



Strasbourg, 28 October 2011

Public  
GVT/COM/III(2011)006

**ADVISORY COMMITTEE ON THE FRAMEWORK CONVENTION FOR  
THE PROTECTION OF NATIONAL MINORITIES**

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**COMMENTS OF THE GOVERNMENT OF SLOVENIA  
ON THE THIRD OPINION OF THE ADVISORY COMMITTEE ON THE  
IMPLEMENTATION OF THE FRAMEWORK CONVENTION FOR THE  
PROTECTION OF NATIONAL MINORITIES  
BY SLOVENIA**

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(received on 28 October 2011)

# COMMENTS OF THE GOVERNMENT OF THE REPUBLIC OF SLOVENIA ON THE MAIN FINDINGS AND RECOMMENDATIONS IN THE THIRD OPINION OF THE ADVISORY COMMITTEE ON THE FRAMEWORK CONVENTION FOR THE PROTECTION OF NATIONAL MINORITIES

## Introduction

The Government of the Republic of Slovenia thanks the Advisory Committee on the Framework Convention for the Protection of National Minorities for its work and the Third Opinion, which Slovenia intends to use and respect to the fullest extent in its activities. The commentary of the Government to the Third Opinion of the Advisory Committee No. ACFC/OP/III(2011)003 of 31 March 2011 is as follows:

## Implementation of the provisions of the Framework Convention

### Paragraphs 25, 28, 32 and 123 (distinction between 'autochthonous' and 'non-autochthonous' Roma)

In Slovenia, the concept of 'autochthonous' and 'non-autochthonous' only provides the basis for Roma communities' right to a representative on the council of those municipalities which are traditionally populated by Roma; this distinction, however, does not apply to other areas of protection. The Roma Community Council, for example, also includes three non-autochthonous Roma representatives, from Maribor, Ljubljana and Velenje.

The Constitutional Court of the Republic of Slovenia has stated its opinion on diverse aspects of Roma communities' status under constitutional law several times, as well as examined the regulation under the Local Self-Government Act (Official Gazette of the Republic of Slovenia Nos. [94/2007-UPB2](#), [76/2008](#), [79/2009](#) and [51/2010](#)), whereby it is necessary to ensure the representation of a Roma community on councils of those municipalities in which an autochthonous Roma community lives (Article 39 of the Local Self-Government Act).

In paragraph 123, the Advisory Committee states its opinion that the system applying to the twenty designated Slovenian municipalities, which, according to Article 39, paragraph 5, of the Local Self-Government Act, must ensure at least one Roma community representative on the municipal council, should be expanded to other municipalities with a Roma population. It should be noted that such a position has no constitutional basis in Slovenia. The system has been regulated by law since the entry into force of the local self-government reform in 1994, when the provision of Article 39, paragraph 5, was written into the Local Self-Government Act. However, the legal norm was enforced only after several terms. In enforcing this legal provision, the Government of the Republic of Slovenia, in its capacity as supervisor of the legality of municipal authorities' work, also dealt with the implementation of Decision of the Constitutional Court of the Republic of Slovenia No. U-I-345/02-9 of 14 November 2002, establishing that the statutes of certain municipalities were not in compliance with the Local Self-Government Act, as they did not stipulate that members of municipal councils also include Roma community representatives. All the municipalities, except for the Municipality of Grosuplje, implemented the Constitutional Court Decision and organised the election of a Roma councillor in the local elections in autumn 2002. In the Municipality of Grosuplje, which, despite several calls, failed to implement the legal provision and the Constitutional Court Decision, the election of a Roma councillor was organised by the National Election Commission following the 2009 amendments to the Local Self-Government Act.

Initiatives for amendments to the Local Self-Government Act or municipal statutes which would enable Roma to participate in municipal or city councils of other municipalities have been put forward previously. However, the Government has rejected all such proposals, stating that they are to be considered in terms of the notions of 'local community' and 'local self-government'. The former is thus a natural factor defined by sociological components (territory and people), while the latter is a legal status that has to be expressly conferred by act of state, and denotes a manner of autonomous and independent management of common local public affairs. From this perspective, the local Roma community as a small part of the local community with which it shares interests and needs has the right to assert special interests and needs, and to be involved in decision-making in the municipality. The law does not,

therefore, grant this right to persons of Roma origin as such, but to their local communities. These, as local communities in general, are determined by law by the area or territory of the local community, which is usually the territory of a settlement, and by the people forming a community in their settlement area. The Constitutional Court of the Republic of Slovenia accepted this justification, and in its review of constitutionality initiated by the Human Rights Ombudsman, established in Decision No. U-I-176/08-10 of 7 October 2010 that Article 39, paragraph 5, of the Local Self-Government Act was not inconsistent with the Constitution. Its reasoning, among other things, reads:

“In the light of the regulation hitherto of the special right to political representation on municipal councils, Article 39, paragraph 5, of the Local Self-Government Act can no longer be interpreted and implemented independently, but only in relation to its specific concretisation in paragraph 6 thereof, which is based on the actual circumstances and details regarding the traditional and historical settlement of the Roma community in an individual municipality. With regard to the Constitution, the legislature was not obliged to grant such a right; however, as it did grant such a right to Roma communities, it is bound by the general principle of equality before the law as determined by Article 14, paragraph 2, of the Constitution. By determining the circumstance of traditional or historical settlement, referred to as ‘autochthonous settlement’ in the Act, the legislature created a link between the defined territory of the municipality and the Roma community, which indicates the settlement of the community in a certain area, and its connection to the latter and to other residents who live in the area, and the establishment of common and specific needs in the area, which are related to the origin of Roma. This circumstance is consequently a reasonable cause for the different treatment of Roma communities; therefore, by granting the special rights determined by Article 39, paragraph 5, of the Local Self-Government Act, the legislature did not violate the principle of equality before the law. The challenged regulation entails ‘collective protective rights’ [affirmative action]. These are not granted to individuals as such, but to Roma communities as special local communities in order to protect their ethnic character. As this is not an individual human right or a fundamental freedom, the possible different situation of individual Roma regarding this issue cannot in itself constitute discrimination with regard to the requirement determined by Article 14, paragraph 1, of the Constitution, i.e. that human rights be ensured equally.”

The Constitutional Court thus ruled that the differentiation between Roma who have traditionally lived in the Republic of Slovenia for centuries and Roma who migrated to the Republic of Slovenia during the Balkans Wars and, to a lesser extent, during the period of the former common state, with regard to rights deriving from local self-government, is not unfounded. It should also be emphasised that many Roma who migrated to the Republic of Slovenia in the past two or three decades have alien status in accordance with the Aliens Act, which prevents those coming from non-EU member states from running as candidates in local elections in accordance with the Local Elections Act; they may, however, exercise their right to vote (elect members of local community bodies). Aliens’ right to vote is regulated by Article 11 of the Local Self-Government Act and Article 5 of the Local Elections Act (Official Gazette of the Republic of Slovenia Nos. 94/07 – official consolidated text, and 45/08).

Article 39, paragraph 5, of the Local Self-Government Act in force lays down only the principle of exercising Roma communities’ special rights in municipal councils (in areas where an autochthonous Roma community lives), while paragraph 6 thereof defines the principle in detail (a list of municipalities obliged to ensure this right is provided). However, Article 39, paragraph 5, of the Local Self-Government Act does not refer to other rights which Roma communities or Roma enjoy in Slovenia under other laws, and does not affect them even indirectly. The criterion of autochthony is applied only in the regulation of the political representation of local Roma communities, and this regulation alone was challenged by the Human Rights Ombudsman; therefore, the general reproach that ‘non-autochthonous’ Roma in Slovenia do not enjoy, or are restricted in enjoying, special rights aimed at protecting Roma communities, is unjustified. In Slovenia, Roma enjoy full rights as Slovenian citizens, as well as special rights deriving from the legislation based on Article 65 of the Constitution of the Republic of Slovenia. The criterion of autochthony applies only to Roma communities’ right to elect a representative to relevant municipal councils. A sound reason for differentiating between communities which have constantly lived in a certain area and communities which have not constantly lived in a certain area for a longer period is the fact that, in accordance with the constitutional definition of a municipality as a local community (Articles 138, 139 and 140 of the Constitution of the Republic of Slovenia), political representation of Roma

communities on municipal councils is linked to the constant (historical) presence of Roma in a certain area of the relevant municipality. Such differentiation is therefore constitutionally legitimate.

Irrespective of the above-mentioned constitutionally permissible differentiation, it should also be underlined that the election of a representative to a representative body of the local community is only one form of participation of representatives of the Roma community in the management of local public affairs. In accordance with Article 30, paragraph 2, of the Local Self-Government Act, a representative body of a municipality may set up different working bodies, committees and commissions. This is also ensured by Article 7, final paragraph, of the Roma Community Act (Official Gazette of the Republic of Slovenia No. 33/07). Even with no Roma councillor on the municipal council, the interests of the Roma community may be voiced and treated with due attention and commitment. Many municipalities with an organised Roma community have set up a special working body to address Roma issues and implement their special interests (e.g., the Municipality of Maribor, the Municipality of Brežice, and the Municipality of Ljubljana). This working body monitors and examines the situation of members of the Roma community in the municipality; deals with and puts forward proposals and initiatives on issues relating to the situation of members of the Roma community and their rights; participates actively in the implementation of the municipality's development programme, particularly in programmes and the resolution of issues relating to the situation and development of the Roma community in the municipality; deals with issues related to the preservation of the Roma language and culture; and cooperates with Roma associations and other Roma organisations in the municipality.

**Paragraphs 26, 27, 29 and 31: The Slovenian legal order does not recognise the term national (ethnic) minority**

The Constitution of the Republic of Slovenia enumerates the communities that are subject to protection. Until 1989, special attention was devoted only to the Italian and Hungarian national communities. With the 1989 constitutional amendments, special protection was also introduced for the Roma ethnic community.

On the basis of the Declaration of the Republic of Slovenia on the Situation of the National Communities of the Former SFRY Nations in Slovenia adopted by the National Assembly on 1 February 2011, the Government of the Republic of Slovenia adopted a Decision on the Establishment, Structure, Organisation and Tasks of the Council of the Government of the Republic of Slovenia for the Issues of National Communities of the Former SFRY Nations in Slovenia (19 May 2011). The Council was formed on 16 June 2011. The Council is a consultative body of the Government regarding all matters pertaining to the national communities of the former SFRY nations in Slovenia. It is chaired by the Minister of Culture, with the Office of the Republic of Slovenia for Nationalities as the body responsible for administrative and technical coordination. Six representatives of state bodies have been appointed to the Council, notably from the Ministry of the Interior, the Ministry of Education and Sport, the Ministry of Foreign Affairs, the Ministry of Culture, the Office for Nationalities, and the Cabinet of the Prime Minister, and six representatives of national communities, notably Albanian, Bosnian, Montenegrin, Croatian, Macedonian, and Serbian. Following a proposal of the representatives of national communities, Fahir Gutić was appointed Deputy Chair. Fahir Gutić is a representative of the Bosnian Cultural Association of Slovenia and also the standing Chair of the Association of Cultural Societies of the Constitutive Nations of the Former Yugoslavia in Slovenia. At its first session, the Council concluded that the Association of Cultural Societies of the Constitutive Nations of the Former Yugoslavia in Slovenia should prepare a review document on the funds required in various areas (education, the media, etc.) and communicate the document to all Council members prior to the following session. It was decided that representatives of state bodies would draft a review of the existing co-financing mechanisms and possible ways to enhance support. The Council pursues its activities according to the set objectives.

During the drafting of the Slovenian Constitution, the experts cooperating with the Institute for Ethnic Studies in Ljubljana<sup>1</sup> pointed out that special protection could also be granted to “Serbs (in the border area in Bela Krajina) and Croats (in certain border areas); there is also the issue of existence of the German ethnic group (which has long been thought to have disappeared)”.

When compiling a “list” of national communities (minorities), researchers at the Institute for Ethnic Studies were guided by an idea similar to that expressed in the 1993 Recommendation by the Parliamentary Assembly of the Council of Europe on an additional protocol on the rights of national minorities to the European Convention on Human Rights.

Detailed studies conducted from 2000 to 2010 in territories (settlements) which according to historiography are areas (settlements) populated by the three communities point to completely different characteristics than those recorded by historiography. The total number of residents in the settlement historically recognised as “Serbian” (in Bela Krajina) amounts to 300. In the 2002 census, 30% of the population residing in this area, characterised by one of the highest ageing indexes in Slovenia, declared themselves members of the Serbian national community. A similar demographic situation is found in the settlements in Bela Krajina populated by Croats.

The Croatian, Serbian and German national communities share many common features; however, the latter is also marked by the expatriation following World War II, whereby its members were relocated from areas of traditional settlement (Kočevje region, Apače Basin). Only the “remnants of remnants” of the once large German minority remained (mostly as urban population).

To acquire accurate information on the national/ethnic vitality of members of the Serbian, Croatian and German national communities in the area of their traditional settlement, in 2008 the Government Office for Nationalities tasked the Institute for Ethnic Studies with the elaboration of a study entitled ‘National/ethnic vitality of members of the Serbian, Croatian and German ethnic groups in the area of their traditional settlement – Analysis of immigration to Slovenia from EU Member States’ (Ugotavljanje narodne/etnične vitalnosti pripadnikov srbske, hrvaške in nemške narodne skupnosti na njihovem zgodovinskem poselitvenem ozemlju. Analiza imigracijskih procesov v Slovenijo iz držav EU).

The study is aimed at:

- Examining the position of inhabitants of the villages Bojanci, Marindol, Miliči, and Paunoviči on methods of preserving ethnic and cultural heritage of the *Uskok* territories;
- Identifying objective indicators of ethnic vitality of the population in this area, with a view to eliminating protective “discrimination” between different minorities in Slovenia;
- Examining the views of villagers along the Slovenian-Croatian border, which is also included in the Report of the Committee of Experts of the European Charter for Regional or Minority Languages;
- Examining the views of inhabitants of traditional German settlements (Baška Grapa, Apače Basin, Kranjska Gora and its surrounding area, etc.).

Although the project study has not yet been concluded, a meeting was held between representatives of the Government Office for Nationalities and the Institute for Ethnic Studies concerning the findings obtained thus far, possible changes relating to additional field work, and the publication and translation of the final text of the study into English.

### **Paragraphs 19, 60, 61 (reducing financial support)**

No reduction is foreseen in the coming years in the volume of funds that the Government of the Republic of Slovenia allocates annually to the realisation of the rights of the Italian and Hungarian national communities.

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<sup>1</sup> Contribution by Dr Miran Komac, Institute for Ethnic Studies in Ljubljana (<http://www.inv.si/domov.aspx?lang=slo>).

### **Paragraphs 36 and 37 (Census)**

At its session on 16 September 2010, the Commission for the National Communities of the National Assembly of the Republic of Slovenia discussed the national and linguistic affiliation of members of the Italian and Hungarian national communities in the context of the 2011 register-based census. On 14 April 2011, following the Commission's decision proposing that the Government urge the competent institutions – particularly the Statistical Office of the Republic of Slovenia, the Government Office of the Republic of Slovenia for Nationalities and the Institute for Ethnic Studies, along with the two national communities – to examine the possibility of a research project aimed at collecting data on the national and linguistic affiliation of members of the autochthonous national communities in the Republic of Slovenia, the Office for Nationalities convened a meeting. The participants agreed to draft a pilot project which could be considered as a tentative review of the situation to be applied later to the entire ethnically-mixed area. The Institute for Ethnic Studies as the project holder will draft a questionnaire and financial plan. The Institute for Ethnic Studies, the Statistical Office and the national communities will define the area and opt for a sampling approach. The sampling will be conducted by the Statistical Office.

### **Paragraphs 97, 99, 153 and the second recommendation on p. 32 (implementation of the legislation)**

Members of the Italian and Hungarian national communities point to the non-implementation or inconsistent implementation of the applicable legislation. They raised concern that the provisions on bilingualism are not fully respected – e.g. many forms at municipalities and administrative units are available only in Slovenian, and the Health Insurance Institute of Slovenia, the Pension and Disability Insurance Institute of the Republic of Slovenia, the Farmland and Forest Fund of the Republic of Slovenia, and some educational organisations operate in Slovenian only. Furthermore, they proposed drafting a general law or amending the existing legislation.

At its session on 3 March 2011, the Government of the Republic of Slovenia appointed a working group tasked with drafting an act on the autochthonous Italian and Hungarian national communities. The members also included the presidents of the umbrella organisations of the Italian and Hungarian national communities. The deputies of the Italian and Hungarian national communities are invited to the group's meetings.

### **Paragraphs 120, 125, 128 and the eighth recommendation on p. 33 (guaranteeing more effective participation of national community representatives in decision-making on laws having an impact on national communities)**

In July 2009, with a view to improving the drafting of legislation, the Government adopted the Resolution on Legislative Regulation (Official Gazette of the Republic of Slovenia No. 95/2009), which dedicates a separate chapter to guidelines for cooperation with expert and other publics. A special emphasis is placed on deadlines – according to the minimum recommendations, public participation in the drafting of regulations usually takes from 30 to 60 days. During this period, the draft regulation is publically available online, and any public debates in the form of consultations and public presentations are allowed. Media must be informed of public debates. The draft regulations are published on the State Portal of the Republic of Slovenia (<http://e-uprava.gov.si/e-uprava/en/portal.euprava>). Members of the Italian and Hungarian national communities may inform the authorities that propose regulations of their opinion, proposals, comments and initiatives.

Furthermore, during the inter-ministerial coordination, the Office for Nationalities constantly reminds the competent bodies of Article 15 of the Self-Governing National Communities Act, which stipulates that in matters related to the status of members of national communities, state authorities must acquire the prior opinion of the self-governing national communities.

### **Paragraph 140 (cross-border cooperation)**

Each year, the Office for Nationalities and municipalities in ethnically-mixed areas (Koper/Capodistria, Izola/Isola, Piran/Pirano, Lendava/Lendva, Hodoš/Hodos, Dobrovnik/Dobronak, Moravske Toplice, Šalovci) conclude contracts on co-financing bilingualism and other constitutional rights of the Italian and Hungarian national communities. Some funds are also allocated to the promotion of contacts with the nation of origin.

## **Commentary on the situation of the Roma community**

### **Chapters I, II and III: Participation of minorities in public affairs, paragraphs 126, 127, 146, 155, 157 and 23**

According to the Roma Community Act, other local self-government units that do not include Roma councillors—other municipalities and regions—may establish separate working bodies to monitor the situation of the Roma community. Certain municipalities, which are not explicitly mentioned in the Local Self-Government Act, namely, the municipalities of Maribor, Velenje, Brežice and Škocjan have already established such a working body. The municipalities that are not specifically listed in the act regulating local self-government and are thus not guaranteed a representative of the Roma community in their city or municipal councils have been invited to respond to the recommendations by the Government Commission for the Protection of the Roma Ethnic Community and to take advantage of the existing statutory provisions to ensure the representation of the Roma community in their city or municipal councils (these possibilities are provided for by both the Local Self-Government Act and the Roma Community Act).

As regards amendments to Article 10 of the Roma Community Act, which regulates the composition and functions of the Roma Community Council, the Chair of the Government Commission for the Protection of the Roma Ethnic Community, the Director of the Government Office for Nationalities and the Human Rights Ombudsman agree that these should be initiated by the Roma community and then addressed by the state. Having discussed this issue on several occasions, the Government Commission for the Protection of the Roma Ethnic Community concluded that proposals should first be considered within the Roma community and only then submitted for further consideration. On 4 June 2011, the representatives of the Roma community in Murska Sobota held a public debate on the proposed amendments to Article 10 of the Roma Community Act and decided to establish a wider working group tasked with drafting such proposals.

On 8 October 2010, on the initiative of the Expert Group for the Resolution of the Spatial Issues of Roma Settlements, the Ministry of the Environment and Spatial Planning organised a seminar for Roma councillors concerning the spatial planning of Roma settlements. Roma councillors have proven to be a cooperative target group and a successful mediator between residents of Roma settlements and representatives of local authorities; however, due to their limited knowledge, they are in great need of assistance. The seminar focused on spatial planning, public utilities, construction and housing, with a special emphasis on the existing legislation regulating the status of Roma settlements. Attendance was extremely poor, despite the fact that the invitations, including the programme, were sent by recorded delivery with advice of delivery. Only two of the twenty Roma councillors attended the seminar – the Roma councillor (and the Roma issues expert) of the Municipality of Novo mesto and the Roma councillor from Trebnje. Those who did not attend received a collection of lectures. The seminar, this time featuring a wider audience – employees of the municipalities with Roma population – was repeated on 1 March 2011. On this occasion, attendance was good. The seminar will be repeated only in the event of amended legislation relating to the topics addressed.

### **Chapters II and III: The housing conditions of Roma, paragraphs 49, 50, 135 (recommendation), 142, 148 and 157**

Established in 2007, the Roma Community Council of the Republic of Slovenia represents the interests of the Roma community in Slovenia in relation to state authorities, and carries out other important tasks relating to the interests, status and rights of the Roma community. It submits proposals, initiatives, and opinions on matters within its competence to the National Assembly, the National Council, the Government, other state authorities, other bearers of public authority, and local self-government authorities.

The Expert Group for the Resolution of the Spatial Issues of Roma Settlements – established in December 2006 at the Ministry of the Environment and Spatial Planning – conducted in a short period (one year) an analysis of housing conditions in Slovenia's Roma settlements from various perspectives, and drafted elements for a comprehensive consideration and resolution of specific problems faced by Roma

settlements. A pro-active approach and the dialogue between Roma and municipalities resulted in major changes.

The Expert Group was thus re-appointed in December 2009, but in a somewhat modified form. The priorities included the classification of study materials with a view to making them available to the public:

[http://www.mop.gov.si/fileadmin/mop.gov.si/pageuploads/publikacije/drugo/prostorski\\_problemi\\_romskih\\_naselij\\_elaborat.pdf](http://www.mop.gov.si/fileadmin/mop.gov.si/pageuploads/publikacije/drugo/prostorski_problemi_romskih_naselij_elaborat.pdf)

The members of the Expert Group for the Resolution of the Spatial Issues of Roma Settlements and the Government Commission for the Protection of the Roma Ethnic Community also include Roma representatives and representatives of local communities. They endeavour to address the issue of housing conditions of the Roma community through joint efforts, as this is a long process that requires the participation of all the relevant actors – the state, local communities, the Roma community and local population.

The resolution of housing issues of Roma is also part of the National Programme of Measures for Roma for the Period 2010–2015 (hereinafter: the National Programme), which includes the following strategic objectives:

- To improve the living conditions of the Roma community and organise Roma settlements;
- To improve the educational structure of Roma community members; to increase attendance of Roma children in pre-school and compulsory education programmes; and to increase the inclusion of young and adult Roma in further educational processes in compliance with the principle of life-long learning;
- To increase employment and reduce unemployment rates in the Roma community;
- To improve healthcare for members of the Roma community, women and children in particular;
- To preserve and develop cultural, informational and publishing activities of the Roma community, and to endeavour towards the preservation and development of different variations of the Roma language;
- To raise awareness among the majority population of the existence, culture, customs and traditions of the Roma community, and among the minority population, of their rights and obligations as citizens of the Republic of Slovenia.

In compliance with Article 4 of the Roma Community Act, the Government reports annually to the National Assembly on the situation of the Roma community in Slovenia, i.e. on the implementation of the obligations referred to in Article 4, paragraphs 1, 2 and 3, and Article 5 thereof. The report also focuses on programmes and measures that were adopted by the Government or are being drafted and implemented by various state bodies or bodies of local self-government communities. This year, the Government will submit its second report. The implementation of obligations, and the spending and allocation of funds are thus being successfully monitored.

## **Chapter II: Fight against intolerance and hate speech, paragraphs 77 and 79**

In 2008, Slovenia was the first EU Member State to join the Council of Europe's campaign 'Dosta! Go beyond Prejudice, Discover the Roma!', an awareness-raising campaign within the framework of a wider Council of Europe/European Commission Joint Programme. It is aimed at overcoming prejudice and stereotypes about Roma.

The Government Office for Nationalities is responsible for the promotion of the campaign in Slovenia. The interested public, including non-governmental organisations, societies, the expert public, relevant ministries, government offices and municipalities, as well as the Roma community were invited to participate. The Office for Nationalities also funds the campaign.

At a ceremony on 17 November 2008, the then President of the National Assembly of the Republic of Slovenia, Pavel Gantar, officially launched the campaign in Slovenia. In his address, he endorsed the aims and significance of the campaign, with the hope that it would contribute to establishing and maintaining intercultural dialogue and permeate hearts and minds.



To facilitate implementation, the Council of Europe prepared certain materials: posters, information leaflets, a guide on how individuals, institutions, societies and organisations concerned can join the campaign and include its messages in their activities, as well as television and radio campaigns. In cooperation with the Information and Documentation Centre of the Council of Europe – which was closed in December 2010 – the Government Office for Nationalities commissioned the adaptation of the materials and their translation into Slovenian, as well as their distribution. Television campaigns were broadcast on various television channels, the posters were visibly displayed, and a considerable number of leaflets were distributed among the public.

Since the campaign's official launch at the end of 2008, numerous activities have been organised. Special attention has been devoted to youth.

The 'Dosta!' campaign was presented at all major events during Slovenia's Chairmanship of the Committee of Ministers of the Council of Europe, namely the International Conference on Roma Education in May 2009 in Brdo pri Kranju; the round table on the situation of minorities in Slovenia and Slovenians abroad in June 2009 in Brdo pri Kranju; and the launch of the project 'Route of Roma Culture and Heritage' in October 2009 in Lendava and Kamenci.

In this context, in 2009, numerous events, meetings, round tables, cultural events and competitions were organised.

Held in 2009 for the first time, the festival of Roma culture – Romano Chon/Roma Month, was re-launched in April 2010. The project holders included the Association of Creative People in Culture, the Slovene Ethnographic Museum and the Roma Academic Club. In 2010, Murska Sobota and Novo mesto were added to the list of the festival's venues. On this occasion, numerous events aimed at raising awareness of and promoting Roma culture were organised. The messages of the 'Dosta!' campaign were also promoted. In 2010, the festival activities in Ljubljana were launched by the opening of the exhibition 'You See Me, I See You: Cultural Diversity in the Eyes of Roma', which was on show in Strasbourg during Slovenia's Chairmanship of the Committee of Ministers of the Council of Europe (September 2009). In Maribor, the festival opening was marked by Andraž Gregorič's exhibition 'Happy'. In Novo mesto, Roma Month was inaugurated with the event 'Veselo dive' marking International Roma Day and the opening of the exhibition 'Roma Neighbours' by Borut Peterlin.

On 8 April 2009, the first Slovenian-Roma musical 'Glass Apple', composed by Imer Traja Brizani, was staged in the context of the 'Dosta!' campaign with the financial support of the Government Office for Nationalities. The plot focuses on love born at the crossroads of two universes – the Roma and the Slovenian. The girl is from a respected Slovenian family, and the boy has been raised by Roma immigrants. Their love is pure and beautiful, but tainted with everyday prejudice and stereotypes. The music was composed by Imer Traja Brizani, and the cast featured outstanding Slovenian, Roma and foreign artists. The musical was directed by Violeta Tomič, and the script was by Ljatif Demir. The performance was repeated at the opening ceremony of the Council of Europe's project 'Route of Roma Culture and Heritage' in October 2009 in Lendava.

Several competitions were held – one was launched to select a slogan for the project 'Let's Say Something Nice about Roma' – and the six best slogans were then broadcast by local radio stations. In 2009, the Slovenian Communication Office launched a public call for applications to co-finance communication and educational activities on European affairs, which included a special lot on awareness-raising and combating prejudices against Roma, and to finance NGO activities in this field. The promotion of the objectives of the 'Dosta!' campaign was a precondition. Activities were also carried out at other venues, such as the Student Arena, Young Volunteers' Festival, Rock Otočec, weeks of culture, summer camps for Roma and other young people, etc.

Campaign materials were distributed at all relevant events: leaflets, posters, CDs with a Roma adaptation of the EU anthem (Music beyond Prejudice), manuals, bags with the campaign logo, etc.

In November 2009, the 'Dosta!' campaign was taken to primary schools – the Minister of Education and Sport and the Director of the Government Office for Nationalities invited schools to include in their regular work activities intended to promote and disseminate the objectives of the campaign among young people with the aim of reducing prejudice and eliminating stereotypes.

In 2009, the famous entertainers Murat & Jose, whose music focuses on the importance of respecting diversity, became the campaign's ambassadors. In this capacity, they have participated in campaign events, in particular those addressing young people.

Particularly active are members of the Roma community, who organised a great number of events on the issue of how to reduce intolerance against Roma. The Roma Information Centre (ROMIC) prepared the campaign song 'Dosta! – Hejrin!', which highlights the campaign's key message.

In April 2010, to mark the conclusion of the festival of Roma culture, Romano Chon/Roma Month, the Slovene Ethnographic Museum premiered a 32-minute youth documentary 'The Dreams of a Black-and-White Rainbow', produced in the context of the Council of Europe's campaigns 'Dosta! Go beyond Prejudice, Discover the Roma' and 'Speak Out against Discrimination'. The film was created by participants in 'Project Learning for Young Adults' programme implemented by the Bob Institute in Ljubljana. Focusing on diversity as the only common denominator between different people, the film shows that diversity is in fact positive; it points to the negative effects of stereotypes and prejudice, and at the same time calls for tolerance, intercultural dialogue and respect for all people. Through individual stories and personal experience, the film offers an insight into the lives of those experiencing discrimination on a daily basis, as well as of those combating discrimination. The film is now available on DVD, which also features TV clips on spaces of diversity prepared by the Information Office of the Council of Europe in the Republic of Slovenia in cooperation with Studio 12. In 2009, in the context of the campaign 'Speak Out against Discrimination', the Information Office of the Council of Europe in the Republic of Slovenia organised numerous events, public debates – spaces of diversity – in environments inhabited by groups who are subject to the greatest prejudice and stereotyping. A possible teaching tool, the DVD was enclosed with a letter signed by the Director of the Government Office for Nationalities and the former Director of the Information Office of the Council of Europe in the Republic of Slovenia and sent to all elementary and secondary schools in Slovenia. Schools were also invited to use this teaching tool to relay the message of the 'Dosta!' and 'Speak Out against Discrimination' campaigns.

### **Anti-discrimination activities contained in the National Programme of Measures for Roma for the Period 2010–2015**

Along with the implementation of the 'Dosta!' campaign, the National Programme of Measures for Roma for the Period 2010–2015 provides for other targeted activities to combat discrimination against Roma, such as workshops aimed at raising awareness and eliminating prejudice and stereotypes about Roma, round tables, consultations, small-scale awareness-raising campaigns, etc. It also envisages special training for civil servants who, in their everyday work, encounter members of the Roma community. The training is aimed at advancing and facilitating understanding and identifying different forms of discrimination; teaching civil servants a proper approach and training them to recognise and overcome different stereotypes and prejudice when dealing with those who are 'different' or relegated to the social margins, notably Roma, whose social exclusion is due to their origin, values, way of life, affiliation, personal traits, etc. One such training event – Recognising stereotypes, overcoming prejudice and eliminating discrimination in a multicultural society – is currently underway. Implemented by the Police for eight years now, the programme is well tried and tested and may be used by other civil servants. Activities in the context of the 'Dosta!' campaign continue and will be presented in training sessions.

### **Commentary on the section addressing nationals of other republics of former SFRY who were deleted from the register of permanent residents**

In paragraph 10 and paragraphs 62–66, the Third Opinion addresses the status of persons deleted from the register of permanent residents. In paragraphs 143 and 151, the conclusion of the Opinion addressed the persons deleted. The third additional recommendation also refers to this group.

With regard to the wording of the article in the new Act Amending the Act Regulating the Legal Status of Citizens of Former Yugoslavia living in the Republic of Slovenia (Official Gazette of the Republic of Slovenia, No. 76/10 – official consolidated text, hereinafter the Act), which regulates actual living in Slovenia, the Opinion expresses uncertainties about whether those who have spent more than ten years abroad as a result of having been deleted may acquire a permanent residence permit. It proposes an interpretation or implementation of the Act that would enable retroactive access to permanent residence to as many of those who were deleted (in the conclusion of the Opinion and one of the Further Recommendations), and are consequently resident abroad, as well as to provide as much information on the procedure as possible.

In Article 1č, the Act defines actual living in Slovenia, the conditions for the issue of a permanent residence permit, and the absences from Slovenia that do not constitute an interruption of actual living. The provision also defines the permitted duration of absence and reasons of justified absence that do not constitute an interruption of actual living in Slovenia. Absence from Slovenia for a period of not more than a year does not interrupt the status of actual living in Slovenia regardless of the reason for absence. If the absence continued for more than a year, the condition of actual living in Slovenia is fulfilled if the absence is justified with one of the reasons defined in Article 1č, paragraph 3 (justified reasons include leaving Slovenia as a result of being deleted from the register of permanent residents; actual living would also not be interrupted if a person left Slovenia because they could not obtain a permanent residence permit in the Republic of Slovenia due to non-fulfilment of the conditions, or because the application for such a permit had been turned down or dismissed, or the proceedings had been suspended – as regards the verification of the stated reason, data can be obtained from official records that are kept on all procedures of residence permit issues and from administrative files on the matter – or if a person was unable to return to Slovenia due to the war in other successor states of former Yugoslavia or for health reasons; the condition of actual living would also be met if a person had been expelled from the country or denied entry to it.

Permitted absence from Slovenia due to one of the justified reasons of absence set forth in the above provision may continue for five years (except in the case of absence due to reasons from Article 1č, paragraph 3, indent 2, including when a person is sent abroad to work, study or for treatment, or if they are employed on a ship with a home port in the Republic of Slovenia; in these cases, absence is justified for the duration of the referral).

If the absence due to reasons defined in the Act as justified continued for more than five years, it is considered that the condition of actual living has been met for the period of five years. For any longer periods of absence (including absence of more than 10 years), the condition of actual living in Slovenia is fulfilled if that person, after the five years of permitted absence, attempted to return to Slovenia in the second five-year period and continued to reside in Slovenia, which can be inferred from their actions in the second five-year period.

According to the Act, a permanent residence permit may be obtained by persons deleted from the register of permanent residents who do not live in Slovenia due to justified absence (e.g. in the event they left Slovenia as a result of having been deleted). If the condition of actual living in Slovenia is met, the Act allows for the issue of a permanent residence permit to those deleted from the register of permanent residents who left Slovenia for a justified reason as early as in 1992 and have not lived in Slovenia since.

Recognising the importance of disseminating information to persons deleted from the register of permanent residents and to the public regarding the Amending Act, the Government presented, through various activities, the Amending Act to all those interested prior to its enforcement.

The Ministry of the Interior issued a special brochure that is available to all those interested at all administrative units in Slovenia and diplomatic missions and consular posts of the Republic of Slovenia in the successor states of former Yugoslavia. It was also distributed to NGOs. The brochure includes an explanation of the procedure, the conditions for the issue of a permanent residence permit and the retroactive issue of a special decision. It also sheds light on the provision addressing the reasons and duration of permitted absence.

All the necessary information is also available in six languages at the website of the Ministry of the Interior ([www.infotujci.si](http://www.infotujci.si)) and at the website of the Ministry of Foreign Affairs ([www.mzz.gov.si](http://www.mzz.gov.si)). A free phone service has been operated by the Ministry of the Interior since 20 July 2010, providing information regarding the Act.

The Ministry of the Interior prepared written guidelines for work pertaining to the implementation of the provisions of the Act for all officials who conduct the procedure in administrative units and take decisions according to the Act. The guidelines feature an interpretation of the provision addressing the justified duration of absence (which may exceed 10 years). In July 2010, before the entry into force of the Amended Act, officials from administrative units attended specialised training and were presented the Amended Act at the Administrative Units Days in November 2010.

The opinion of the Advisory Committee states that problems may arise in cases of those deleted persons who left Slovenia as a result of having been deleted and who live abroad, since they will have to prove during the procedure that they were expelled from the country or had to leave it due to the deletion. In many cases, this could prove difficult and result in discriminatory treatment.

The fulfilment of the condition of actual living in Slovenia in the procedure under the Act is attested in accordance with the rules set forth by the General Administrative Procedure Act. Pursuant to the latter Act, the meeting of this condition may be attested through various certificates, including enrolment certificates, employment contracts, rental agreements, employment booklets, certificates of pension, disability and health insurance, certificates on payment of taxes, rent, electricity, public utility service, adequate documents regarding the use of the health service etc.

Witnesses proposed by the person deleted may attest to meeting the condition of actual living in Slovenia (including the justified reason of absence, such as leaving Slovenia as a result of having been deleted from the register of permanent residents). The person may also submit their own statement as evidence. If the witnesses or the person do not live in Slovenia, the hearing or the official submission of the statement may be conducted at a diplomatic mission or consular post of the Republic of Slovenia where the witness or the person live.

Whether the condition of actual living is met may also be established on the basis of data from the relevant records (including residence permits and visas). Even when the person states that they left Slovenia because they could not obtain a residence permit due to non-fulfilment of the conditions resulting in their application being denied, dismissed or the proceedings being suspended, the data may be obtained from official records that are kept in Slovenia for all procedures of residence permit issues and also from the administrative files. The central record records all applications and all decisions (even negative). As a result, the person is not required to enclose any certificates attesting to their application for the issue of a residence permit when such a permit was not granted.

One of the justified reasons which does not interrupt the status of actual living is expulsion from Slovenia. Until 1997, no central computer register was kept on those expelled from the country; as a result, this reason may not be verified through records. The documentation cannot be obtained from the police records, as it was destroyed after the expiry period in accordance with the rules on handling documentary material. The person may attest to being expelled during the procedure of the issue of a permanent residence permit through documents, notably a passport that contains a note regarding the expulsion. If not, the person can call witnesses proposed, or submit a statement regarding the expulsion.

Aliens expelled since July 1997 are listed in a central record.

We believe that no discriminatory treatment occurs in the process of establishing the conditions for the issue of a permanent residence permit under the Act, or in the process of establishing evidence. The person may lodge an appeal against a negative decision of an administrative unit at the Ministry of the Interior and may initiate an administrative dispute before the Administrative Court of the Republic of Slovenia against a negative decision of the Ministry of the Interior regarding the appeals procedure.

## **Paragraphs 14 – Legislation and Institutions, 39–41, and 43 – Implementation of Article 4 of the Framework Convention**

### **Implementation of the Principle of Equal Treatment Act and the Advocate of the Principle of Equality**

The Government of the Republic of Slovenia understands its responsibility to meet the obligations undertaken by Slovenia as party to universal and European legal instruments governing human rights, as well as obligations assumed through political commitments at the international level; therefore, it regularly monitors and evaluates the adequacy of institutional capacity in the field of equality and protection against discrimination.

On 24 June 2010, the Government established an Inter-ministerial Working Group responsible for the preparation of an institutional framework for ensuring equality and protection against discrimination (Decision of the Government of the Republic of Slovenia No. 07901-4/2010/8). The Inter-ministerial Working Group was tasked with identifying Slovenia's obligations arising from EU legislation and other international instruments; analysing the existing institutional framework for ensuring equality and protection against discrimination in Slovenia; and drafting a proposal for a new concept of the institutional framework for policy-making, the promotion of equality, the monitoring of the situation of social groups, and the provision of legal assistance to victims of discrimination.

The analysis of the existing institutions responsible for policy-making in the field of protection against discrimination showed that it is necessary to improve the monitoring of the situation of social groups and their members in various fields, analyses of and research into discrimination, and verification of the implementation of adopted measures and their effectiveness. The analysis also confirmed that the criticism and recommendations of certain national and international institutions regarding the existing institutional framework for ensuring protection against discrimination are justified: the existing framework is deficient and dispersed, as well as lacking in visibility, and is consequently insufficiently effective. Slovenia guarantees some independent assistance to victims of discrimination, and general counselling regarding discrimination; however, none of the existing bodies in the field of equality and protection against discrimination has a status independent enough to ensure independent research into, and analyses of, discrimination, to publish independent reports, or draw up recommendations for the adoption of non-discrimination measures and awareness-raising.

In order to ensure Slovenia's full adherence to the effective European and universal standards, the analysis proposes two possible institutional frameworks for policy-making and two for protection against discrimination. In April 2011, the Government reviewed the analysis and decided to use it as a basis for regulating the area of non-discrimination and human rights as part of a comprehensive reform of the state administration (Decision of the Government of the Republic of Slovenia No. 07901-6/2010/11 of 14 April 2011).

Based on the findings from this analysis, the Office of the Republic of Slovenia for Equal Opportunities – in pursuance of its duty of coordinating the activities of ministries and government offices which concern the implementation of the Implementation of the Principle of Equal Treatment Act (Official Gazette of the Republic of Slovenia No. 93/01-UPB1) – has already launched the process of establishing an Inter-ministerial Working Group responsible for preparing amendments to the Implementation of the Principle of Equal Treatment Act. The process of amending the Act is an opportunity to regulate more adequately the status, role, competence and activities of the Advocate of the Principle of Equality.

### **Activities aimed at raising awareness of the issue of discrimination and its extent in Slovenia**

In 2009, the Office of the Republic of Slovenia for Equal Opportunities took part in the call for applications of the European Commission for the co-financing of non-discrimination projects in the framework of the PROGRESS programme, and won funds for the realisation of the project Equal in Diversity, aimed at raising awareness in Slovenia of the prohibition, and harmful effects of discrimination and overcoming all forms of stereotype and prejudice. In 2010, the project served as a framework for organising a two-day workshop on non-discrimination for non-governmental organisations, a seminar on

non-discrimination for decision-makers in public administration at the national and local levels, and a two-day workshop on non-discrimination awareness-raising for judges. A national media campaign was also part of the project, aimed at raising the public awareness of the issue of discrimination and its extent, and promoting tolerance and respect for diversity through billboards and TV and radio spots. The general media campaign was further supported by a short educational film 'The Smile', which looks into the issue of youth stereotypes and prejudice towards diversity arising from different personal situations; the film was distributed among all Slovenian secondary schools. As part of the project, the following activities were carried out to promote advocacy of the principle of equality: the launching of the website [www.enakost.si](http://www.enakost.si) or [www.zagovornik.net](http://www.zagovornik.net), and the preparation and distribution of brochures and leaflets informing about the duties and competences of the Advocate of the Principle of Equality and key notions in the field of discrimination, and explaining the procedure for reporting violations of the prohibition of discrimination. The project concluded with a conference intended for management in companies and personnel services, those who work in the field of discrimination in employment, trade unions, academics, and the public. The conference presented the findings of a study of discrimination at work, employers' statutory obligations and employees' rights, the practices of the labour inspectorate, the Advocate of the Principle of Equality and a judge in a labour court. The project made an important contribution to raising the awareness of the wider Slovenian public and particularly to sensitising specific target groups (NGO representatives working in the field of ensuring equality and protection against discrimination, decision makers, judges and secondary school students).

Also in 2010, the Office of the Republic of Slovenia for Equal Opportunities won funds in the framework of the PROGRESS programme; in 2011, the Office pursues – in the framework of the project 'Achieve Equality in Diversity' (Doseči enakost v raznolikosti) – the activities of the previous project, and has thus far organised a non-discrimination workshop for NGOs and a seminar for decision makers. In the coming months, a workshop will be organised for judges, while the general public will be addressed through a national media campaign.

**Further recommendations (pp. 32 and 33, indents 2 and 8)**

Establishing and considering the needs of minority communities is one of the fundamental principles of the model implemented by the Department for Cultural Diversity and Human Rights, Ministry of Culture. The Department regularly engages in consultations with minority representatives. Taking into account the diversity within minority communities (particularly Roma), the department offers the possibility of direct talks with artists (as published on the website of the Ministry of Culture, Wednesdays are open days of the Head of the Department for Cultural Diversity and Human Rights).

**Further recommendations (p. 32, indent 4)**

Ensure that no discrimination arises in practice for persons belonging to non-recognised groups, such as persons belonging to the "new national communities" and the German-speaking community and that adequate resources are allocated for the preservation of the languages and culture of these persons.

Findings show that the requirements expressed for cultural activities are five times greater than the funds available. As a result, an increase of at least 30% was envisaged in the new National Programme for Culture. Thereby, despite the crisis, the lack of funding will not affect minority communities. Despite the financial crisis, the Ministry of Culture increased resources for the Roma and German-speaking communities; for many others, it ensured the involvement of another public institution, the Public Fund for Cultural Activities, with a view to providing funds from local resources (the Fund's branch offices). The Ministry of Culture also took special affirmative measures for these communities, which meant that negative discrimination has never occurred in the field of culture. On the contrary, the Ministry has been protecting these minority communities since 1992, and it was precisely the area of culture that encompassed every minority community, all in accordance with the Ministry's competences.

Turning to specific support for the German-speaking group in the field of culture, we believe that the systematic introduction of as much as five different options is an adequate solution; however, the group has failed to make use of all five options. The five options are as follows:

1. A special programme of the Public Fund for Cultural Activities (amateur activities).
2. A programme on the basis of the cultural agreement with Austria – a 100% increase in available funds in 2010 compared to 2009.
3. An integration programme – at present, a large project is under way for their presentation in the City Museum of Ljubljana; furthermore, a number of projects in the field of cultural heritage protection have been financed.
4. A programme financed from the European Social Fund (Public Tender for the Selection of Development Projects to Improve Employability of Vulnerable Social Groups in the Field of Culture and to Support their Social Inclusion within the European Social Fund as part of the Operational Programme for Human Resources Development for the Period 2007–2013. Development priorities: “Social inclusion and equal opportunities” and Priorities 4.3: “Improving the employability of vulnerable social groups in the field of culture and supporting their social inclusion” – in 2011, funding was increased to 2 million euros. However, no applications from the German-speaking group have been received.
5. Each year, registered publishers may apply to the regular annual public project call for applications for the co-financing of media programme contents. The calls for applications have never imposed any limitations in terms of the language of dissemination. Unfortunately, thus far, no applications have been submitted by media operating in a language other than Slovenian. The Media Act (Article 5, paragraph 4) stipulates that publishers founded and registered in the Republic of Slovenia must disseminate programming in Slovenian, or translate programming into Slovenian in an appropriate manner, unless programming is primarily intended for readers, listeners or viewers from any other language group. Programming may also be disseminated in the language of the language community for which the programming is intended. The data acquired shows that eight media outlets currently list Croatian or German as their language of dissemination apart from Slovenian.

The Ministry of Culture does not have a legal basis for the long-term financing of those minorities that are not constitutionally recognised. With regard to the two constitutionally recognised national communities, the Ministry of Culture largely and regularly finances the two cultural institutions, the establishers of which are the central organisations of the Italian and Hungarian national communities.

#### **Further recommendations (p. 32, indent 5)**

Make further efforts to combat all forms of intolerance and hate speech targeting persons belonging to minorities and other groups, including in the political life and the media; encourage public media to provide the general public with further, unbiased information on the history, culture and languages of the national minorities.

The Government consistently and resolutely fights intolerance and hate speech directed at members of minorities and other groups, both in the political sphere and the media. Having received news of stickers reading CIGANI RAUS! (Gypsies Raus!) featuring a neo-Nazi swastika, on 22 July 2011 in Lendava, Dr Boštjan Žekš, who is temporarily heading the Ministry of Culture, voiced concern and condemned such and any other hate speech aimed at the Roma community in our society. “Such extremist outbursts must be followed by deep reflection, but particularly responded to with enhanced efforts and actions towards a consistent respect for human rights and the realisation of equal opportunities for all, for the implementation of intercultural dialogue, solidarity and cooperation,” Dr Žekš underlined in a press release. On the occasion of the Ljubljana Pride Parade on 5 July 2010, referring to banners featuring messages of intolerance, Minister of Culture Majda Širca said that they were – literally – pillories of present-day society, and that it was only right that they be torn down with an expression of pride (the Pride Parade) that articulates tolerance and the connections between people. “Casual, unverified remarks, thoughtless claims, generalised beliefs...that so easily permeate the public sphere, can dangerously

reduce the level of our communication, and, as a result, our quality of life. Words should be instruments for cultivated relations within a society. When words become weapons that undermine freedoms, human rights and dignity, our relationships will grow ever less cultivated and increasingly black-and-white, whether in the political, cultural, family, social or intimate spheres,” she underlined. A year earlier, on 26 June 2009, Minister Širca signed the Petition against Homophobia, thereby condemning the brutal attack by masked perpetrators on radio reporter Mitja Blažič, who had been participating in an evening of gay and lesbian literature.

The Media Act guarantees the constitutional right to freedom of expression; this right is limited by a prohibition on the dissemination of programme content constituting an incitement to national, racial, religious, sexual, or other inequality, to violence or war, or which encourages hatred and intolerance on the basis of nationality, race, religion, sexual orientation or any other circumstance. Hate speech is a criminal offence under the Criminal Code of the Republic of Slovenia.

The Media Act guarantees freedom of expression, the inviolability and protection of the human personality and dignity, the free flow of information, media openness to different opinions and beliefs and diverse content, the autonomy of editorial personnel, journalists and other authors in creating programming in accordance with programme concepts and professional codes, and the personal responsibility of journalists, other authors of pieces and editorial personnel for the consequences of their work. The state must not intervene in the editorial independence of the media.

When creating programme contents, editors, journalists and other authors are obliged to act in compliance with ethical and professional rules and standards, or the code of conduct for reporters. The violation of general ethical norms, such as the prohibition on inciting hatred as provided for in the code of conduct for reporters may result in a verdict by the Journalists’ Court of Honour, which does not have the nature of a judgement of a court, but may finally also cause the expulsion of a journalist from professional organisations.

The Ministry of Culture, Directorate for Media, aims to enhance the significance of tolerance in the media through adequate measures, i.e. by introducing the tolerance criterion “guaranteeing respect for the principle of cultural diversity, the equal opportunities principle, and the application of tolerance”; meeting this criterion wins additional points for projects participating in calls for applications. This criterion was taken into account in the implementation of the regular annual project call for applications for the co-financing of media programming (co-financing radio and television programmes having the status of local, regional, student or non-profit radio or television programmes).

The Republic of Slovenia also launched the internet reporting portal SPLETNO-OKO.SI, where online hate speech may be reported anonymously.

### **Education of the Italian and Hungarian national communities**

On 16 September 2011, the Ministry of Education and Sport published in the Official Gazette of the Republic of Slovenia a call for applications titled “E-Competences of teachers in bilingual schools” aimed at developing and introducing a teaching model using information and communication technologies in bilingual education from kindergarten to secondary school, which would facilitate the realisation of education objectives and the national and European policies and ensure equality between the minority and majority languages.

### **Education of Roma**

As regards the education of Roma and the formation of Roma classes, the Government has undertaken the following:

- Adoption of amendments to the Strategy for the Education of Roma in the Republic of Slovenia;
- Continuation of activities within the European Social Fund project “Raising the social and cultural capital of the Roma community”; results thus far point to success;
- Conclusion of Phase 1 of the project concerning the inclusion of Roma assistants in educational institutions; the results are promising, and a wealth of material on the Roma language, culture and history has been collected; Phase 2 of the project, focusing on the inclusion of Roma assistants in educational institutions, has been launched.



As regards paragraph 106, we propose an amendment, so that the paragraph begins as follows:

106. The Advisory Committee welcomes the fact that, following the adoption in 2004 of the strategy for the education of Roma and *abolition of the regulations referring to the formation of Roma classes*, practices of separation or isolation of Roma children have reportedly mostly disappeared ...