

**EUROPEAN COMMITTEE OF SOCIAL RIGHTS
COMITE EUROPEEN DES DROITS SOCIAUX**



10 December 2009

**REPORT ON SLOVENIA
WITHIN THE FRAMEWORK OF THE PROCEDURE
ON NON-ACCEPTED PROVISIONS
(ARTICLE 22 OF THE 1961 CHARTER)**

Document prepared by the Secretariat

Situation of Slovenia on 30 November 2009

Ratifications

Slovenia ratified the Revised European Social Charter on 07/05/1999 and has accepted 95 of the Revised Charter's 98 paragraphs.

Slovenia ratified the Collective Complaints Protocol on 07/05/1999. It has not yet made a declaration enabling national NGOs to submit complaints.

1.1	1.2	1.3	1.4	2.1	2.2	2.3	2.4	2.5	2.6	2.7	3.1	
3.2	3.3	3.4	4.1	4.2	4.3	4.4	4.5	5	6.1	6.2	6.3	
6.4	7.1	7.2	7.3	7.4	7.5	7.6	7.7	7.8	7.9	7.10	8.1	
8.2	8.3	8.4	8.5	9	10.1	10.2	10.3	10.4	10.5	11.1	11.2	
11.3	12.1	12.2	12.3	12.4	13.1	13.2	13.3	13.4	14.1	14.2	15.1	
15.2	15.3	16	17.1	17.2	18.1	18.2	18.3	18.4	19.1	19.2	19.3	
19.4	19.5	19.6	19.7	19.8	19.9	19.10	19.11	19.12	20	21	22	
23	24	25	26.1	26.2	27.1	27.2	27.3	28	29	30	31.1	
31.2	31.3								Gray = Accepted provisions			

Reports

Between 2000 and 2009 Slovenia submitted 8 reports on the Revised Charter.

Its 8th report on the thematic group ' health, social security and social assistance' was submitted on 09/02/09.

Collective Complaints:

- European Federation of National Organisations working with the Homeless (FEANSA v. Slovenia): alleged violation of Article 31 (right to housing) and 16 (the right of the family to social, legal and economic protection), read alone or in conjunction with Article E (non discrimination) of the Revised Charter.

PROCEDURE PROVIDED BY ARTICLE 22 OF THE CHARTER

Under the procedure provided by Article 22 of the Social Charter – examination of non-accepted provisions - agreed by the Committee of Ministers in December 2002¹, the Deputies had decided that "states having ratified the Revised European Social Charter should report on the non-accepted provisions every five years after the date of ratification" and had "invited the European Committee of Social Rights to arrange the practical presentation and examination of reports with the states concerned".

Following this decision, five years after ratification of the Revised Social Charter (and every five years thereafter), the European Committee of Social Rights would review non-accepted provisions with the countries concerned, with a view to securing a higher level of acceptance. Experience had shown that states tended to forget that selective acceptance of Charter provisions was meant to be a temporary phenomenon. The aim of the new procedure was therefore to require them to review the situation after five years and encourage them to accept more provisions.

In the case of Slovenia, the European Committee of Social Rights, by a letter dated 31 March 2009, asked Slovenian authorities to produce a report on the non-accepted provisions of the Revised Charter, namely Articles 18§2, 13§1 and 13§4 by 30 June 2009. As of 1 December 2009 no report had been received.

The Committee refers to its report of 15 September 2004 on the meeting with the Slovenian Government within the framework of Article 22 Procedure, where the Committee noted that there was an obstacle in Slovenian legislation to the acceptance of Article 13§1 of the Revised Charter (nationality requirement for access to full social assistance). As regards the other provisions concerned the Committee found no obstacles to their acceptance by Slovenia. The Committee thus reiterates its encouragement of the authorities to accept these provisions of the Revised Charter.

¹ Committee of Ministers decision of 11 December 2002.