



Ref: CommHR/LS/sf 059-2006

**Mr. Janez JANŠA**  
Prime Minister of the Republic of Slovenia  
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Strasbourg, 22 November 2006

Dear Prime Minister,

I would like to thank you for the co-operation and dialogue which I had with the Slovene Government during my visit to Slovenia last week. As you know, I came 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.

I had constructive talks with Dr Milan Zver, Minister of Education and Sport and President of the Government Commission for the Protection of the Romany Ethnic Community, Mr Dragutin Mate, Minister of the Interior, and Mr Janez Podobnik, Minister of the Environment and Spatial Planning.

I wish herewith to bring to your attention my conclusions from the visit.

Irrespective of the background and history to the tensions in Ambrus, 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.

Such developments violate the rights of the group and could also set a bad example which, in turn, may encourage xenophobic tendencies in other places.

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 states: 'Everyone lawfully within the territory of a State shall, 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). Restrictions to these rights can only be justified in accordance with law and when they are necessary in a democratic society.

The family has also the right to protection against physical and verbal threats wherever they are. In the Ambrus case, I understand that racist, anti-Ziganistic language was used in threats against the Strojan family. Clearly, there is a positive duty under the European Convention on authorities to provide protection against violence.

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 Strojan family and their representatives indeed are would be positive to such an initiative.

During my meetings in Slovenia, I noted the value of Roma councillors 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 and requires full support.

Another positive initiative on which I was informed is programme for training of the police on the protection of minority rights. Here I understand that the cooperation with the Office of the Ombudsman has been positive.

The decision to propose to the Parliament a special law to promote and ensure the inclusion of Roma in society will also be of great importance. I hope that the proposal can be discussed in a constructive, rights-based atmosphere.

The legalisation of Roma settlements is an integral part of social inclusion. The Minister of Environment informed me that the Government was determined to legalise the currently irregular settlements in co-operation with local authorities. I was informed that among the 105 Roma settlements in Slovenia, 74 settlements are still to be legalised. I strongly encourage these efforts since the Roma have often lived in these settlements for decades and therefore should have formal security of tenure to protect them from eviction.

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

Since I left I have been informed of some important statements made by politicians and church representatives in defence of human rights for minorities. I do believe that such pronouncements of reason and tolerance are particularly welcome.

Respected opinion builders should stand up and defend human rights for everyone in situations when xenophobic might spread. I recommend that the Slovenian Government and opposition parties seek ways of manifesting a crystal clear common position against xenophobia and hate speech.

During my visit, I received a constructive response from the Government representatives to my suggestions and I offer my continued services, if needed, to assist in securing a sound solution to this crisis, a solution which respects the human rights of everyone in Slovenia.

Yours sincerely,



Thomas Hammarberg

Cc.

Dr Milan ZVER, Minister of Education and Sport  
Mr Dragutin MATE, Minister of the Interior  
Mr Janez PODOBNIK, Minister of the Environment and Spatial Planning  
Ms Meta BOLE, Permanent Representative of Slovenia to the Council of Europe