



## Statement by the Commissioner for Human Rights, Thomas Hammarberg, at Press Conference in Ljubljana (Slovenia)

16 November 2006

“I came to Slovenia in order to better understand what happened in Ambrus in the end of October and what can be done to avoid repetition of such unfortunate developments.

Irrespective of the background and history to the tensions, it is unacceptable that a group of people have to leave their homes because the majority population in the neighbourhood so require and that safety of the minority group is at risk.

I have also learnt that racist, anti-Gypsy language was used in threats against the Strojjan family.

Among the victims of these developments were totally innocent children.

I have had talks with the Ministers of Education, Interior and Environment and know that they are trying to find a solution to the tensions which protects the rights and safety of the family. I respect their serious efforts.

Certain important principals should now be remembered:

1. The family members are citizens of the community and have the same rights as any other citizens to choose where to live. The European Convention on Human Rights – to which Slovenia is a party – states: ‘Everyone lawfully within the territory of the State may, within that territory *have the right to liberty of movement and freedom to choose his residence*’ (Prot. 4, art. 2). Also, the Convention protects the right to respect for everyone’s private and family life, as well as one’s home (art. 8).
2. The family has the right to protection against physical and verbal threats wherever they are. This principle is also protected in the European Convention
3. Criminal acts from individuals within each community should be treated as police matters, and be investigated and followed up according to the law. Collectives to which such individuals belong should not be blamed.

Experience from other European countries of this kind of situations has taught us that it is desirable that representatives of the two sides find solutions to any outstanding grievances. This, of course, requires that both sides are ready for such meetings. I

believe that the family and their representatives indeed are willing and I learn that the Minister of Education is keen that such efforts be made.

During my meetings here I have noted the value of the Roma counsellors elected to the local assemblies; two of them assisted me at meetings. I recommend that this model of elected Roma representatives is implemented in all municipalities in Slovenia where there are Roma communities.

I have also been informed about the increased efforts to improve education possibilities for Roma children. This is very important.

Another positive initiative has been the training of the police on the protection of minority rights. Here the cooperation with the Ombudsman has been positive.

The decision to propose to the Parliament a special law to promote and secure the inclusion of Roma in society is also welcome.

However, there is a need to counter xenophobic tendencies. I have been sad to hear about regrettable examples of hate speech and threats against the Roma populations here in Slovenia. Such outbursts of intolerance have also occurred in other European countries and the Ambrus case has exposed that not even Slovenia is immune to such tendencies.

There is now a need for voices of reason and tolerance. Politicians, church leaders and other respected opinion builders should stand up and defend human rights for everyone, in particular at this moment when others seem to be losing their senses. I recommend the Slovenian government and opposition parties seek ways of manifesting a crystal clear common position against xenophobia and hate speech.

Finally, another reason for me to come here was the fact that the Ombudsman – Matjaž Hanžek – was criticized for having informed me about the situation in the Ambrus case. Governments have to accept that Ombudsmen are independent, that it is their role to represent people who suffer abuses and also to criticise authorities when relevant. My office works closely with Ombudsmen all over Europe and this should be welcomed by governments.

Let me make clear that my office, as well as other institutions of the Council of Europe, have appreciated the cooperation with Mr. Hanžek. We are aware that his mandate period will end within a few months and we look forward to cooperating with his successor. We assume he or she will be as independent, competent and committed as Mr. Hanžek is.

I have had a constructive response from the government representatives to my suggestions and I offered my continued services if needed to assist in securing a sound solution to this crisis, a solution which guarantees the human rights for everyone on Slovenia.”