social worker, entitled to additional and adapted meals;

(b) The statutory extent of health care of children and unaccompanied minors – application for international protection is carried out through the public health network. It must be pointed out that children are entitled to extended medical rights, which include all vaccinations, periodic health examinations necessary for school entrance, and others;

(c) All children and unaccompanied minors – applicants for international protection have the right to elementary-school education. Children are provided with individual and team learning assistance, exercise books or school requisites necessary for the carrying out of education (notebooks, slippers, colour pencils, pencils, etc.). Also, the costs of excursions, cultural, life science, sport, technical and housework days will be covered. Furthermore, children have the right to an assisted school diet;

(d) Children and unaccompanied minors – applicants for international protection have the right to secondary-school education under the conditions that apply for the citizens of the Republic of Slovenia. Also, they are entitled to free of charge use of textbooks from the textbook fund;

(e) All children and unaccompanied minors – applicants for international protection have access to humanitarian and non-governmental organizations in the Republic

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<sup>132</sup> Official Gazette of RS, No. 67/2008.

of Slovenia that provide them with material, cultural, psycho-social and social assistance, organized child protection and education for children and young persons;

(f) Exercising rights of children and unaccompanied minors – applicants for international protection is supplemented by projects conducted by non-governmental organisations. Activities are designed according to the age and needs of children and young persons;

(g) In the Asylum Centre, there is an ongoing project entitled PATS (Project Against human Trafficking and Sex and gender based violence). The programme is intended directly for potential victims of trafficking in human beings. All unaccompanied minors are informed about trafficking in human beings, sex violence and AIDS-HIV disease;

(h) In 2008, a document was signed that specifically lays down the carrying out of protection of children and unaccompanied minors – applicants for international protection in cases of sexual and gender-based violence. The signature was tripartite (UNHCR, NVO and governmental sectors).

#### *Unaccompanied children*

#### **Reply to the recommendations contained in paragraph 57 of the concluding observations**

342. It should be pointed out from the beginning that according to the Convention on the Rights of the Child, when treating unaccompanied minors, the principle of protecting the unaccompanied minor's best interests must always be taken into account. In January 2008, the International Protection Act<sup>133</sup> came into force, which classifies unaccompanied minors among vulnerable categories of persons provided with special care and attention. According to the act, in procedures when the reasons of unaccompanied minors for the recognition of international protection are assessed, the best interests of the unaccompanied minor must be taken into account, the application must be treated as a priority and the child's identity must be established as soon as possible. At the time of submission of the application, a legal representative must be appointed for an unaccompanied minor; this representative will represent the minor throughout the procedure or until he attains his majority. Furthermore, the unaccompanied minor can also receive additional oral explanations of his rights and obligations, which must be adjusted to his age and mental maturity.

343. In the Asylum Centre, unaccompanied minors have a special department that has been operating since 2004; there is a separate department for families. All children in the Republic of Slovenia, not only those unaccompanied, are entitled to elementary education and to education in vocational and secondary schools under the conditions that apply for the citizens of the Republic of Slovenia.

344. During the period from 2004 until the end of 2008, 306 unaccompanied minors applied for international protection in the Republic of Slovenia, which is 7.3 per cent of all applications lodged within this period. 265 (86 per cent) unaccompanied minors left the Republic of Slovenia and were issued orders to stop the proceeding. Unaccompanied minors who apply for international protection in the Republic of Slovenia are mostly classified in the population aged 17 and 18. If these persons do not possess any documents, in the case of doubt, the competent authority always considers indications of the person with regard to the person's age and treats them with all due diligence. Having in mind that

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<sup>133</sup> Official Gazette of RS, No. 111/2007 and 111/2008 – Constitutional Court Decision.

this is the population of older minors, most of them attain their majority during the course of the procedure.

#### *Health care*

345. In practice, unaccompanied minors are, just like all children who are accompanied by their parents, in an equal position, as regards medical care, to that of nationals of the Republic of Slovenia. On the basis of legislation and practice, unaccompanied minors (as well as children accompanied by their parents) are classified in the group of vulnerable persons with special needs; on account of their specific situation, their material conditions of receipt, health and psychological counselling and care are specifically adapted. For this reason, unaccompanied minors are provided with an additional extent of health services.

346. Applicants exercise their right to health care with a valid international protection card, and in exceptional cases, on the basis of a document certifying the lodge of an application, issued by the competent authority. The persons who have been awarded international protection are also provided with an additional extent of health services. The costs of these services are covered by the ministry of internal affairs.

#### *Elementary and secondary education*

347. Regarding elementary and secondary education, minor applicants for international protection are in an equal position to that of nationals of the Republic of Slovenia. Funds for the provision of the right to primary education are provided by the ministry of education. Additional material resources for covering the costs of school requisites and part of the costs necessary for carrying out the education (notebooks, slippers, colour pencils, pencils, life science and sport days, etc.) are covered by the ministry of internal affairs. School children receive learning assistance in the Asylum Centre from social workers and volunteers of the Slovene Philanthropy Association, who visit the Asylum Centre at least three times a week. The same holds true for unaccompanied minors who are awarded international protection. It should be pointed out that nostrification costs of the evidence of qualifications abroad are covered by the ministry of internal affairs, which makes an additional contribution towards rapid inclusion in the further learning process of the young person.

#### *Custody*

348. According to the International Protection Act, an unaccompanied minor must be appointed a legal representative prior to the start of the procedure. The competent social work centre appoints a relative or attendant of the minor or a representative of the organization specialized in work with children and youth as his legal representative. In practice, in most cases, the custody is appointed to the Slovene Philanthropy Association. The International Protection Act also states that the competent social work centre must appoint a legal representative to the unaccompanied minor who acquired international protection. The minor must be provided with appropriate accommodation (adult relatives, foster family, at an accommodation centre with special provisions for minors). Since this is a population of unaccompanied minors who are not nationals of the Republic of Slovenia, the custody system for those who are subject to the procedure of international protection and for those who have been granted international protection will have to be arranged with all the competent sectors in a more precise and complete way in the sense of carrying out the custody decision as laid down in the legislation governing family relationships and representation in the procedures of international protection.

**Children in armed conflicts (art. 38), including physical and psychological recovery and social reintegration (art. 39)**

349. As regards the inclusion of children in armed forces, the Republic of Slovenia, in its Introductory Report under the Optional Protocol to the Convention on the Rights of the Child, discussed the involvement of children in armed conflict, saying that no child younger than the minimum age, which is 18 years, can be included in the national armed forces, being from the point of view of carrying out military service or doing professional work in the army. Considering the performance of military duty, in the Republic of Slovenia, the carrying out of certain components of military duty in peace<sup>134</sup> was suspended in October 2003, in accordance with the amended concept of completion of the Slovenian army (gradual transition to professional army). In this respect, medical examinations and other examinations, as well as psychological examinations of recruits, recruitment and calling to serve in the armed forces or performing the alternative civil service, are no longer carried out, while obligatory service in the reserve army can be performed by 31 December 2010. Instead of the said elements of compulsory execution of military service, citizens were able to choose the possibility of voluntarily serving the duration of the service or contractual (voluntary) completing of military service in the reserve forces of the Slovenian army.

350. In the first as well as in the second case, implementing regulations that govern the said fields<sup>135</sup> explicitly state that only men and women from the age of 18 on can be voluntarily recruited into the armed forces or can serve in the contractual reserve of the Slovenian army. Only in the case of re-introduction of military duty, which would be in the event of increased danger of attack against the country or direct risk of war or declaration of a state of war or a state of emergency, which would be decided by the General Assembly of the Republic of Slovenia, it could happen, on the basis of otherwise suspended provisions of the Military Service Act,<sup>136</sup> that recruits younger than 18 are recruited into the armed forces, but only upon their request.

351. With the aim to eliminate this theoretical alternative, article 7 of the Service in the Slovenian Armed Forces Act<sup>137</sup> explicitly states that a person below the age of 18 may perform neither military service nor any other work in the Army. This provision, which is included among basic principles of performing military service, thus renders any kind of inclusion of citizens under 18 in the national armed forces (the Slovenian Armed Forces) completely impossible, which consequently excludes the possibility of their participation as members of the Slovenian Armed Forces in armed activities or conflicts.

352. At the present moment, the Slovenian Armed Forces cooperate in six international operations in support of peace: in Bosnia and Herzegovina, Kosovo, Afghanistan, Syria, Lebanon and Somalia. Protection of children in armed conflicts is therefore dedicated great attention in the context of training of soldiers, junior officers and officers of the Slovenian Armed Forces. Within the subject of International Law and Armed Conflicts, the students of the Junior Officer Candidate School, Officer Candidate School and the Command and Staff School receive detailed information on the provisions of the 'fourth Geneva Convention' as of 12 August 1949 – the Geneva Convention relative to the Protection of

<sup>134</sup> Article 62.a of the Military Service Act – Official Gazette of RS, No. 108/02 and resolution of the Government of the Republic of Slovenia as of 11 September 2003.

<sup>135</sup> (Decree on Military Service – Official Gazette of RS, No. 81/2003 and 116/2007, and Decree on the Military Service in the Reserve Units of the Slovenian Army – Official Gazette of RS, No. 95/2002, 122/2004 in 119/2007).

<sup>136</sup> (Official Gazette of RS, No. 18/1991, 37/1995 decision of the Constitutional Court: U-I-48/1994, 74/1995, 43/2001 decision of the Constitutional Court: U-I-434/98-14, 86/2002, 108/2002-UPB1).

<sup>137</sup> (Official Gazette of RS, No. 68/2007).

Civilian Persons in the Time of War (arts 14, 24, 38, 50, 51, 89 and 144), and of both additional protocols as of 1977 to Geneva Conventions relating to the Protection of Victims (Protocol I – articles 77 and 78, Protocol II – article 4) that deal with the protection of victims in international and internal armed conflicts. Students are also acquainted with provisions of the United Nations Convention on the Rights of the Child that refer to the inclusion of children in armed forces or their participation in armed activities, and provisions of the Optional Protocol to the Convention on the Rights of the Child as regards participation of children in armed conflicts. Mutatis mutandis, it applies equally for the training of soldiers. In addition, members of the Slovenian Armed Forces are also informed of the said topics within the preparations for participation in international operations in support of peace abroad.

## **B. Children in conflict with the law**

### **Reply to the recommendations contained in paragraph 59 of the concluding observations**

353. The police should also ensure legitimate and effective implementation of the Rules on Police Powers in police procedures in which children are involved in any way.<sup>138</sup> In 2006, the new Rules on Police Powers were adopted and provide for even wider protection of rights and freedoms of children in relation to the use of police powers. In procedures in which children are involved, the police strictly respect human rights, take into account their personality and sensitivity, and in each case, act with special care.

#### **Juvenile justice (art. 40)**

354. In the Slovenian legislation, the rights of children in criminal law are regulated by the new Criminal Code of the Republic of Slovenia,<sup>139</sup> the Criminal Procedure Act<sup>140</sup> and the Penal sanctions enforcement Act;<sup>141</sup> however, if compared to the second report in terms of convention, the situation of children has not essentially changed.

355. According to statistical data for Slovenia, juvenile crime is stable and does not show any tendency to grow. The structure of criminal offences has somewhat changed as a result of the increased share of violent criminal acts. In 2007, criminal offences committed by major as well as minor persons were predominated by crimes against property, against life and body, and against public order and peace. Among minor persons, the highest number of protective measures or punishments were imposed against the crimes of theft (21.35 per cent persons), grand theft (21 per cent of persons), and minor bodily injuries (about 9 per cent of persons). In 2007, 459 minors were inflicted with correctional measures or punishments at local and district courts. For more than half of minor offenders, a criminal sentence of supervision by the social services authority was imposed.

<sup>138</sup> Rules on Police Powers (Official Gazette of RS, No. 40/2006, No. 56/2008).

<sup>139</sup> KZ-1, Official Gazette of RS, No. 55/2008 and 66/2008 – amended.

<sup>140</sup> ZKP; Official Gazette of RS, No. 63/1994.

<sup>141</sup> ZIKS-1; Official Gazette of RS, No. 22/2000.

Table 14

**Minor persons who were inflicted with a punishment or correctional measure, by groups of criminal offences**

<i>Year</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>
<i>Against life and body</i>	40	58	47	65	58
<i>Against human rights and freedoms</i>	20	17	16	20	27
<i>Against sexual integrity</i>	6	8	18	9	5
<i>Against human health</i>	58	60	29	26	17
<i>Against property</i>	400	420	335	336	298
<i>Against economy</i>	6	11	10	13	6
<i>Against legal transactions</i>	4	5	6	2	3
<i>Against military duty</i>	-	-	1	-	-
<i>Against justice administration</i>	5	3	4	-	2
<i>Against law and order</i>	14	20	25	29	34
<i>Against general safety of people and property</i>	4	7	3	1	1
<i>Against safety of public traffic</i>	11	6	4	9	8
<i>Against the environment, space and natural goods</i>	-	-	-	1	-
	<b>568</b>	<b>615</b>	<b>498</b>	<b>511</b>	<b>459</b>

*Source:* Ministry of Justice.

356. Young minors (14–16) can only be inflicted with educational measures. These are the following: reprimand; instructions and prohibitions imposed by the court; supervision of the social services authority; committal to an educational institution; committal to a juvenile correction institution; committal to an institution for physically or mentally handicapped youth.

357. Older minors (16–18) can be inflicted with educational measures referred to in the preceding paragraph or punishments. Punishments that can be imposed on older minors are the following: fine and juvenile prison; revoking of a driving license and banishment from the country can be imposed as accessory sentences.

Table 15

**Minor persons who were inflicted with a educational measure or punishment, by groups of criminal sentences**

<i>Year</i>	<i>Punishment</i>	<i>Reprimand</i>	<i>Instructions and prohibitions</i>	<i>Supervision of a social services authority</i>	<i>Institutional measure*</i>	<i>Independent detention order</i>
2003	8	171	76	275	38	0
2004	13	147	95	328	29	3
2005	11	101	88	263	34	1
2006	Juvenile prison 11 fine 7	102	71	286	29	0



<i>Year</i>	<i>Punishment</i>	<i>Reprimand</i>	<i>Instructions and prohibitions</i>	<i>Supervision of a social services authority</i>	<i>Institutional measure*</i>	<i>Independent detention order</i>
2007	Juvenile prison 13 fine 6	80	87	244	29	0

*Source:* Ministry of Justice.

\* Institutional measures are: committal to a juvenile correction institution; committal to an institution for physically or mentally handicapped youth, committal to an educational institution.

358. Measures in relation to institutions, as well as instructions and prohibitions, have a rehabilitative character, since within such measures, the court can impose treatment in an appropriate medical organization, admittance of an educational, vocational, psychological or another consultation room of such kind, or participation at social training programmes. The educational measure “supervision of a social service authority” involves social assistance and guidance of the minor in all areas of life: school, employment, health, family, personal, and social, which results in the minor’s social reintegration.

359. The minor must have a lawyer when he is subject to a criminal proceeding for having committed a criminal offence that is punishable by imprisonment of more than three years. As for other criminal offences that are punishable by a lenient sentence, the minor must have a lawyer if the juvenile judge considers it necessary. The minor can, of course, also have a lawyer in all other cases.

#### **Children deprived of their liberty (art. 37 (b), (c) and (d))**

360. Deprivation of freedom and police detention of minors are regulated in more detail in the Criminal Procedure Act,<sup>142</sup> while the method of execution of sentences is regulated by the Penal sanctions enforcement Act.<sup>143</sup> The situation of children in this field has not essentially changed from the second report.

361. In 2007, the police ordered detentions of minors under the Criminal Procedure Act<sup>144</sup> in 263 cases and under the General Offences Act<sup>145</sup> in 63 cases. In 2008, the police ordered detention, under the Criminal Procedure Act in 245 cases and under the General Offences Act in 74 cases.

Table 16

#### **Judicial deprivation of liberty of juveniles (juvenile detention)**

<i>Number of juveniles placed in detention</i>	<i>Duration of detention</i>				
	<i>Up to 3 days</i>	<i>More than 3 to 15 days</i>	<i>More than 15 to 30 days</i>	<i>More than 30 days</i>	
2003	17	7	1	3	6
2004	13	2	3	3	5
2005	21	3	1	9	8

<sup>142</sup> ZKP; Official Gazette of RS, No. 32/2007 – official consolidated text, 68/2008.

<sup>143</sup> Official Gazette of RS, No. 110/2006, 76/2008.

<sup>144</sup> ZKP; Official Gazette of RS, No. 32/2007 – official consolidated text, 68/2008.

<sup>145</sup> Official Gazette of RS, No. 3/2007 — official consolidated text, 17/2008, 21/2008 — corr. and 76/2008 – ZIKS-1C

	<i>Number of juveniles</i>	<i>Duration of detention</i>			
2006	32	3	2	8	19
2007	16			6	10

*Source:* Ministry of Justice.

362. Police detention cannot exceed 48 hours, while detention for minors is limited to a maximum of three months.

363. In Slovenia, one juvenile prison is operating: Zavod za prestajanje mladoletniškega zapora Celje (Celje Juvenile Prison), where minors older than 16 years serve their sentences. In Slovenia, the measure of committal to a juvenile correction institution is executed in the Radeče Correction Home.

364. In the past years, the number of minor convicts and minors who have been sentenced to an educational measure of committal to a juvenile correction institution is rather stable. The number of convicts serving in minor prison was 5 in 2003, 3 in 2004, 10 in 2005, 4 in 2006, and 4 in 2007. The average duration of the sentence is 1 year and 6 months.

365. In 2001, the correction home hosted 22 minors, in 2002, 26 minors, in 2003, 25 minors, in 2004, 28 minors, in 2005, 27 minors, in 2006, 26 minors, and in 2007, 21 minors.

The average duration of minors' stays in the juvenile correction institution by years:

- 2001 – 1 year and 11 months
- 2002 – 1 year and 11 months
- 2003 – 2 years and 2 months
- 2004 – 1 year and 11 months
- 2005 – 2 years and 4 months
- 2006 – 2 years and 1 month
- 2007 – 2 years and 10 months

366. According to the Slovenian legislation, detention of minors must be carried out separate from major persons. Juvenile judges can order a minor to be placed into custody with a major only by way of exception; however, this must be, considering the minor's personality and other circumstances in a concrete case, in his interest and to his benefit.

367. In the Radeče Correction Home, they have detected no cases of abuse or improper treatment of minors; also, in the Celje Juvenile Prison, they encountered no cases of minors' maltreatment for the said period.

#### **Capital punishment and life imprisonment (art. 37 (a))**

368. The provision of the convention has already been explained in the first and second reports (CRC/C/8/Add.25 and CRC/C/70/Add.19).

## C. Children in situations of exploitation, including physical and psychological recovery and social reintegration (art. 39)

### Economic exploitation, including child labour (art. 32)

369. The Employment Relationships Act, in principle, prohibits children from working. Working is permitted only under certain conditions. Violations associated with work by children who concluded working relationships before the age of 18 are, according to the observations of inspectors, very rare. In 2004, labour inspectors considered only a small number of violations in relation to work by children. In two cases, they established that employees had breached provisions of the Employment Relationships Act on work by children, while they found somewhat more violations in relation to temporary and occasional work of secondary school and university students. No violations involving the work of apprentices and voluntary trainees were found in 2004. In 2004, inspectors received four requests for the issue of work permits for work by children, on the basis of which two were issued. Also in 2004, inspectors detected many cases of temporary and occasional work of secondary school and university students on the basis of a referral issued by an authorized organization engaged in the mediation of work to students under the regulations governing employment. Breaches most frequently related to ensuring rest for such secondary school and university students. In eight cases, inspectors detected work being performed without a referral issued by an authorized organization, of which five were in accommodation and food service and three were in trade. In 2005, labour inspectors found a total of three violations of provisions of the Employment Relationships Act in relation to work by children younger than 15 years. Many such violations are related, as in the past year, to work of secondary school and university students. Considering the provision of rights to secondary school and university students laid down in the seventh paragraph of article 214 of the Employment Relationships Act, the total number of established violations was 16, which were most frequently related to ensuring rest to such students (6).

370. As regards work by children younger than 15 years, apprentices and secondary school and university students, a total of 14 violations were found in 2006. Of this number, four violations referred to the provision of the seventh paragraph of article 214 of the Employment Relationships Act in relation to work by children younger than 15 years. As regards the work of students, 10 violations were established, of which six were related to the work of secondary school and university students without referrals issued by authorized organizations (student employment brokerage services). In relation to work by children younger than 15 years, apprentices, secondary school and university students, a total of 10 violations were found in 2007. Of this number, five violations referred to provisions of article 214 of the Employment Relationships Act in relation to work by children younger than 15 years. Inspectors also found five violations in relation to the rights of secondary school and university students laid down in the seventh paragraph of article 214 of the Employment Relationships Act. Moreover, in 2007, inspectors recorded 17 cases of work by secondary school and university students without referrals issued by authorized organizations or student employment brokerage services. In 2008, inspectors recorded only four violations in relation to work by children younger than 15 years, apprentices and secondary school and university students, or one violation of the Employment Relationships Act referring to the prohibition of work by children younger than 15 years and one violation in relation to working time of secondary school and university students.

371. Supervision by the Labour Inspectorate of the Republic of Slovenia in the field of safety and health at work also includes implementation of the legislation in relation to the protection of young people, and particularly the performance of night work and hard, dangerous and harmful work. It must be clarified that only few cases of such violations

were established. In 2005, three violations were found (one in food and beverage production and two in retail trade); in 2006, the number of violations was also three (one in construction, one in wood treatment and processing, and one in the production of metal products). In 2004, 2007 and 2008, no violations were established.

### Drug abuse (art. 33)

#### Reply to the recommendations contained in paragraph 61 of the concluding observations

372. The Republic of Slovenia has still not conducted a research study on the use of drugs among the entire population, although it is participating for the third time in the research study ESPAD – “Evropska raziskava o alkoholu in preostalih drogah med šolano mladino” (“European School Survey Project on Alcohol and Other Drugs”). The research is conducted in several European countries according to the same methodology, so that data acquired is comparable. On the basis of the results of ESPAD research, we can follow trends in the use of drugs among the school population in Slovenia and compare such trends with those in Europe. According to data provided by ESPAD 2007, almost one quarter (23 per cent) of Slovenian secondary school students of the ages 15 to 16 have used an illicit drug at least once in their life. Among these, the highest number (22 per cent) of secondary school students used cannabis; almost 16 per cent coolers; tranquilisers without prescription were used by about 5 per cent; ecstasy by somewhat more than 3 per cent; and cocaine, 3 per cent. Data on the life use of any drug for the period 2003–2007 shows a decline in all drugs, except cocaine, where use was in decrease<sup>146</sup> in 2007.<sup>147</sup>

373. According to data provided by the Information Unit for Illicit Drugs at the Institute of Public Health of the Republic of Slovenia, in 2007, 10 children aged from 13 to 18 sought help in 17 centres for the prevention and treatment of illicit drug dependence (CPTDA) and in the Detoxication Centre at the University Psychiatric Clinic Ljubljana. Most registered drug users seek help for heroin and cannabis.

Table 17

#### Registered drug users aged 0–18 and drugs they consumed

<i>Year</i>	<i>Age 13–18 years</i>	<i>Main drug</i>
2004	144	Cannabis, heroin, amphetamines, MDMA (ecstasy), benzodiazepines
2005	33	Heroin, amphetamines, cannabis
2006	36	Heroin, benzodiazepines, cannabis
2007	10	Heroin, cannabis

*Source:* National Institute of Public Health.

*Note:* Data provided by Centres for the Prevention and Treatment of Illicit Drug Dependence and Detoxication Centre at the University Psychiatric Clinic, Ljubljana.

<sup>146</sup> <http://www.ivz.si/index.php?akcija=novica&n=1663>.

<sup>147</sup> <http://www.espad.org/>.

Table 18

**Number and share of persons aged up to 18 who are included in treatment at the CPZOPD, Slovenia, 2001–2007**

<i>Year</i>	<i>2001</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>
Number of persons aged up to 18 in the CPTDA	89	186	178	144	60	36	12
Share of persons aged up to 18 regarding all treatments ( per cent)	8.14	7.06	6.22	4.96	2.6	2.2	0.77

*Source:* National Institute of Public Health.

374. Among persons who died as a result of illicit drug abuse, there are no minor persons; however, in 2008, 24 persons died in relation to illicit drugs, while a year before that, the number was 28.

375. The number of criminal offences in the field of illicit drugs has declined. In 2008, the police investigated 8 criminal offences committed under article 186/2 of the KZ-1<sup>148</sup> and 52 criminal offences committed under article 187/2 of the KZ-1.<sup>149, 150</sup>

376. Preventive activities in Slovenia are gaining in prominence as regards the reduction of drug-related damage and primary preventive solutions. The influence of the Resolution on the National Programme for 2004–2009,<sup>151</sup> which pointed out the role of preventive solutions as well as the meaning of and efforts towards the reduction of drug-related risks and damage, adopted in 2004, is also significant. Preventive solutions in the field of drugs are relatively well-established and include several programmes that target recreational users as well as individuals and groups with special risks.

377. During the recent years, the police have, in terms of preventive and repressive activity, tightened controls in areas where minors spend their time and are very likely to engage in abuse of illicit drugs. These are mostly public places where young people buy and use illicit drugs. In addition to repressive measures, police officers and criminal investigators who participate in such tightened controls also carry out preventive activities in the sense of communication of information to minors about the harmfulness posed by illicit drugs. All the important findings are contained in reports submitted to the competent institutions (e.g. social work centres). In the course of their work, social work centres discover illicit drug users and motivate them to take part in the State network for drug users, day-care centres and therapeutic groups, as well as in preventive programmes for the prevention of illicit drug dependence.

<sup>148</sup> Paragraph 2 of Article 186 of the KZ-1: Anyone who sells, offers for sale or distributes free of charge illicit drugs or substances for the production of illicit drugs to a minor person or anyone who commits such an act in educational institutions or in their direct vicinity, and if the offender is a person to whom the minor is entrusted for education on a professional basis.

<sup>149</sup> Paragraph 2 of Article 187: Anyone who directs a minor person to use illicit drugs or illicit substances in sports, or provides these to such person in order to be used by the person or another person, or anyone who makes available premises for using, or renders possible in any other way the use of illegal drugs or illegal substances in sports, or if the such an act is committed in educational institutions or in their direct vicinity, and if the offender is a person to whom the minor is entrusted for education on a professional basis.

<sup>150</sup> KZ-1, Official Gazette of RS, No. 55/2008 and 66/2008 – amended.

<sup>151</sup> Official Gazette of RS, No. 28/2004.

378. The Ministry of Labour, Family and Social Affairs co-finances 56 programmes for professional consideration of illicit drug abusers: high-threshold programmes (therapeutic communities, communes, day-care centres, groups for parents, individual counselling), low-threshold programmes (day-care centres for drug consumers, shelters for homeless – illicit drug users).

#### **Sexual exploitation and sexual abuse (art. 34)**

379. Criminal protection against sexual exploitation and sexual abuse of children in the Republic of Slovenia is provided for by the following criminal offences in the Criminal Code:<sup>152</sup> “sexual assault on a person below fifteen years of age” (art. 173 of the KZ-1); “violation of sexual integrity by abuse of position” (art. 174 of the KZ-1), “exploitation through prostitution” (art. 175 of the KZ-1) and “presentation, manufacture, possession and distribution of pornographic material” (art. 176 of the KZ-1).

380. The criminal offences “sexual assault on a person below fifteen years of age” and “violation of sexual integrity by abuse of position” have already been explained in chapter VI above.

#### *Sexual abuse*

381. During the past years, the police have not recorded any cases of criminal offence exploitation through prostitution involving a minor as a victim.

#### *Child pornography*

382. In 2006, the police filed 21 crime reports with competent State Prosecutor’s Offices for criminal offences of presentation, manufacturing, possession and distribution of pornographic material. In 2007, there were 32 such crime reports, and in 2008 the number was 56.

383. Similar as in other areas, in cases of criminal offences of child Internet pornography and trafficking in human beings, the main problem turns out to be lengthy procedures. In addition to the said problem, unavailability of defendants or witnesses can present an obstacle; therefore, rapid and effective international cooperation of authorities in these cases is essential in order to eliminate procedural complications, which are more frequent in such cases.

384. As of 30 January 2004, the following legislation from the field of legal protection of children against abuses on Internet has been supplemented and amended in Slovenia: the Media Act,<sup>153</sup> the Electronic Commerce and Electronic Signature Act<sup>154</sup> and the Criminal Code.<sup>155</sup>

385. Article 49 of the Media Act provides for the prohibition of any advertising intended for or featuring children and may not promote violence, pornography or anything else that could adversely affect their mental, moral or physical development, or have any negative effect on the susceptibility of children. Supervision over the implementation of this act is performed by the Ministry of Culture.

386. Article 11 of the Electronic Commerce and Electronic Signature Act lays down that the provider of hosting service that refers to the storage of users’ data must take immediate

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<sup>152</sup> KZ-1, Official Gazette of RS, No. 55/2008 and 66/2008 – amended.

<sup>153</sup> Official consolidated text Official Gazette of RS, No. 110/2006 and No. 36/2008-ZPomK-1.

<sup>154</sup> Official Gazette of RS, No. 2006.

<sup>155</sup> Official Gazette of RS, No. 55/2008 and 66/2008 – amended.

action after having discovered illegality of a service and prevent or eliminate illegal data. The court or administrative body may put forth an order to stop or prevent the violation or to eliminate or prevent access to such data. Supervision over the implementation of this act is performed by the Market Inspection by the Ministry of Economy.

387. The Criminal Code KZ-1<sup>156</sup> made a provision for stricter protection of children against sexual exploitation for the purposes of distribution of pornographic material depicting minors. The provisions of article 176 provides for the protection of children up to 15 years of age against performance in or being given access to pornographic material. The expression ‘pornographic material’ encompasses realistic images of children. Revealing the identity of children in such material is sanctioned as well. Anyone who abuses a minor in order to produce items of a pornographic nature, distribute, possess or reveal identity is given a prison sentence of up to 5 years; if the offence has been committed within a criminal association, the sentence is up to 8 years.

388. In Slovenia, two projects are underway within the framework of the programme Varni Internet Plus (Safe Internet Plus), namely, the project ‘Spletno oko’, which accepts anonymous reports of child pornography on the Internet (<http://www.spletno-oko.si/>), and SAFE-SI project which is a national point for raising awareness on the safe use of Internet for children and minors in Slovenia (<http://www.safe.si/>). The projects are financed by the Ministry of Higher Education, Science and Technology, Information Society Directorate.

389. At this point, civil-social activities must be mentioned as well. The association Vita Activa, for example, performs supervision on its website (<http://www.drustvo-vitaactiva.si/156701/index.html>) as regards the regulation and implementation of legal obligations in relation to pornography restriction, including child pornography. Besides the projects carried out within the Action Plan on a safer Internet, SAFE.si and <http://hotline.safe.si>, the independent centre of knowledge at the Peace Institute, which is intended to promote media literacy, and “Spletno oko”, which is intended for the reporting of child pornography in hostile speech on the Internet, must also be mentioned. The latter website (accessible in English language: <http://www.spletno-oko.si/en/>) also includes annual statistical reports of processed applications.

#### **Other forms of exploitation of children (art. 36)**

390. The profitable transfer of organs is the subject of article 113 of the Criminal Code<sup>157</sup> “Trafficking in Human Beings” and article 181 of the Criminal Code “Illegal Transplant of Parts of the Human Body and Modifications to the Human Genome”.

391. During recent years, no records have been made by the police on cases of criminal illegal transplants of parts of the human body and/or modifications to the human genome.

392. Protection of children against removal and transplantation of parts of the human body is also subject to “The Removal and Transplantation of Human Body Parts for the Purposes of Medical Treatment Act (ZOPDCT)”,<sup>158</sup> which lays down, in article 9, that parts of the body may only be removed from a person older than 18 years under the condition that such a person is capable of reasoning. Irrespective of the provision of the preceding paragraph, retrievable tissues may, for justified reasons, be removed from a person younger than 18 years or a major person incapable of reasoning, if the transplantation is intended for the person’s brother or sister. Removal under the preceding paragraph requires consent by the Ethics Commission for Transplantation.

<sup>156</sup> Official Gazette of RS, No. 55/2008 and 66/2008 – amended.

<sup>157</sup> Official Gazette of RS, No. 55/2008 and 66/2008 – amended.

<sup>158</sup> Official Gazette of RS, No 12/2000, 61/2007.

393. The abolition of forced labour of children is laid down in article 112 of the Criminal Code<sup>159</sup> “Enslavement”. In 2008, there were no cases of injured children or minor persons.

394. For 2007, begging should be pointed out. The police investigated two cases of children begging each involving two children. Children or minors were begging on behalf of one of their parents or another adult, who collected the money from them. In such cases, the police also establish the responsibility of the adult for minor or criminal offence. Article 192 of the Criminal Code (KZ-1) lays down the criminal offence of “Neglect and Maltreatment of Minors”. An aggravated form of this criminal offence is committed if a biological parent, adoptive parent, guardian or other person who forces a minor to work excessively or to perform work unsuitable to his age, or who, out of greed, urges a minor to beg or perform any other conduct prejudicial to his proper development. The offence is punishable by up to three years’ imprisonment.

#### **Sale, trafficking and abduction (art. 35)**

#### **Reply to the recommendations contained in paragraph 63 of the concluding observations**

395. By means of the Act Ratifying the United Nations Convention against Transnational Organized Crime,<sup>160</sup> the Act Ratifying the Protocol against the Smuggling of Migrants by Land, Sea and Air, which supplements the United Nations Convention against Transnational Organized Crime<sup>161</sup> and the Act Ratifying the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which supplements the United Nations Convention against Transnational Organized Crime,<sup>162</sup> the Republic of Slovenia ratified the convention and both protocols.

396. By supplementing and amending the Criminal Code in 2004<sup>163</sup> and the new Penal Code, the Republic of Slovenia provided for the complete enforcement of provisions of the convention in combating cross-border organized criminals and provisions of optional accompanying protocols for the area of illegal migrations and trafficking in human beings.

397. The Government of the Republic of Slovenia has been making efforts for several years to ensure adequate funds for the implementation of programmes and projects in the field of prevention of trafficking in human beings, and for the provision of complete and quality care for victims of trafficking in human beings. The needs and amount of funds are adjusted in the Inter-ministerial working group for combating trafficking in human beings, which consists of representatives of ministries, government services, general assembly, non-governmental organizations, and media. Within the Inter-ministerial working group for combating trafficking in human beings, action plans are prepared on a regular basis and are confirmed by the Government of the Republic of Slovenia. Plans also include activities in the field of prevention, raising awareness of professional and laic public on trafficking in human beings and consequences of the execution of such acts.

398. Special emphasis is put on adequate media treatment of the problems of trafficking in human beings and on training of law enforcement authorities (the police) and prosecuting authorities (prosecution services). Education programmes have been prepared for the training of investigators, criminalists and police officers, who, while performing work in

<sup>159</sup> Official Gazette of RS, No. 55/2008 and 66/2008 – amended.

<sup>160</sup> Official Gazette of RS-MP, No. 14/2004.

<sup>161</sup> Official Gazette of RS-MP, No. 15/2004.

<sup>162</sup> Official Gazette of RS-MP, No. 15/2004.

<sup>163</sup> Criminal Code (official consolidated text) (KZ-UPB1) Official Gazette of RS, No. 95/2004.



the field, may run into victims of trafficking in human beings. Emphasis is laid on a human, correct and effective approach to the consideration of victims of trafficking in human beings and on effective and professional action when criminal offences of trafficking in human beings are detected.

399. The inter-ministerial working group also lays great stress on the prevention of trafficking in children and rehabilitation of possible victims of trafficking.

400. The Communication Office of the Government of the Republic of Slovenia (office), a professional service of the Government, which, together with government public relations representatives, provides for publicity of work of the Government, ensuring up-to-date, authentic and wholesome information to domestic and foreign media, and direct communication with the public on the work of the Government and ministries. This set also includes regular monitoring of media reporting on the contents associated with the problems of children and young people. In 2005, 2006 and 2007:

- The office provided communication support for the international conference on violence and sexual abuse of children held in Ljubljana in July 2005
- The office participates in the work of the Inter-ministerial working group for combating trafficking in human beings by making efforts in raising awareness and providing information to the public on the problem of trafficking in human beings
- The office manages the website presenting the problem of combating trafficking in human beings
- In 2007, the office ensured and financed the elaboration of the logo and slogan "Ukrepajmo proti trgovini z ljudmi" ("Take action against trafficking in human beings"), which contributes to the visibility of activities intended for combating trafficking in human beings
- In 2008, all elementary and secondary schools in Slovenia received a poster made by the Društvo Ključ Center for combating trafficking in human beings, on which the logo and telephone number of Slovene Caritas and Društvo Ključ Center, as well as the logo "Take action against trafficking in human beings" were imprinted

401. On 23 May 2009, a lecture was organized about trafficking in human beings for students of Gimnazija Šentvid and Šolski center Rudolfa Maistra in Kamnik. The discussion was led by the national coordinator, by request of teachers of the said schools.

402. In the past year, Društvo Ključ continued with the project Vijolica – kako se izogniti pastem trgovine z ljudmi (Violet – how to avoid traps of trafficking in human beings). 19 workshops were organized for 580 secondary school students.

403. Within the project Zaveza za nenasilje – zaprisega (Association for non-violence – swearing in), Društvo Ključ, in cooperation with four non-governmental organizations, conducted 80 workshops about all forms of violence. These workshops took place in secondary schools and gymnasias in Ljubljana and were attended by about 2,400 students. At the conclusion, students were called to enforce non-violent behaviour. By 16 May 2008, when a solemn oath was taken before the president of the republic, 2,583 commitments were collected, since also young people from schools that had not wished to participate in the project decided to join the project. By the end of 2008, 4,947 commitments were collected. Text of the commitment: "As a mature and responsible person, I hereby swear that: I will not cause violence, I will not neglect violence, I will not encourage violence, I will take appropriate action in the event of violence, I will speak against violence and I will follow information about all forms of trafficking in human beings."

404. The project entitled Pаметni firbec, intended for discussion activities, was carried out by Društvo Ključ in the Zalog and Bežigrad (in Ljubljana) youth centres. 100 hours of discussions were carried out with the young people (aged 13–20) who gathered in the centres. The following topics were discussed: human rights, begging, forced prostitution, recruitment, transport and exploitation of victims, poverty, self-image, intolerance towards people who are different from us, irresponsible sexual life, drug-dependence and connection with prostitution. About 50 children took part in the discussions.

405. Within the project “Tudi ti si delček istega sveta” (“You too are part of the same world”), 10 preventive workshops were conducted for 312 children. The following topics were discussed: trafficking in human beings, victims and other subjects, factors, recruitment of victims.

#### *Trafficking in children*

406. In 2006, the police dealt with no cases from the field of trafficking in human beings that involved children or young persons as victims.

407. In 2008, the police dealt with 9 (2 in 2007) criminal offences of trafficking in human beings, and 1 (2) report was submitted to the competent State Prosecutor’s Office. Crime reports were made in respect of 24 (2) suspects. 25 victims were identified, of which three were children or minor persons.

408. In 2008, State prosecutors received five criminal reports against 12 persons who committed criminal offence of trafficking in human beings under article 113 of the Criminal Code. Most victims (21) were women, of which five were minors. All criminal offences, save for one against one person, were settled by State prosecutors, by dismissing one criminal report against one person and introducing criminal investigations against 10 persons, from which, after the concluded investigation, criminal charges were brought against two persons. Criminal charges were also brought against three persons who had been subject to ongoing criminal proceedings in the recent years. In one criminal case, the entire procedure from crime report to pronouncing the judgment ruling in the first instance was concluded in 2008, since both defendants were ordered custody immediately after the hearing.

409. Close connections between defendants in the criminal offence of trafficking in human beings under article 387.a of the Criminal Code<sup>164</sup> (art.113 of the new Criminal Code KZ-1) and exploitation through prostitution under article 185 of the Criminal Code (art. 175 of the new Criminal Code) were also demonstrated by a case investigated in 2008, when crime reports were brought against seven defendants for the criminal offence of trafficking in human beings. Data and evidence in the reports gave rise to the suspicion of such a criminal offence, which triggered an investigation. Upon the conclusion of the investigation, there was only enough evidence for bringing a charge against six defendants for committing the criminal offence of abuse of prostitution under article 185 of the Criminal Code.<sup>165</sup> This investigation shows how difficult it is to prove such an offence, since 12 women, some of them adolescent, changed their testimonies substantially in the relatively short criminal proceedings from incriminating testimonies during the investigation, when the defendant was imprisoned and they were provided with protection based on their own choice, to the testimonies at the main hearing, when the defendant was under house arrest, which replaced custody during the appeals procedure, when they fully adapted their testimony to the defence of the defendant.

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<sup>164</sup> Official Gazette of RS, No 40/2004.

<sup>165</sup> Official Gazette of RS, No 40/2004.

*Recovery of child victims of trafficking**Crisis Accommodation Programme*

410. In 2008, the Ministry of Labour, Family and Social Affairs published an invitation to tender on carrying out the project “Care (short treatment) of victims of trafficking in human beings in the Republic of Slovenia – crisis accommodation for 2008 and 2009” in the indicative amount of EUR 35,000.00 in 2008 and EUR 35,000.00 in 2009, on the basis of which, Slovene Karitas was chosen. The project includes the provision of assistance to the victims of trafficking in human beings during their physical, psychological and social recovery, when the first and emergency removal from the given circumstances is necessary. In 2008, for carrying out of the project was granted EUR 35,000.00 and then an additional EUR 10,000.00 (Annex to the contract).

411. Within this project, Slovene Karitas treated 19 persons, one of which was a child. In addition to round-the-clock telephone counselling, Slovene Karitas offered complete care to the victims of trafficking in human beings and assistance in arranging their status in the Republic of Slovenia.

*Individual cases*

412. A Slovene citizen, the mother of a preschool child who was unemployed and was forced into prostitution, was preliminarily accommodated in Materinski dom Karitas: She was included in the crisis accommodation centre upon recommendation of social services; after mediation by the competent social work centre, the child was included in the care and the procedure for referral into a foster placement was started. After the concluded police investigation, the user left crisis accommodation upon her wishes.

413. Individual treatment of a mother with four minor children (all Albanian citizens): a professional worker of the Varna hiša Slovenj Gradec (Slovenj Gradec Safehouse) applied for assistance in the care of a victim of trafficking in human beings. The users were victims of a partner/father who had forced them to live in the Republic of Slovenia, tyrannized them physically and psychologically and deprived them of personal freedom and contact with the environment. He was finally convicted and sentenced to two-year imprisonment. Slovene Karitas helped the users by paying travel expenses to get them to their home country and by arranging their status for residing in the Republic of Slovenia. The hearing was conducted in cooperation with professional workers from Slovene Karitas and Varna hiša Slovenj Gradec, where they were also provided with accommodation.

*Safe Accommodation Programme*

414. Within the same project, Društvo Ključ implemented the programme for safe accommodation, which was, on the basis of an invitation for tender, financed by the Ministry of Internal Affairs from the budget of the said ministry in the amount of EUR 37.000,00. The project includes provision of assistance to the victims of trafficking in human beings during their physical, psychological and social recovery, helping to arrange their accommodation status, and assistance in the provision of rights to representation and trial in criminal prosecutions against defendants. In testimony procedures at courts, such victims must be ensured necessary protection within a safe place. In 2008, EUR 32.587,00 was allocated for carrying out of the project Oskrba žrtev trgovine z ljudmi – varna namestitev (Provision of victims of trafficking in human beings – safe accommodation) upon the provider’s request.

415. Društvo Ključ treated 19 persons – victims or potential victims of trafficking in human beings, 1 of which was a child.

*Individual cases*

416. One case involved three stateless women who were victims of forced marriages. One of them had a 17-month-old child who was accommodated in safe accommodation together with his mother.

*PATS project*

417. In 2008, the Ministry of External Affairs financed, for the fifth year and in compliance with the MDS Action Plan for combating trafficking in human beings for the period 2008/09, the project Uvajanje mehanizma za prepoznavanje, pomoč in zaščito žrtev trgovine z ljudmi in/ali spolnega nasilja v azilnih postopkih v Sloveniji (Introduction of the Mechanism for Identification, Help and Protection of Victims of Trafficking in Human Beings and/or Sexual Violence in asylum procedures in Slovenia) (PATS), in the amount of EUR 20,800.00. In this way, the Ministry of external affairs provides for the transfer of knowledge that was developed within PATS by Slovene non-governmental organizations, including Društvo Ključ, which is the main executor of the project.

418. The project is conducted in the Asylum Centre and Aliens Centre in Ljubljana and aims at providing the users with as much information on the trafficking of human beings as possible, while ensuring that users accept and understand them. Informative discussions were held in the Asylum Centre and the Aliens Centre.

**Children belonging to a minority (art. 30)****Reply to the recommendations contained in paragraph 67 of the concluding observations**

419. In Slovenia, two education models for members of the Italian and Hungarian national communities were developed as the consequence of different historical and other influences. It should be pointed out that both models follow the same objectives: bilingualism and coexistence of both nations and cultures. Exercising the rights of members of the Italian national community in the field of preschool, elementary, general secondary and vocational education, preschool institutions and schools were established in accordance with legislation in the areas defined as ethnically mixed, where educational processes are conducted in Italian. Slovene is a compulsory subject in these schools. In educational institutions where education is conducted in Slovene, the language of the ethnical community must also be taught as an obligatory subject.

420. In the areas where members of the Slovene nation and the Hungarian ethnical community live and are defined as ethnically mixed areas, educational work is conducted bilingually as provided for by the law, namely in Slovene and Hungarian. These preschool institutions and schools are attended by children or pupils of both Slovene and Hungarian nationalities. Such work methods enable pupils to become familiar, in addition to their mother tongue, with the language and culture of another nation. Educational work is conducted in both languages; when learning the mother tongue along with another language, pupils are divided into groups that make the learning of their mother tongue more demanding.

421. Programmes intended for professional training of professional workers are also continuously conducted in these areas.

422. Measures that stimulate communication with immigrant families and (additionally) the learning of the mother tongue of the immigrants:<sup>166</sup> foreign persons who are in contact with public services can ask for a translator or interpreter, but have to pay for his/her services. In practice, this means that schools ask families with immigrant parents or bilingual pupils to take on this function. This method is also recommended by the above-mentioned Strategy for Inclusion of Children, Pupils and Student Migrants in the Educational System of the Republic of Slovenia (see chapter VIII).

423. The learning of immigrants' mother tongue is possible on the basis of bilateral agreements (Slovenia has concluded bilateral agreements with Germany, Austria, Bosnia, Croatia, Montenegro, Russia and Serbia), according to which diplomatic missions of the States of origin provide for the financing of teachers and the learning process is conducted on school premises (e.g. Croatian, Serbian, Bosnian, Macedonian premises). MES also finances the learning of German, Albanian and Russian as an extra-curricular activity in the first six years of compulsory education (ISCED 1). Learning of mother tongue is carried out as an extra-curricular activity for two to four lessons per week.

424. In the last three years of compulsory education (ISCED 2), immigrant pupils can opt for their mother tongue as an optional foreign language, namely German, Spanish, French, Italian, English, Croatian, Macedonian, Russian and Serbian. Consideration must be put on the minimum number of pupils necessary to organize or teach the optional language.

425. The Ministry of Culture of the Republic of Slovenia is developing two stipulations for protection for ethnic minorities and other vulnerable groups: the stipulation of special care (positive discrimination in accordance with expressed cultural needs) and the integration stipulation, which aims to ensure the conditions for inclusion and social cohesion, demarginalization and wider social integration. They have been performing activities continuously since 2002 that are intended for expert counselling, by taking account of special circumstances of operation of the members of minorities (insufficient staffing, premises, etc.). Counselling is conducted for providing information on the submission of tenders, for assistance in the articulation of cultural needs in accordance with the objectives of minority cultural policy and in the formation of proposals for projects and appropriate applications in accordance with formal requirements of the Ministry of Culture of the Republic of Slovenia, along with the monitoring of implementation of contracts. In the National Programme for Culture 2004–2007, Cultural education as creative education and as education for creativity was indicated as one of the national priorities of cultural policy. In the description of this priority, it is clearly stated as follows: "... One of the key priorities of numerous European cultural policies is stimulating programmes and projects that link cultural, educational and scientific spheres and the media sphere and which stimulate the learning population of all age levels, both in *understanding* culture and in being creative. Cultural literacy will thus be raised, which is one of the aims of the Convention on the Rights of the Child ...".

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<sup>166</sup> *Source:* Measures introduced in European school systems to foster communication with immigrant families and heritage language teaching for immigrant children, working material of Eurydice network, February 2009.

## **X. Optional Protocols to the Convention on the Rights of the Child**

### **Introduction**

426. In respect to the recommendation of the Committee on the Rights of the Child, which encourages Slovenia to ratify both Optional Protocols to the Convention on the Rights of the Child, we state that Slovenia ratified both Optional Protocols to the Convention on the Rights of the Child. On 23 October 2004,<sup>167</sup> the Optional Protocol on the involvement of children in armed conflict adopted on 25 May 2000 in New York and published in the Official Gazette of the Republic of Slovenia – International Agreements, No. 23/04 (Official Gazette of the Republic of Slovenia, No. 85/04), entered into force for the Republic of Slovenia. In addition, on 23 October 2004,<sup>168</sup> the Optional Protocol on the sale of children, child prostitution and child pornography adopted on 25 May 2000 in New York and published in the Official Gazette of the Republic of Slovenia – International Agreements, No. 23/04 (Official Gazette of the Republic of Slovenia, No. 85/04) also entered into force for the Republic of Slovenia.

427. The Slovenian Government adopted the initial reports under the Optional Protocols at its regular session on 10 May 2007, with Resolution No. 51104-10/2007. Slovenia submitted the reports to the Committee on the Rights of the Child on 16 November 2007. The reports were discussed with the Committee on 25 May 2009.

### **A. Optional Protocol on the sale of children, child prostitution and child pornography**

#### **Data**

#### **Reply to the recommendations contained in paragraph 7 of the concluding observations (CRC/C/OPSC/SVN/CO/1)**

428. We accept the Committee's recommendation for information and consideration, while at the same time, we inform the Committee that particular data on criminal offences is already being gathered and processed by the Statistical Office of the Republic of Slovenia. Other relevant data is also being gathered by the Statistical Office of the Republic of Slovenia as well as the Child Observatory.

429. Relating to the gathering and processing of personal data on national and ethnic origin, urban/rural areas, and social-economic status, it will be a hard decision to make for Slovenia to gather and process the mentioned data from the viewpoint of the principle of proportionality and pursuant to article 61 of the Constitution of the Republic of Slovenia (freedom of expression of national affiliation), because it concerns sensitive personal data of which the purpose of gathering would be difficult to justify from a constitutional standpoint. Relating to the gathering of data on those residing in urban/rural areas and social-economic status, this issue will be examined from the viewpoint of the principle of proportionality, which is of a smaller intensity in this case.

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<sup>167</sup> Official Gazette Rs No. 20/2005.

<sup>168</sup> Official Gazette Rs No. 20/2005.

## General implementation measures

### Reply to the recommendations contained in paragraph 9 of the concluding observations (CRC/C/OPSC/SVN/CO/1)

430. The principles of equality before the law and rights of children are constitutional categories defined by the Slovenian Constitution<sup>169</sup> in articles 56 and 14. The Slovenian Constitution provides that children enjoy special protection and care. They enjoy human rights and fundamental freedoms in accordance with their age and maturity. Children must be provided with special protection from economic, social, physical, mental or other exploitation and abuse. Such protection is regulated by law. Special State protection is provided for those children and minors not cared for by their parents and those who have no parents or who are not provided with proper family care. Their situation is regulated by law. In conformity with the constitutional principle of non-discrimination, everyone in Slovenia, irrespective of their nationality, race, gender, religious, political or other conviction, material standing, birth, education, social status, disability, or any other personal circumstance, are guaranteed equal human rights and fundamental freedoms. All are equal before the law.

431. In conformity with the above-mentioned principles, the non-discrimination and protection of the child's best interest rule is appropriately included in the domestic procedural and material legislation.

432. In a civil procedure, the court protects the child's rights and best interests when deciding on matrimonial actions and actions concerning the relations between parents and children.

433. In the chapter regulating the procedure on matrimonial actions and actions concerning the relations between parents and children, the Civil Procedure Act from 1999 (with amendments until 2008) determines:

- That the court shall be bound by virtue of office to perform all such acts as are necessary for the protection of rights and interests of children in these actions
- That the court shall appoint to the child a special representative in all other cases where the court deems it necessary for the protection of the child's interests
- That for reasons of protection of interests of the child, the court may decide not to allow his/her parents to inspect the record or to listen to the tape recording of an informal talk between the judge and the child in deciding on the education and care of the child and on the contact of the child with his/her parents or other persons
- That the court shall bar a settlement in respect of the care, education and maintenance of the children and in respect of the contacts if it determines that it is not in accordance with the interests of the child
- That the court shall reject the motion for dissolution of a marriage by agreement of spouses if it determines that it is not in accordance with the children's interests

434. Article 16 of the International Protection Act<sup>170</sup> determines that, in the proceedings for recognizing international protection, the principle of the child's best interest has to be observed, his/her identity has to be determined and the procedure of searching for his/her parents or other relatives has to be initiated as soon as possible. His/her application has to

<sup>169</sup> Official Gazette of RS, No. 331/91, 42/97, 66/00, 24/03, 69/04, 68/06.

<sup>170</sup> Official Gazette of RS, No. 111/07, 111/08 – Constitutional Court Decision, 58/09 and 58/09.

be considered with priority, and a statutory representative has to be appointed to the child prior to the proceeding in order to effectively protect his/her interests.

*National Action Plan*

**Reply to the recommendations contained in paragraph 11 of the concluding observations (CRC/C/OPSC/SVN/CO/1)**

435. We accept the Committee's recommendation for information and consideration.

*Coordination and evaluation*

**Reply to the recommendations contained in paragraph 13 of the concluding observations (CRC/C/OPSC/SVN/CO/1)**

436. We accept the Committee's recommendation for information and consideration. An interdepartmental group for the fight against trafficking in human beings operates within the Slovenian Government also dealing with the sale of children, child prostitution and child pornography.

*Dissemination of information and training*

**Reply to the recommendations contained in paragraph 15 of the concluding observations (CRC/C/OPSC/SVN/CO/1)**

437. The Judicial Training Centre (CIP) operates within the Ministry of Justice which, among other tasks, also organizes and implements various forms of continuing education of judges, State prosecutors, State attorneys and judiciary staff. In September 2009, a training course on the topic of child pornography and trafficking in human beings is planned within the Criminal Law School for Judges and Court Clerks. In April 2009, the State Prosecutors' Association of Slovenia, the General Police Directorate and the Criminal Police Directorate, in cooperation with the Judicial training Centre, organized a two-day panel discussion entitled "Domestic Violence". At the panel discussion, topics relating to children were discussed, which will help the participants (State prosecutors, judges, police officers, criminal police officers and others) in the consideration of domestic violence cases.

438. The measures and activities in the Resolution on the National Programme for Equal Opportunities of Women and Men 2005–2013<sup>171</sup> adopted in 2005 and relating to education also include activities in the field of trafficking in human beings and sexual exploitation due to prostitution, pornography and sexual violence. Thus, in the frame of public invitation to tender of the European Social Fund (ESF) for implementing projects in the field of social and citizen competences, a project with the following objectives was chosen:

- Stereotype awareness, determining the causes thereof and, consequently, the course of conduct in educational institutions
- Establishment of strategies for eliminating stereotypes and reducing the frequency of sexual violence and prostitution

439. Within the ESF's second project – the professional training course: Violence Recognition and Prevention – the professional staff will become familiarised with

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<sup>171</sup> Official Gazette of RS, No. 100/2005.



trafficking in human beings and sexual exploitation due to prostitution and pornography (awareness and information).

#### **Prevention of the sale of children, child prostitution and child pornography**

##### **Reply to the recommendations contained in paragraph 17 of the concluding observations (CRC/C/OPSC/SVN/CO/1)**

440. The Ključ Society operates through the PATS programme in the asylum centre, and its representative conducts an informative interview with every unaccompanied minor and single woman who intends to apply for international protection in Slovenia in order to determine whether they are a victim of trafficking in human beings. The victims of any type of violence at the asylum centre are also examined by a special working group consisting of UNHCR, the Ministry of Justice and non-governmental organizations (Ključ Society, the Association Against Violent Communication, the Jesuit Refugee Service, the Legal-Information Centre for non-governmental Organizations and Slovene Philanthropy), in addition to the Ministry of the Interior. The basis for the operation of this working group is a signed SOP agreement (standard operating procedure). The purpose of the group is to provide collective operations of all mentioned signatories to the prevention of all types of abuse, e.g. trafficking in human beings, sexual and domestic violence. The result of the signatories' collective operations is an action plan of required victim protection measures, which is always prepared according to the case and defined with concrete victim protection and rehabilitation measures.

#### **Prohibition of the sale of children, child prostitution and child pornography**

##### **Reply to the recommendations contained in paragraph 19 of the concluding observations (CRC/C/OPSC/SVN/CO/1)**

441. The Optional Protocol's content from articles 2 and 3, which determines the course of conduct relating to the sale of children, child prostitution and child pornography, which the State Parties should define as criminal offences, is appropriately regulated in the Criminal Code of the Republic of Slovenia.<sup>172</sup>

442. The sale of children as defined in article 3, paragraph 1(a)(i) is regulated in KZ-1 in article 113 in the frame of criminal offence of trafficking in human beings, which determines that whoever purchases a minor, takes possession of them, accommodates them, transports them, sells them, delivers them or uses them in any other way, or acts as a broker in such operations, for the purpose of prostitution or another form of sexual exploitation, forced labour, enslavement, service or trafficking in organs, human tissue or blood shall be given a prison sentence of between three and fifteen years. The sale of children determined in article 2 of the Optional Protocol as any act or transaction whereby a child is transferred by any person or group of persons to another for remuneration or any other consideration could mean, in KZ-1, committing a criminal offence of bringing another person into slavery, from article 112, which specifies that whoever, in violation of international law, brings another person into slavery or a similar condition or keeps another person in such a condition or buys, sells or delivers another person to a third party or brokers the buying, selling or delivery of another person, or urges another person to sell his freedom or the freedom of the person he supports or looks after, shall be sentenced to imprisonment. If the offence is committed against a minor, it represents a qualified form of offence and the

<sup>172</sup> Official Gazette RS, No. 55/2008, 66/2008 (rev.) and 39/2009 and 55/2009, hereinafter: KZ-1.

perpetrator shall be sentenced to imprisonment between three and fifteen years. Relating to criminalizing improperly inducing consent, as an intermediary, for the adoption of a child in violation of applicable international legal instruments on adoption as determined in article 3, paragraph 1(a)(ii) of the Optional Protocol, we should explain that the only authority in Slovenia making decisions on adoptions are social work centres. If consent from one of these centres was obtained based on a payment or any other compensation, the perpetrator could be prosecuted for the criminal offence under article 262 of KZ-1, Giving of Bribes. If the social work centres acted as specified in article 3, paragraph 1(a)(ii) of the Optional Protocol, their act would be qualified, at least, as the abuse of office or official duties under article 257 of KZ-1.

443. Child prostitution is incriminated in accordance with the Optional Protocol in article 175 of KZ-1, which determines that whoever participates, for exploitative purposes, in the prostitution of another or instructs, obtains or encourages another to engage in prostitution with force, threats or deception shall be given a prison sentence of between three months and five years. If the offence is committed against a minor, it represents a qualified form of offence and the perpetrator shall be sentenced to imprisonment between one and ten years.

444. Child pornography is fully regulated in article 176 of KZ-1 (Presentation, Manufacture, Possession and Distribution of Pornographic Material) as follows:

“(1) Whoever sells, presents or publicly exhibits documents, pictures or audiovisual or other items of a pornographic nature to a person under fifteen years of age, enables them to gain access to these in any other way or shows them a pornographic or other sexual performance shall be given a fine or a prison sentence of up to two years.

(2) Whoever abuses a minor in order to produce pictures or audiovisual or other items of a pornographic or other sexual nature, or uses them in a pornographic or other sexual performance or is knowingly present at such performance, shall be given a prison sentence of between six months and five years.

(3) Whoever produces, distributes, sells, imports or exports pornographic or other sexual material depicting minors or their realistic images, supplies it in any other way, or possesses such material, or discloses the identity of a minor in such material shall be subject to the same sentence as in the preceding paragraph.

(4) If an offence from paragraphs 2 or 3 of this article was committed within a criminal organization, for the committing of such criminal offences, the perpetrator shall be given a prison sentence of between one and eight years.

(5) Pornographic or other sexual material from paragraphs 2, 3 or 4 of this article shall be seized or its use appropriately disabled.”

**An attempt** of committing the stated criminal offences is punishable according to the provisions of the Criminal Code (art. 34 of KZ-1) except for the criminal offence under the first paragraph of article 176 of KZ-1

**Complicity** in the stated criminal offences is punishable according to the general provisions of the Criminal Code (second paragraph of article 20 of KZ-1)

**Criminal liability of legal entities** for the stated criminal offences is defined in the Liability of legal persons for criminal offences Act,<sup>173</sup> namely, in points 1 and 5 of the first paragraph of article 25 of the Criminal Liability of Legal Entities Act

<sup>173</sup> Official Gazette of RS, No. 98/04 – UPB1 and 65/08.

**Reply to the recommendations contained in paragraph 21 of the concluding observations (CRC/C/OPSC/SVN/CO/1)**

445. The manufacture or dissemination of material advertising the sale of children, child prostitution or child pornography would, in our criminal law system, be regarded as participation in the criminal offence in the form of solicitation. In the first paragraph of article 37, KZ-1 determines that any person who intentionally solicits another person to commit a criminal offence shall be punished as if he himself had committed it. Considering that for the criminal offences under articles 113, 114, 175 and 176 of KZ-1, fairly severe sentences are prescribed, the second paragraph of the stated article has to be taken into consideration, which determines the following:

“Any person who intentionally solicits another person to commit a criminal offence, for which the sentence of three years’ imprisonment or a heavier sentence may be imposed under the statute, shall be punished for the criminal attempt even if the committing of such an offence had never been attempted.”

**Reply to the recommendations contained in paragraph 23 of the concluding observations (CRC/C/OPSC/SVN/CO/1)**

446. See above the reply to the recommendations contained in paragraph 19 of the concluding observations (CRC/C/OPSC/SVN/CO/1).

**Protection of the right of victims**

**Reply to the recommendations contained in paragraph 25 (a) of the concluding observations (CRC/C/OPSC/SVN/CO/1)**

447. Child victims of violence in Slovenia have the right to aid within the framework of social work centres and crisis centres for children and young people.

*Assistance to child victims of violence.*

448. In 2007, SWCs considered 4012 children who experienced violence in Slovenia: 1316 due to suspicion of maltreatment, 1098 due to neglect, 814 were the victims of psychological abuse and 369 of physical violence; 266 children were considered due to reporting suspicion of a criminal act and 149 were the victims of sexual abuse. Detailed data is presented in Table 1.

Table 1

**The overview of SWC data on cases of violence – conducted considerations of children in 2007**

	<i>Endangered children due to neglect</i>	<i>Psychological abuse</i>	<i>Physical violence</i>	<i>Sexual abuse of children</i>	<i>Suspicion of maltreatment</i>	<i>Suspicion of criminal acts</i>	<i>Total</i>
<b>Total</b>	<b>1 098</b>	<b>814</b>	<b>364</b>	<b>149</b>	<b>1 316</b>	<b>266</b>	<b>4 012</b>

*Source:* Ministry of Labour, Family and Social Affairs.

449. There are seven crisis centres for young people in Slovenia, namely, in Celje, Krško, Ljubljana, Bežigrad, Maribor, Murska Sobota, Radovljica and Slovenj Gradec, and one for children under the age of six in Grosuplje, which has been operating since 1 September 2007. Table 2 shows that the first social assistance in 2008 was provided to 1228 children and young people, and 420 children and young people resided at the crisis centre for young people in 2008. The total number of all stays amounted to 5912 with the average length of

stay at the crisis centre for young people being 14.47 days; the Crisis Centre for Young People in Murska Sobota stands out with its high number of stays per child.

450. According to the statistical data from 2007, the number of first social assistance users in 2008 increased by more than half, namely by 60.02 per cent, as well as the number of total stays at the crisis centre for young people (by 14 per cent) and the average number of days of stay per child (by 27 per cent). The number of children and young people who resided at the crisis centre for young people decreased between 2007 and 2008, however, only by 1.90 per cent.

Table 2

**Statistics of users of crisis centres for young people (CCYP) in 2007**

<i>Year</i>	<i>No. of users of the first social assistance</i>	<i>No. of children and young people who resided at CCYP</i>	<i>No. of total stays</i>	<i>Average No. of days of stay per child</i>
2007	491	428	<b>5 103</b>	10.59
2008	1 228	420	<b>5 912</b>	14.47

*Source:* Ministry of Labour, Family and Social Affairs.

451. Relating to the data on crisis centres for young people, it has to be pointed out that all users who come to a crisis centre for young people for a short-term stay are included, even though the cause is not violence, but educational difficulties, along with cases in which children are left without parents and they stay in the centres for a transitional period prior to being sent to a foster family or educational institution.

452. In September 2007, the Palčica Crisis Centre for Children (CCC) by the Grosuplje SWC was established as a pilot project meeting the needs of short-term stays for the entire country. At the CCC, 12 positions for short-term stay for children under the age of six are provided for in addition to additional activities that will be implemented with regard to provided spatial and personnel conditions (possibility of short-term stays by children and young people, a child with a parent, and children from foster families in the event of urgent cancellation, disease or absence of the foster carer), prevention programmes in the field of violence, performance of contacts between a child and a parent in case of imposed supervision and crisis intervention at a State level.

453. The Family Violence Prevention Act,<sup>174</sup> which entered into force in March 2008 clearly defines the role, tasks, network and cooperation of various State authorities and non-governmental organizations taking part in the consideration of family violence and measures for the protection of family violence victims. Every victim has the right to an assistant who will offer them psychological support and the right to free legal aid.

454. In addition to disabled persons, the elderly and persons with special needs, children are protected as the most vulnerable group. Namely, ZPND determines that a child is a victim of violence even if they are simply present when violence is exerted against other family members. Anyone who suspects that a child is a victim of violence must report it to a Social Work Centre, the police or the State Prosecutor's Office even though they are bound to professional secrecy. The Act also implements a special ban against exposing children to mass media in cases of family violence, which is of great significance, as we are obligated to protect a child against unnecessary repeated experiencing of violence and exposing them to media pressure and stigmatization in society.

<sup>174</sup> Official Gazette of RS, No 16/2008, hereinafter: ZPND.

455. In accordance with the Family Violence Prevention Act,<sup>175</sup> Social Work Centres have to manage their own register on family violence, because only in this way will they be able to act in due time and protect everyone who needs protection. Thus far, such a register has only been managed by the police. Because the centres did not have the necessary information, they could not have provided appropriate help and protection to those in need. In addition, ZPND also prescribes regular professional education to all who work in the field of violence, as well as a multidisciplinary approach to dealing with victims, which has proven to be very appropriate and efficient in the European space.

456. Within the framework of implementing regulations of ZPND, the minister of labour, family and social affairs adopted the Rules on the organization and work of multidisciplinary teams and regional services and on actions of social work centres in dealing with domestic violence<sup>176</sup> based on the second paragraph of article 10 of ZPND; the regional implementing regulations are still being prepared.

457. Crisis programmes and safe accommodation implemented by non-governmental organizations and financed by relevant ministries (the Ministry of Labour, Family and Social Affairs and the Ministry of the Interior) are also available to children who are victims of trafficking in human beings. In addition, a 24-hour telephone counselling help-line is available to children within the framework of these organizations.

**Reply to the recommendations contained in paragraph 25(b) of the concluding observations (CRC/C/OPSC/SVN/CO/1)**

458. In 2008, the Ministry of Health established a working group and, in accordance with the Family Violence Prevention Act, prepared the Rules and procedures in considering family violence in implementing the health care activity. Thus far, the Rules and procedures in considering family violence in implementing the health care activity have not been adopted and confirmed. However, according to the draft, all health care workers who deal with persons who are family violence victims shall be educated in recognizing family violence.

**Reply to the recommendations contained in paragraph 25(c) of the concluding observations (CRC/C/OPSC/SVN/CO/1)**

459. There are numerous websites with addresses where children and young people who are victims of violence can turn for help or advice. Two of the most reliable websites where victims can find most useful information on where to turn for help are [www.spolna-zloraba.si](http://www.spolna-zloraba.si) and [www.tosemjaz.net](http://www.tosemjaz.net) (the website of the Public Institute of Health Celje).

460. There are several non-governmental organizations in Slovenia dealing with this field, such as SOS telephone, TOM telephone etc. One of the most active and recognized is the Association against Sexual Abuse where professionals provide help or advice at all times. The problem they perceive is that the alleged perpetrators of sexual abuse have a feeling of power and, thus, discredit the persons who report sexual abuse or the victims in different ways, even through the media and Internet. The Association's free telephone number 080 2880 is available to adults and children. The Association's website address is [www.spolna-zloraba.si](http://www.spolna-zloraba.si).

461. The Prevention Centre is the implementing body of the CAP programme – the Child Assault Prevention programme, which is a programme run by the International Centre for Violence Prevention for Children with Special Needs implemented in the USA and other

<sup>175</sup> Official Gazette of RS, No 16/2008, hereinafter: ZPND.

<sup>176</sup> Official Gazette of RS, No 31/2009.

countries across the world for many years. CAP is a primary prevention programme with a three-way approach to preventing abuse of children. The programme's objective is to show children how to recognize potentially dangerous situations and how to appropriately respond. Children with special needs are particularly vulnerable to abuse due to their disturbances, and are potentially exposed for longer to the risk of abuse. Children with special needs depend more on the adults who are responsible for their development. This dependency may include many basic needs, such as feeding, dressing and communication. In addition, children with special needs may be more passive and obedient, and the perpetrators of abuse seek victims who are passive, easily manipulated and silenced. Thus, children with special needs are ideal victims: they are not aware of their rights, they are not familiar with any prevention strategies and they cannot communicate effectively. The programme emphasises self-confident behaviour, peer help, communication skills and reporting skills as prevention strategies. CAP workshops deal with the issues of abuse from the viewpoint of basic human rights. In addition to the workshops for children, the programme also includes presentations for the staff and parents.

462. The Ministry of Labour, Family and Social Affairs finances the Slovenian Association of Friends of Youth in the frame of an annual contract, in particular the programmes with significant influence on social inclusion of children.

**Reply to the recommendations contained in paragraph 25(d) of the concluding observations (CRC/C/OPSC/SVN/CO/1)**

463. Within the project entitled 'Adults are here to help you', the Ministry of Labour, Family and Social Affairs also adopted a decision to open and fully finance a free anonymous blue telephone number (080 1552) – "Peter Klepec Telephone" which children and young people can call in the event of violence. Children were informed of this option also with a brochure and during class hours. In addition to 24-hour availability, such form of helping children or young people enables anonymity, thus increasing the feeling of safety. Even though no personal contact is involved, a direct dialogue is established with a trained professional who directs the conversation and encourages the child or young person to search for possible solutions. They can co-decide in making a help plan which significantly contributes to their active role in searching for an exit from the current situation.

464. Since crisis centres for young people are intended for children and youth who, for various reasons (in particular due to unbearable circumstances often associated with violence and abuse), find themselves in distress and are available 24 hours per day, the telephone call is redirected from the mentioned free blue number to the nearest of the seven crisis centres for young people. The advantage of including these centres in such form of help is also the provision of immediate safe accommodation to children and young people, if necessary, in addition to professional support.

**Reply to the recommendations contained in paragraph 25(e) of the concluding observations (CRC/C/OPSC/SVN/CO/1)**

465. Pursuant to article 65 of the Criminal Procedure Act, in criminal proceedings conducted as a result of criminal offences against sexual inviolability, a criminal offence of neglect of minors and cruel treatment or a criminal offence of trafficking in human beings, an injured party who is a minor shall, from the initiation of the criminal proceedings onwards, have an attorney to care for his rights, particularly in connection with the protection of his integrity during examination before the court and during the assertion of a claim for indemnification. To injured parties who are minors without an attorney the court shall assign ex officio an attorney from among the members of the Bar. In addition, the person whom the minor-injured party trusts may be present during pre-trial and in the course of criminal proceedings. Claims for indemnification shall be also decided by the

court in criminal proceedings. However, if the data collected in criminal procedure do not provide a reliable basis to award either partial or full indemnification, the court shall instruct the injured party that he may seek satisfaction in civil proceedings. It may be concluded that the number of cases in which children were provided assistance under the fourth paragraph of article 9 of the Optional Protocol on the sale of children, child prostitution and child pornography equals the number of such criminal offences committed against minors; however, we do not have any data on a concrete number of such cases.

**Reply to the recommendations contained in paragraph 27 of the concluding observations (CRC/C/OPSC/SVN/CO/1)**

**Protection measures within criminal justice**

466. We agree that additional training of judges and prosecutors would contribute to an even more efficient prosecution of perpetrators of criminal offences. However, we have to point out that State prosecutors for criminal offences prosecuted *ex officio* (all those defined in KZ-1 in connection with the Optional Protocol) and in accordance with the principle of legality are obliged to initiate criminal prosecution if there is reasonable suspicion that a criminal offence has been committed and there is no obstacles according to the Criminal Procedure Act. Relating to the training of judicial officials, the reply was given in paragraph 437 above. We will propose that the State Prosecutor's Office, which is a body of criminal prosecution in Slovenia, examines the cases in which an independent court passed a judgement of acquittal or a judgement of conviction with an inappropriate sentence.

**International assistance and cooperation**

**Reply to the recommendations contained in paragraph 29 of the concluding observations (CRC/C/OPSC/SVN/CO/1)**

467. We accept the Committee's recommendation for information and consideration.

**B. Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict**

**General measures of implementation**

**Reply to the recommendations contained in paragraph 7 of the concluding observations (CRC/C/OPAC/SVN/CO/1)**

468. Further education and training of professional workers in education: Professional training programmes financed by MES from the State budget and published every year in the Catalogue of programmes of further education of professional workers in education enable continuous professional development of professional workers. Thus, various programmes are published in the catalogues for training professional workers to examine the issues relating to human and child rights.

469. In addition, training of teachers within study groups is organized twice or three times a year. The main objectives of such trainings are the following:

- Inclusion of human rights in the educational practice from the viewpoint of content and didactic strategies, planning and implementation of teaching approaches, teaching methods, teaching and assessment

- Awareness of teachers to raise awareness of students on the significance of understanding and implementing human rights in accordance with the United Nations principles and recommendations
  - Awareness of teachers and students on the significance of human rights protection with appropriate legislation and relevant institutions
  - Awareness of needs to act in accordance with human rights in everyday school practice and life situations outside the school environment
  - Awareness that respect for human rights is the basis of every State governed by the rule of law
470. The course for study groups in terms of organization and contents:
- Theoretical contents (contents of the declaration and conventions, United Nations recommendations) and didactic starting points (didactic strategies)
  - Teachers' work in a workshop: preparation of concrete material for implementation in educational practice
  - Presentation of material and constructive commenting, exchange of views and dilemmas (application in different environments)
  - Reflection as the basis for further work

**Reply to the recommendations contained in paragraphs 18 and 19 of the concluding observations (CRC/C/OPAC/SVN/CO/1)**

471. The Slovenian Government discussed the recommendations of the Committee on the Rights of the Child and published them on the Government Portal of the Republic of Slovenia.

**Prevention**

**Reply to the recommendations contained in paragraph 9 of the concluding observations (CRC/C/OPAC/SVN/CO/1)**

472. Inclusion of the topic in the curricula and syllabuses: In the updated curriculum for civic and homeland education and ethics (2008), the use of didactic approaches was strongly pointed out which promote active and democratic teaching and learning of human rights at the entire primary education vertical. Therefore, several didactic/teaching materials were prepared.

**Didactic aspects of teaching/working materials and textbook:**

- Teaching working materials are intended particularly for teachers as a support for planning and implementing the teaching situations in the educational process of which objectives and content are associated with human rights education. The emphasis in the teaching materials is the awareness of teachers on students' learning, with the help of the students' own experience – situational learning, therefore also with concrete implementation of rights and not only with verbal comprehension.
- The textbook is intended for active/interactive learning of students. With its didactic structure and content approach, it fully supports the principles of human rights education (HRE). It encourages the students to interactive, research and experience learning and to the formulation of opinions, critical positions and constructive



ethical relations based on understanding and implementing of human and child rights.

**Examples of materials and textbook:**

- The manuals for teachers from teachers show possibilities of planning and implementing the Universal Declaration of Human Rights and the Convention on the Rights of the Child in accordance with the United Nations recommendations. The purpose of didactic materials is awareness of teachers on the significance of human rights education based on experience/basic knowledge and with concrete teaching conditions in the classroom.
- E-materials associated with human rights education. With the help of these materials, teachers plan and carry out the educational process.
- Teachers' materials "from the practice for the practice" published in an online classroom. Materials have the role of implementing and promoting HRE.
- Publication of articles in educational journals. The authors explain and raise awareness of understanding and significance of education in accordance with the human rights and active citizenship principles.
- The textbook for the school subject 'civic and homeland education and ethics' for the 7th grade of the primary school. The didactic structure of content and implementing teaching process strongly encourages students to an active research and experience approach to obtaining information, understanding and implementing human rights.

**Prohibition and related matters**

**Reply to the recommendations contained in paragraph 11 of the concluding observations (CRC/C/OPAC/SVN/CO/1)**

473. Conscription of mercenaries and persons under 18 years of age is regulated in article 106 of the Criminal Code (KZ-1) as follows:

“(1) Any person who during wartime, armed conflict or occupation or when carrying out or supporting the policy of a State or organization as part of a larger systematic attack orders or carries out the conscription of persons under 18 years of age into national or other armed forces and their exploitation for active participation in hostilities shall be sentenced with imprisonment between ten years and fifteen years.

(2) Any person who conscripts, trains or finances the conscription of mercenaries shall be sentenced with imprisonment of up to three years.

474. Direct participation of children in hostilities is defined as a war crime in the seventh indent of point 4 of the first paragraph of article 102 of KZ-1, namely:

Whoever orders or commits war crimes, especially if they are committed as part of an integral plan or policy, or as part of an extensive implementation of such crimes, namely the following:

(4) Other serious violations of the laws and customs applicable in armed conflicts not of an international character, within the established framework of international law, namely, any of the following acts:

Conscripting or enlisting children under the age of fifteen years into the armed forces or groups, or using them to participate actively in hostilities

**Protection, recovery and reintegration into society****Reply to the recommendations contained in paragraph 13 of the concluding observations (CRC/C/OPAC/SVN/CO/1)**

475. In accordance with the International Protection Act,<sup>177</sup> all persons who express the need for protection have guaranteed access to the proceeding for recognizing international protection, therefore, children as well. In accordance with the relevant Act and its implementing regulations, such a person may turn for protection to any state or local authority in Slovenia which informs the Ministry of the Interior thereof as the responsible authority for the field of international protection which carries out all further statutory procedures. Thus far, no children who were conscripted in armed conflicts or used in hostilities were identified in Slovenia. In the event of such a case, they would be identified within the framework of existing mechanisms (an interview in submission of the application for international protection, PATS prevention programme, participation of non-governmental organizations).

476. Unaccompanied minors and victims of torture and other forms of psychological, sexual and physical violence are treated as vulnerable persons who require special care in accordance with the provisions of the International Protection Act. All minors, not just unaccompanied minors, who are treated in Slovenia according to the International Protection Act, have a guaranteed right to primary and secondary education under equal conditions as Slovenian citizens. Special care for these persons is ensured through the programmes co-financed by the European Refugee Fund intended particularly for the category of vulnerable persons and adapted to the special needs of every case separately and through Slovenian language courses which also include study help and elimination of illiteracy.

**International cooperation****Reply to the recommendations contained in paragraph 15 of the concluding observations (CRC/C/OPAC/SVN/CO/1)**

477. In accordance with Slovenia's substantive priorities in the field of international development cooperation defined in the Resolution on International Development Cooperation of the Republic of Slovenia for the period until 2015,<sup>178</sup> Slovenia allocates humanitarian and post-conflict assistance in particular for the reduction of poverty and famine, mine action and as aid provided to children in post-conflict situations. Slovenia annually allocates approx. EUR 1,000,000 for the welfare of children in developing countries and around half of this amount for children in post-conflict situations.

478. Much attention was paid to the protection of children within the framework of Slovenian Presidency of the Council of the European Union in the first half of 2008. The main priority in the field of development cooperation and humanitarian aid was to implement, the rights of children in emergency situations.

479. Slovenia systematically channels the international development and humanitarian aid for the welfare of children, through its own projects as well as in cooperation with government development organizations such as the Foundation Together and the

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<sup>177</sup> Official Gazette of RS, No. 111/07, 111/08 – Constitutional Court Decision, 58/09.

<sup>178</sup> Official Gazette of RS, No. 73/2008.

International Trust Fund for Demining and Mine Victims Assistance (ITF), and through projects, in particular in cooperation with non-governmental organizations.

480. In the last two years, the Slovenian government allocated over EUR 386,000 for the operation of the counselling centres for children, young people, teachers and parents in the Western Balkans and Iraq under the professional supervision of the Foundation Together. One of the purposes of ITF activity is to provide quality health care and sustainable physical, psychological and social rehabilitation to the surviving mine victims. Around 30 per cent of ITF's activities and funds are intended for raising the awareness of people of the mine threat, rehabilitation, training of doctors, nurses etc., of which approx. USD 3 million are allocated on an annual basis, for the rehabilitation of mine victims. A large part of these funds is intended for rehabilitation of children. In the 2006–2009 period, over 40,000 children from endangered regions participated in the mine threat awareness programmes.

481. Since 2007, the Slovenian government ministries have been systematically providing funds to improve the life of children affected by social and natural disasters across the world, in particular the Western Balkans, Eastern Europe, the Middle East and Africa.

482. In 2009, Slovenia facilitated the rehabilitation of 31 children from Gaza affected during military operations at the beginning of the year at the University Rehabilitation Institute, Republic of Slovenia. Physical rehabilitation is complemented by the training of Palestinian experts for psycho-social assistance to provide post-rehabilitation care of patients in Gaza.

483. Slovenia also provides assistance to children suffering from chronic effects of past armed conflicts. Every summer, the Slovenian government provides rehabilitation for children from Bosnia and Herzegovina who, in addition to direct war consequences, suffer from difficult social and economic conditions in their home environment and the still strongly present post-war hate and intolerance. The project is aimed at providing social and psychological rehabilitation of children originating from environments that the international community usually overlooks when providing help to Bosnia and Herzegovina. In 2009, the Government also financed the rehabilitation of a group of children from Kosovo.

### **Other legal provision**

#### *Arms export*

### **Reply to the recommendations contained in paragraph 17 of the concluding observations (CRC/C/OPAC/SVN/CO/1)**

484. Traffic of arms and military equipment in Slovenia is based on a licence system. In accordance with the provision of the first paragraph of article 77 of Defence Act,<sup>179</sup> only the company, institute or other organization which acquires the licence of the Ministry of Defence may sell, export or import arms and military equipment and perform brokering transactions with these goods. In accordance with the second paragraph of article 77 of the same Act, a prior licence of the Ministry of Defence is also required for every concrete export, import or transit of arms and military equipment over the national territory unless determined otherwise by an international agreement. In addition, the third paragraph of article 77 of the Defence Act also determines the reasons based on which the Ministry of Defence may deny a licence for a concrete export, import or transit of arms and military equipment, namely:

<sup>179</sup> Official Gazette of RS, No 103/04 – official consolidated text.

- If meeting of Slovenia's international obligations were threatened
- If Slovenia's security or defence interests were threatened
- If armed conflicts in the State which is the end user of arms and military equipment were promoted or facilitated
- If there are reasonable grounds that arms and military equipment will be resold from the importing country to a third country which would be contrary to defence and security interests of the State

485. Thus, conscription or use of children in hostilities in a particular country is not directly defined as the reason to prohibit the sale (export) of arms and military equipment to such a country in the Defence Act. However, such circumstances may be subsumed due to the previously mentioned reasons, particularly the reasons under indents 1 and 3 of the third paragraph of article 77 of the cited Act, based on which the Ministry of Defence would deny a licence to export arms to such a country. In terms of the reasons relating to meeting of international obligations, Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment have to be taken into consideration. Among the criteria representing the basis for denying the export licence, the Common Position pays significant attention to respecting international obligations (point 1 of article 2 – respect for the sanctions adopted by the Security Council or the European Union, agreements on non-proliferation and other subjects) and respecting human rights in the country of final destination as well as respecting international humanitarian law by that country (point 2 of article 2). Thus, the export licence shall be denied if there is a clear risk that the arms might be used for internal repression in the recipient country which, inter alia, includes torture and other cruel, inhuman and degrading treatment or punishment, and other major violations of human rights and fundamental freedoms as set out in relevant international human rights instruments, including the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. The Common Position prohibits the Member States to sell arms to the countries which do not meet these criteria.

486. Restrictions in arms sales to the relevant States may also be based on the Restrictive Measures Act, which Slovenia shall adopt or implement in accordance with legal acts and decisions adopted within the framework of international organizations.<sup>180</sup> or based on the issued implementing regulations of the Slovenian Government. The restriction relating to small arms and light weapons is also regulated by the Firearms Act.<sup>181</sup>

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<sup>180</sup> Official Gazette of RS, No 127/2006.

<sup>181</sup> Official Gazette of RS, No 23/2005 – official consolidated text.

## Annex

Table  
The deceased and the mortality rate (per 100,000) of children and youth (0–17 years) due to injuries, Slovenia, 2004–2006

		2004				2005				2006			
Age classes		Traffic accidents	Other accidents	Suicide	Assault	Traffic accidents	Other accidents	Suicide	Assault	Traffic accidents	Other accidents	Suicide	Assault
Men	Younger than 1 year	0	0	0	1	0	0	0	0	0	0	0	0
	1 to 4	0	4	0	0	2	0	0	0	3	0	0	0
	5 to 9	2	1	0	0	1	0	0	0	1	2	0	0
	10 to 14	3	1	2	0	2	1	0	1	3	1	0	0
	15 to 17.99	8	0	2	0	7	0	3	1	9	0	3	0
	<b>Total</b>	<b>13</b>	<b>6</b>	<b>4</b>	<b>1</b>	<b>12</b>	<b>1</b>	<b>3</b>	<b>2</b>	<b>16</b>	<b>3</b>	<b>3</b>	<b>0</b>
Women	Younger than 1 year	0	0	0	0	0	0	0	0	0	0	0	0
	1 to 4	0	0	0	0	3	1	0	0	2	0	0	0
	5 to 9	2	0	0	0	3	0	0	0	1	0	0	0
	10 to 14	2	1	2	0	0	2	1	0	0	0	0	0
	15 to 17.99	0	0	1	0	1	3	0	0	1	0	1	0
	<b>Total</b>	<b>4</b>	<b>1</b>	<b>3</b>	<b>0</b>	<b>7</b>	<b>6</b>	<b>1</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>1</b>	<b>0</b>
Total	Younger than 1 year	0	0	0	1	0	0	0	0	0	0	0	0
	1 to 4	0	4	0	0	5	1	0	0	5	0	0	0
	5 to 9	4	1	0	0	4	0	0	0	2	2	0	0
	10 to 14	5	2	4	0	2	3	1	1	3	1	0	0
	15 to 17.99	8	0	3	0	8	3	3	1	10	0	4	0
	<b>Total</b>	<b>17</b>	<b>7</b>	<b>7</b>	<b>1</b>	<b>19</b>	<b>7</b>	<b>4</b>	<b>2</b>	<b>20</b>	<b>3</b>	<b>4</b>	<b>0</b>

<i>Age classes</i>		<i>2004</i>				<i>2005</i>				<i>2006</i>			
		<i>Traffic accidents</i>	<i>Other accidents</i>	<i>Suicide</i>	<i>Assault</i>	<i>Traffic accidents</i>	<i>Other accidents</i>	<i>Suicide</i>	<i>Assault</i>	<i>Traffic accidents</i>	<i>Other accidents</i>	<i>Suicide</i>	<i>Assault</i>
<b>Rates</b>													
<b>Men</b>	<b>Younger than 1 year</b>	0.00	0.00	0.00	11.18	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	<b>1 to 4</b>	0.00	10.84	0.00	0.00	5.46	0.00	0.00	0.00	8.15	0.00	0.00	0.00
	<b>5 to 9</b>	4.15	2.07	0.00	0.00	2.09	0.00	0.00	0.00	2.12	4.23	0.00	0.00
	<b>10 to 14</b>	5.51	1.84	3.67	0.00	3.79	1.89	0.00	1.89	5.85	1.95	0.00	0.00
	<b>15 to 17.99</b>	12.32	0.00	3.08	0.00	11.04	0.00	4.73	1.58	14.41	0.00	4.80	0.00
	<b>Total</b>	<b>6.09</b>	<b>2.81</b>	<b>1.87</b>	<b>0.47</b>	<b>5.72</b>	<b>0.48</b>	<b>1.43</b>	<b>0.95</b>	<b>7.72</b>	<b>1.45</b>	<b>1.45</b>	<b>0.00</b>
	<b>Women</b>	<b>Younger than 1 year</b>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>1 to 4</b>		0.00	0.00	0.00	0.00	8.66	2.89	0.00	0.00	5.76	0.00	0.00	0.00
<b>5 to 9</b>		4.41	0.00	0.00	0.00	6.70	0.00	0.00	0.00	2.25	0.00	0.00	0.00
<b>10 to 14</b>		3.87	1.94	3.87	0.00	0.00	3.99	1.99	0.00	0.00	0.00	0.00	0.00
<b>15 to 17.99</b>		0.00	0.00	1.61	0.00	1.66	4.99	0.00	0.00	1.69	0.00	1.69	0.00
<b>Total</b>		<b>1.98</b>	<b>0.49</b>	<b>1.48</b>	<b>0.00</b>	<b>3.53</b>	<b>3.02</b>	<b>0.50</b>	<b>0.00</b>	<b>2.04</b>	<b>0.00</b>	<b>0.51</b>	<b>0.00</b>
<b>Total</b>		<b>Younger than 1 year</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>5.68</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
	<b>1 to 4</b>	<b>0.00</b>	<b>5.59</b>	<b>0.00</b>	<b>0.00</b>	<b>7.01</b>	<b>1.40</b>	<b>0.00</b>	<b>0.00</b>	<b>6.99</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
	<b>5 to 9</b>	<b>4.27</b>	<b>1.07</b>	<b>0.00</b>	<b>0.00</b>	<b>4.32</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>2.18</b>	<b>2.18</b>	<b>0.00</b>	<b>0.00</b>
	<b>10 to 14</b>	<b>4.71</b>	<b>1.88</b>	<b>3.77</b>	<b>0.00</b>	<b>1.94</b>	<b>2.91</b>	<b>0.97</b>	<b>0.97</b>	<b>3.01</b>	<b>1.00</b>	<b>0.00</b>	<b>0.00</b>
	<b>15 to 17.99</b>	<b>6.30</b>	<b>0.00</b>	<b>2.36</b>	<b>0.00</b>	<b>6.48</b>	<b>2.43</b>	<b>2.43</b>	<b>0.81</b>	<b>8.23</b>	<b>0.00</b>	<b>3.29</b>	<b>0.00</b>
	<b>Total</b>	<b>4.09</b>	<b>1.68</b>	<b>1.68</b>	<b>0.24</b>	<b>4.65</b>	<b>1.71</b>	<b>0.98</b>	<b>0.49</b>	<b>4.96</b>	<b>0.74</b>	<b>0.99</b>	<b>0.00</b>

Table 13

**The number of hospital treatments and hospitalization rate (per 100,000) of children and youth (0–17) due to injuries, Slovenia, 2004–2006 (see the table in the Annex)**

		2004				2005				2006			
<i>Age classes</i>		<i>Traffic accidents</i>	<i>Other accidents</i>	<i>Suicide</i>	<i>Assault</i>	<i>Traffic accidents</i>	<i>Other accidents</i>	<i>Suicide</i>	<i>Assault</i>	<i>Traffic accidents</i>	<i>Other accidents</i>	<i>Suicide</i>	<i>Assault</i>
Men	Younger than 1 year	22.35	558.78	11.18		21.62	735.14			31.80	572.46		
	1 to 4	94.83	1 070.26	5.42	5.42	109.14	963.17	5.46	16.37	89.66	980.82	5.43	2.72
	5 to 9	178.40	906.54	0.00	6.22	138.14	954.41		8.37	181.91	934.92	2.12	2.12
	10 to 14	326.68	1 003.89	1.84	18.35	253.90		11.37	18.95	272.90	1 097.44	7.80	25.34
	15 to 17.99	403.36	717.43	29.25	47.73	361.09	730.07	22.08	33.11	320.24	674.11	19.21	25.62
	<b>Total</b>	<b>263.70</b>	<b>887.58</b>	<b>10.77</b>	<b>21.55</b>	<b>224.42</b>	<b>901.49</b>	<b>10.48</b>	<b>15.72</b>	<b>222.90</b>	<b>888.21</b>	<b>9.17</b>	<b>14.96</b>
Women	Younger than 1 year	57.83	439.51			22.68	646.33			44.41	499.61		
	1 to 4	89.49	750.56	5.77		63.53	788.29	2.89		57.64	740.63	2.88	2.88
	5 to 9	143.17	550.67	2.20		109.40	591.65			65.18	615.88		6.74
	10 to 14	89.06	505.30	27.10	1.94	113.59	639.70	21.92	11.96	119.72	553.17	39.22	6.19
	15 to 17.99	161.26	269.31	79.02	9.68	159.77	312.87	39.94	6.66	142.10	304.50	52.44	15.22
	<b>Total</b>	<b>122.07</b>	<b>482.34</b>	<b>32.62</b>	<b>3.46</b>	<b>113.85</b>	<b>556.15</b>	<b>18.14</b>	<b>5.04</b>	<b>99.61</b>	<b>523.09</b>	<b>26.05</b>	<b>8.17</b>
<b>Total</b>	<b>Younger than 1 year</b>	<b>39.79</b>	<b>500.17</b>	<b>5.68</b>		<b>22.14</b>	<b>691.79</b>			<b>37.96</b>	<b>536.88</b>		
	<b>1 to 4</b>	<b>92.25</b>	<b>915.47</b>	<b>5.59</b>	<b>2.80</b>	<b>86.98</b>	<b>878.20</b>	<b>4.21</b>		<b>74.12</b>	<b>864.26</b>	<b>4.20</b>	<b>2.80</b>
	<b>5 to 9</b>	<b>161.32</b>	<b>733.94</b>	<b>1.07</b>	<b>3.20</b>	<b>124.23</b>	<b>778.89</b>		<b>2.16</b>	<b>125.32</b>	<b>780.25</b>	<b>1.09</b>	<b>4.36</b>
	<b>10 to 14</b>	<b>211.04</b>	<b>761.26</b>	<b>14.13</b>	<b>10.36</b>	<b>185.51</b>	<b>847.93</b>	<b>16.51</b>	<b>15.54</b>	<b>198.50</b>	<b>833.09</b>	<b>23.06</b>	<b>16.04</b>
	<b>15 to 17.99</b>	<b>285.12</b>	<b>498.57</b>	<b>53.56</b>	<b>29.14</b>	<b>263.14</b>	<b>527.10</b>	<b>30.77</b>	<b>20.24</b>	<b>233.62</b>	<b>494.38</b>	<b>35.37</b>	<b>20.56</b>
	<b>Total</b>	<b>194.78</b>	<b>690.39</b>	<b>21.40</b>	<b>12.74</b>	<b>170.67</b>	<b>733.63</b>	<b>14.20</b>	<b>10.53</b>	<b>163.02</b>	<b>710.87</b>	<b>17.37</b>	<b>11.66</b>

## Data regarding chapter VIII- Education, leisure and cultural activities

### Approved cultural programme of the Italian and Hungarian National Communities from 2006 to 2008 connected to the implementation of the United Nations Convention on the Rights of the Child

<i>The programme's content of the Italian national community</i>	2004	2005	2006	2007	2008
Courses and lectures			5 362.21	5 390.17	4 521.55
% of the total amount of the Ministry of Culture's contribution			0.76	0.75	0.61
<b>Total in the 2006–2008 period (%)</b>	<b>15 273.93 (1.75)</b>				

<i>The programme's content of the Hungarian national community</i>	2004	2005	2006	2007	2008
Organization of fairy tale hours in Hungarian					3 167.15
Youth publication IFI					11 000.00
Three children's shows					2 000.00
<b>Total</b>	<b>16 167.15</b>				
% of the total amount of the Ministry of Culture's contribution					3.7
<b>Total in the 2006–2008 period (%)</b>	<b>16 167.15 (1.25)</b>				

### Approved cultural programme of the Roma community from 2005 to 2008 connected to the implementation of the United Nations Convention on the Rights of the Child

<b>Total in the 2005–2008 period (%)</b>	<b>95 715.33 (27.39)</b>
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#### 2005

<i>Project promoter</i>	<i>Type of activity/project title</i>	<i>Approved in EUR</i>
The Roma Association of Slovenia	Cultural animation/labour costs of the cultural animator	3 505.25
	An event for the children of compulsory school age, RD Romano Pralipe Maribor	2 336.83
	The 'Little Red Riding Hood' theatrical performance, RD Zeleno vejš Serdica	667.66
	The 5th meeting of the Roma children, RD Zeleno vejš Serdica	709.39
	Remembering the old Roma craft, RD Veverica na veji Dobrovnik	625.93
	The training and activity of the animator, RD Romano vozo Velenje	500.75
	The workshop on researching the Roma words, RD Romano vozo Velenje	625.93



<i>Project promoter</i>	<i>Type of activity/project title</i>	<i>Approved in EUR</i>
	The Roma in the wheels of words, RD Rom Črnomelj	1 961.27
Society for the Development of Volunteer Work Novo mesto	SKUPA events	1 669.17
Goga Publishing House	The Roma fairy tales – the final part	3 964.27
<b>Total</b>		<b>16 566.45</b>
% of the total amount of the Ministry of Culture's contribution		17.69

Leisure activities: 1 project.  
Educational activities: 6 projects.  
Cultural activities: 2 projects.

## 2006

<i>Project promoter</i>	<i>Project title</i>	<i>Approved in EUR</i>
Karantanija Publishing House	Translation of Prešeren's poetry in Romani	2 503.76
The Roma Association of Slovenia	The meeting of the Roma primary school children with cultural content	625.94
The Roma Association of Slovenia	Labour costs of the cultural animator	3 505.26
The Roma Association of Slovenia	Publishing of a CD with the Roma fairy tales and stories RD Romani Union Murska Sobota	2 086.46
The Roma Association of Slovenia	Creative fingers with clay/Ukrausime čikune khore Kreativ ujjak az agyagban RD Dobrovnik	1 669.17
Amala Roma Society	Music workshops for the Roma children	6 422.13
Amala Roma Society	Publishing of the book 'Children Sing with Us II'	3 755.63
The Roma Association of Slovenia	Publishing of the book 'The Roma and White Carniolan folk fairy tales and stories' RD Vešoro Črnomelj	3 338.34
Society for the Development of Volunteer Work Novo mesto	SKUPA (projects: Cultural and creative workshops the Roma camp and the promotional film 'Think of Me')	5 842.10
<b>Total</b>		<b>29 748.88</b>
% of the total amount of the Ministry of Culture's contribution		36.54

Leisure activities: 4 projects.  
Educational activities: 4 projects.

## 2007

<i>Project promoter</i>	<i>Project title</i>	<i>Approved by MC in EUR</i>
The Roma Association of Slovenia	Labour costs of the cultural animator in 2007	3 750.00
	The meeting of the Roma primary school children with cultural content	700.00
	The 'Little Red Riding Hood' theatrical performance RD Zeleno vejš	500.00
	Publishing of a CD with the Roma fairy tales and stories RD	2 000.00

<i>Project promoter</i>	<i>Project title</i>	<i>Approved by MC in EUR</i>
	Romani Union Murska Sobota	
	Publishing of the book: Marlena's Hidden Closet RD Romani Union Murska Sobota	1 500.00
	With Culture to Education Romano pralipe	1 000.00
	An evening in the memory of the great poet France Prešeren RD Cigani nekoč – Romi danes	500.00
	Researching the Roma words 3 RD Romano vozo	500.00
	The training and activity of the animator for the Roma culture RD Romano vozo	1 250.00
	The Roma fairy tales and songs "Romane paramiče taj đija" RD Romano vozo	1 600.00
	Creative fingers with clay RD Veverica na veji	500.00
Romano Pejtaušago Kamenci Roma Society	Romano phurt – The Roma bridge	1 500
Amala Roma Society	Publishing of the book 'Children Sing with Us 3' "Music through time" – music workshops summer seminars and courses	3 900.00 1 000.00
Society for the Development of Volunteer Work Novo mesto	Workshops training courses: SKUPA	1 500.00
<b>Total</b>		<b>21 700.00</b>
% of the total amount of the Ministry of Culture's contribution		26.03

Leisure activities: 7 projects.  
Educational activities: 5 projects.  
Cultural activities: 3 projects.

## 2008

<i>Project promoter</i>	<i>Project title</i>	<i>Approved in EUR</i>
The Roma Association of Slovenia	The meeting of the Roma primary school children with cultural content	500.00
	Labour costs of the cultural animator in 2008	3 700.00
	Publishing of the CD 'The Roma fairy tales and stories 3' RD Romani Union	1 000.00
	Children's folklore and music camp RD Pušča	1 000.00
	A fine arts workshop for children RD Vešoro	400.00
	A literary workshop for children RD Vešoro	200.00
	Melauli reca – The Ugly Duckling RD Zeleno vejš	500.00
Society of Allies for Soft Landing	The first bilingual picture book for the Roma children	2 000.00
Society for the Development of Volunteer Work	SKUPA (TOTAL)	1 500.00
Amala Roma Society	Publishing of the fourth part of the book 'Children Sing with Us!' (Chavalen galiven amencar!) with an additional CD containing recorded songs	2 500.00

<i>Project promoter</i>	<i>Project title</i>	<i>Approved in EUR</i>
Romano vozo Roma Society	The linguistic workshop 'Researching the Roma words 4'	500.00
Romano vozo Roma Society	Publishing of the Roma youth magazine 'Black Stone – Kalo bar'	600.00
Romano vozo Roma Society	The training and activity of the animator for the Roma culture	1 500.00
ZULK – Association of Creative People in the Field of Culture	Cultural production of the Roma young people – Romani kulturno čhavorani buti	1 400.00
Romano Pejtaušago Kamenci Roma Society	"International Roma camp Kamenci 2008": Developing the creative potential of the Roma children and youth to preserve the Roma cultural tradition and the intercultural dialogue	1 500.00
FRANC-FRANC, Podjetje za promocijo kulture d.o.o.	Jože Livijen: Smoked Memories the stories from the Roma life	2 000.00
Society for the Development of Culture and Music Education of the Roma Population NEVO DI	Opus "NEVO DI"	4 000.00
<b>Total</b>		<b>24 800.00</b>
% of the total amount of the Ministry of Culture's contribution		29.31

Leisure activities: 4 projects.  
 Educational activities: 10 projects.  
 Cultural activities: 2 projects.

### **Approved cultural programme of other minority ethnic communities and immigrants from 2006 to 2008 connected to the implementation of the United Nations Convention on the Rights of the Child**

#### **2005**

<i>Project promoter</i>	<i>Project title</i>	<i>Approved in EUR</i>
Croatian Cultural Society in Maribor	A fine arts workshop	625.93
Bošnjakov Biser Jesenice Cultural and Sports Society	Fine arts workshops for children	2 503.75
Ljiljan Society of the Bosnian-Herzegovinian and Slovenian Friendship	The fine arts, puppet and literary workshop 'Let's Draw Slovenia'	5 424.80
<b>Total</b>		<b>8 554.48</b>
% of the total amount of the Ministry of Culture's contribution		10.12

Leisure activities: 3 projects.

#### **2006**

<i>Project promoter</i>	<i>Project title</i>	<i>Approved in EUR</i>
Brdo Cultural Society	The multi-ethnic folklore manifestation 'Playful Youth', a cultural event	3 338.34
Bošnjakov Biser Cultural and Sports Society	Fine arts workshops for children	2 921.04
Bošnjakov Biser Cultural and Sports Society	A literary and puppet workshop	1 669.17

<i>Project promoter</i>	<i>Project title</i>	<i>Approved in EUR</i>
Croatian Cultural Society in Maribor	A fine arts workshop for young people	1 251.87
Međimurje Ljubljana Cultural Society	Mother's Day	417.29
Ilinden Jesenice Macedonian Cultural Society	Ethnic music school 2006	4 172.90
Kulturni vikend Society for the Development of Social and Culture Work	Literary and music events with accompanying workshops for young people	5 424.80
<b>Total</b>		<b>19 195.88</b>
% of the total amount of the Ministry of Culture's contribution		9.94

Leisure activities: 2 projects.

Educational activities: 5 projects.

## 2007

<i>Project promoter</i>	<i>Project title</i>	<i>Approved by MC in EUR</i>
Society of the Slovenian and Macedonian Friendship	"Stars" children's concert	1 528
Apaško polje Cultural Society	Language courses of Slovenian and German	1 000
Mostovi Cultural Society of German-Speaking Women	Language course of German for children in the form of linguistic workshops and a theatrical group	500
Brdo Cultural Society	Drama studio	1 838
	Literature and poetry evenings workshops for children and youth	2 000
	A literary and puppet workshop	1 000
Mihajlo Pupin Cultural Society	Children's circle – becoming familiar with poetry for children and youth	8 750
Mladost Cultural and Artistic Society, Ljubljana	Dramatic play workshop	1 500
	Book salon	1 252
Ilinden Jesenice Macedonian Cultural Society	Deteljica youth newspaper	1 000
	Ethnic music school 2007	1 000
Serbian Cultural Society Maribor	Little school of painting	1 000.00
Nikola Tesla Serbian Cultural Society	Drama section	5 000
<b>Total</b>		<b>17 243.00</b>
% of the total amount of the Ministry of Culture's contribution		8.71

Leisure activities: 4 projects.

Educational activities: 6 projects.

Cultural activities: 3 projects.

## 2008

<i>Project promoter</i>	<i>Project title</i>	<i>Approved funds in EUR</i>
Brdo Cultural Society	"Literature and poetry evenings, workshops for	2 000.00

<i>Project promoter</i>	<i>Project title</i>	<i>Approved funds in EUR</i>
	children and youth”	
Desanka Maksimović Serbian Cultural and Humanitarian Society	“Drama section”	4 000.00
Society of the Bosnian-Herzegovinian Students in Slovenia	Children and young people are being creative	2 000.00
Society of the Bosnian-Herzegovinian Students in Slovenia	Young people of BiH	2 000.00
Mihajlo Pupin Cultural Society	“Children’s Circle”	4 000.00
Andelković Vesna	“4M – II A Workshop”	4 000.00
Bošnjakov Biser Cultural and Sports Society	Literary and puppet workshops	1 500.00
Ilinden Jesenice Macedonian Cultural Society	Deteljica youth newspaper	2 000.00
Ilinden Jesenice Macedonian Cultural Society	Ethnic music school 2008	1 000.00
Society of the Slovenian and Macedonian Friendship	SLO-MAK children’s summer club	2 000.00
<b>Total</b>		<b>24 500.00</b>
% of the total amount of the Ministry of Culture’s contribution		12.08

Leisure activities: 5 projects.

Educational activities: 4 projects.

Cultural activities: 1 project.