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**STATUS OF HUMAN RIGHTS IN THE REPUBLIC OF SLOVENIA
FOR THE 48TH SESSION OF THE
UNIVERSAL PERIODIC REVIEW**

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Introduction

1. The European Centre for Law and Justice (ECLJ) is an international, non-governmental organization dedicated to promoting and protecting human rights around the world. The ECLJ also holds Special Consultative status before the United Nations Economic and Social Council. This report discusses the status of human rights in the Republic of Slovenia (Slovenia) for the 48th session of the Universal Periodic Review (UPR).

Background

2. Slovenia is a country located in central Europe and has a population of approximately 2.1 million people.¹ The country is predominantly Christian, with approximately 57% of the population identifying as Roman Catholic, 26% as other, 10% as atheist, 2% as Muslim, and 2% as Orthodox Christian.²

3. Slovenia's previous review was held on November 12, 2019.³ As a result of the review, Slovenia received 215 recommendations, 182 of which it supported.⁴ While there were no recommendations made regarding euthanasia, in March 2024, the government announced that there would be a referendum on allowing for medically assisted suicide.⁵ Regarding human trafficking, it was recommended by Australia, and supported by Slovenia, that the government "[s]trengthen measures to prevent trafficking for the purposes of sex and forced labour, including measures to identify and support victims and those at risk of trafficking, and dedicate resources to investigate, prosecute and punish perpetrators."⁶ There were no recommendations made regarding religious freedom.

Legal Framework

Euthanasia

4. Article 17 of the Constitution of Slovenia states that "[h]uman life is inviolable."⁷ Similar rights are also enshrined in numerous international human rights documents, such as the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), and the Convention on the Rights of Persons with Disabilities

¹ *Slovenia Summary*, BRITANNICA (July 8, 2024), <https://www.britannica.com/place/Slovenia>.

² *Id.*

³ *Universal Periodic Review – Slovenia*, OHCHR, <https://www.ohchr.org/en/hr-bodies/upr/si-index> (last visited July 8, 2024).

⁴ *Slovenia Infographic*, OHCHR, https://www.ohchr.org/sites/default/files/lib-docs/HRBodies/UPR/Documents/Session34/SI/Slovenia_Infographic.pdf (last visited July 8, 2024).

⁵ *Referendum on Assisted Dying Announced*, SLOVENIA TIMES (Mar. 8, 2024), <https://sloveniatimes.com/40298/referendum-on-assisted-dying-announced>.

⁶ OHCHR, UPR of Slovenia (3rd Cycle – 34th Session): Thematic List of Recommendations, https://www.ohchr.org/sites/default/files/lib-docs/HRBodies/UPR/Documents/Session34/SI/UPR34_Slovenia_Thematic_list_of_Recommendations.docx (last visited July 8, 2024).

⁷ CONSTITUTION OF SLOVENIA 1991 (rev. 2013), art. 17.

(CRPD). Slovenia is a party to those documents and is responsible for upholding the rights enshrined within.⁸

5. Under Article 3 of the UDHR, “[e]veryone has the right to life, liberty and security of person.”⁹ This right is also enshrined with similar language in Article 6 of the ICCPR, which guarantees that “[e]very human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.”¹⁰

6. Additionally, the CRPD requires States Parties to recognize “the need to promote and protect the human rights of all persons with disabilities, including those who require more intensive support.”¹¹ Moreover, under Article 10 of the CRPD, “States Parties reaffirm that every human being has the inherent right to life and shall take all necessary measures to ensure its effective enjoyment by persons with disabilities on an equal basis with others.”¹²

Human Trafficking

7. Under Article 113 of the Criminal Code of the Republic of Slovenia:

(1) Whoever purchases another person, takes possession of it, accommodates it, transports it, sells it, delivers it or disposes with it in any other way, or acts as a broker in such operations, for the purpose of prostitution or other forms of sexual exploitation, forced labour, enslavement, servitude or trafficking in organs, human tissues or blood,

shall be punished by imprisonment of one up to ten years.

8. Although prostitution in Slovenia has been decriminalized since 2003,¹³ it is against the law to engage in exploitative purposes. Under Article 185 of the Criminal Code of the Republic of Slovenia:

(1) Whoever participates for exploitative purposes in the prostitution of another person or instructs, obtains or encourages another person to engage in prostitution with force, threat or deception,

shall be punished by imprisonment of three months up to five years.¹⁴

⁸ *Status for Slovenia*, OHCHR, https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=159 (last visited July 8, 2024).

⁹ G.A. Res. 217 (III) A, Universal Declaration of Human Rights, art. 3 (Dec. 10, 1948).

¹⁰ International Covenant on Civil and Political Rights art. 6, *adopted* Dec. 16, 1966, 999 U.N.T.S. 171, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights> [hereinafter ICCPR].

¹¹ Convention on the Rights of Persons with Disabilities pmb., *adopted* Dec. 12, 2006, 2515 U.N.T.S. 3, <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-persons-disabilities>.

¹² *Id.* art. 10.

¹³ Leja Markelj et. al., *Sex Work in Slovenia: Assessing the Needs of Sex Workers*, BRITISH SOCIO. ASS’N (June 14, 2021), <https://journals.sagepub.com/doi/10.1177/13607804211018480#bibr50-13607804211018480>.

¹⁴ CRIMINAL CODE OF THE REPUBLIC OF SLOVENIA art. 185, https://www.vertic.org/media/National%20Legislation/Slovenia/SI_Criminal_Code.pdf.

9. Moreover, Article 8 of the ICCPR states that “[n]o one shall be held in slavery; slavery and the slave-trade in all their forms shall be prohibited. No one shall be held in servitude.”¹⁵

10. Further, Slovenia is a party to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).¹⁶ Under Article 6 of the CEDAW, “States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.”¹⁷

11. Additionally, Slovenia is a party to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.¹⁸ Under Article 9 sec. 1 of this Protocol:

1. States Parties shall establish comprehensive policies, programmes and other measures:

(a) To prevent and combat trafficking in persons; and

(b) To protect victims of trafficking in persons, especially women and children, from revictimization.¹⁹

Euthanasia

12. In July 2023, the National Assembly of the Republic of Slovenia overwhelmingly rejected a bill that would have legalized euthanasia.²⁰ However, on March 7, 2024, the National Assembly announced that it would hold a referendum on the question of allowing euthanasia in Slovenia.²¹ Tragically, it looks like the referendum on euthanasia might pass, as one public opinion poll showed that 63.5% of respondents support euthanasia.²² Silver Thread, an NGO campaigning for legalizing euthanasia, shared that “[t]hree opinion polls over a period of one and a half years have confirmed majority public support, regardless of gender, age, education or place of residence, and only marginally dependent on political and world views. This confirms that the vast majority of people want a death without suffering.”²³ Sadly, Silver

¹⁵ ICCPR art. 8, *supra* note 10.

¹⁶ *Status for Slovenia*, *supra* note 8.

¹⁷ Convention on the Elimination of All Forms of Discrimination Against Women art. 6, *adopted* Dec. 18, 1979, 1249 U.N.T.S. 13, <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>.

¹⁸ *Chapter XVIII Penal Matters: 12. a Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime*, UNITED NATIONS TREATY COLLECTION, https://treaties.un.org/pages/viewdetails.aspx?src=ind&mtdsg_no=xviii-12-a&chapter=18 (July 8, 2024).

¹⁹ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime art. 9 § 1, *adopted* Nov. 15, 2000, 2237 U.N.T.S. 319, https://treaties.un.org/doc/Treaties/2000/11/20001115%2011-38%20AM/Ch_XVIII_12_ap.pdf.

²⁰ *Slovenia: Referendum on Assisted Dying*, WORLD FED’N OF RIGHT TO DIE SOCIETIES (Mar. 12, 2024), <https://wfrtds.org/slovenia-referendum-on-assisted-dying/>.

²¹ *Referendum on Assisted Dying Announced*, SLOVENIA TIMES (March 8, 2024), <https://sloveniatimes.com/40298/referendum-on-assisted-dying-announced>.

²² *Slovenia: Referendum on Assisted Dying*, *supra* note 20.

²³ *Enough Signatures Collected to Table Assisted Dying Bill*, SLOVENIA TIMES (June 5, 2023), <https://sloveniatimes.com/38656/enough-signatures-collected-to-table-assisted-dying-bill>.

Thread’s summation of what the polls indicate is inaccurate. The more truthful statement would be that the majority of people polled do not understand the truth of euthanasia and its effects.

13. Even though opinion polls may show that a majority of Slovenians support euthanasia, this view is not shared by the medical community, the very individuals who would be tasked with implementing this life taking procedure. The Slovenian National Medical Ethics Committee (SNMEC) issued a statement saying that “euthanasia changes the cultural and civilisational tradition of our society and interferes with the relationship between physicians and patients, between the health sector and society.”²⁴ Instead of simply killing the elderly and sick, the SNMEC urges that the focus should be on improving palliative and long-term care.²⁵

14. UN human rights experts are also concerned with what they see as a growing trend in the world of legalizing medically assisted suicide because one is disabled or growing old.²⁶ As they noted:

These assumptions, which are grounded in ableism and associated stereotypes, have been decisively rejected by the Convention on the Rights of Persons with Disabilities. Disability is not a burden or a deficit of the person. It is a universal aspect of the human condition.

Under no circumstance should the law provide that it could be a well-reasoned decision for a person with a disabling condition who is not dying to terminate their life with the support of the State.²⁷

15. Euthanasia is in contravention of fundamental human rights documents, such as the UDHR, ICCPR, and the CRPD. These instruments require States Parties to respect and protect the lives of all people without exception. States have an obligation not to take part in the intentional killing of a person by a third party, either by providing the means or by not preventing it when possible. It is without doubt that legalizing euthanasia will result in the deaths of thousands of people in Slovenia. For example, Belgium first decriminalized euthanasia in 2002, and in that year, twenty-four people were euthanized.²⁸ Since then, that number has continued to rise substantially, and in 2023, 3,423 people were euthanized in Belgium.²⁹

Human Trafficking

16. In Slovenia, refugees and undocumented migrants are the most susceptible to being exploited by human traffickers.³⁰ This is because Slovenia serves as a transit country due to

²⁴ Marisa Cantu, *Slovenian Government Wants Referendum on Euthanasia*, HUMAN LIFE INT’L (Mar. 12, 2024), <https://www.hli.org/2024/03/government-of-slovenia-euthanasia-referendum/>.

²⁵ *Id.*

²⁶ *Disability is not a Reason to Sanction Medically Assisted Dying – UN Experts*, OHCHR (Jan. 25, 2021), <https://www.ohchr.org/en/press-releases/2021/01/disability-not-reason-sanction-medically-assisted-dying-un-experts>.

²⁷ *Id.*

²⁸ *Number of Registered Euthanasia Instances in Belgium from 2002 to 2023*, STATISTA (May 7, 2024), <https://www.statista.com/statistics/1098051/number-of-euthanasia-instances-registered-in-belgium/>.

²⁹ *Id.*

³⁰ *Country Profiles Slovenia*, INTEGRAL HUMAN DEV., <https://migrants-refugees.va/country-profile/slovenia/> (last visited May 14, 2024).

refugees and migrants traveling on the Balkan route in order to reach Western Europe.³¹ In fact, over a four-year span, Slovenian authorities intercepted 52,000 irregular migrants attempting to travel through Slovenia.³² In 2022, this problem was further exacerbated by the war in Ukraine, which led to 26,000 Ukrainian citizens, mainly women and children, migrating from Ukraine.³³ The government has warned Ukrainian refugees that people might try to take advantage and traffic them by offering them fake jobs or transportation.³⁴

17. Although human trafficking is a major issue in Slovenia, between 2019 and 2021, the government only identified seventy-four victims of human trafficking.³⁵ In 2022, the government only identified six cases of human trafficking involving twenty-five suspects.³⁶ However, none of the cases investigated in 2022 resulted in successful convictions.³⁷ The majority of these victims were women from foreign countries who were being trafficked for sexual exploitation.³⁸ Many of these women are forced into prostitution in brothels and nightclubs that attract clients from countries across Europe.³⁹

18. Slovenia has difficulty combatting human trafficking largely in part because the government has not allocated sufficient resources to be able to identify and detect potential victims of human trafficking given the massive influx of irregular migrants.⁴⁰ Additionally, the government has only assigned fifteen police officers who are dedicated full-time to combatting human trafficking.⁴¹ Moreover, the government only designated one investigator for each of the eleven regional police directorates, who are responsible for coordinating activities that are related to sexual exploitation and human trafficking.⁴² Slovenia also has difficulty prosecuting human trafficking cases, as cases typically last for several years due to many of the perpetrators avoiding criminal procedures by traveling to other countries.⁴³ Further, there have been no cases of victims receiving any form of financial compensation.⁴⁴

19. Below, we have highlighted a few of the reported cases of human trafficking.

³¹ *Evaluation Report Slovenia*, GRETA (June 15, 2023), <https://rm.coe.int/greta-evaluation-report-on-slovenia-3rd-evaluation-round-greta-2023-05/1680ab958b>.

³² *Id.*

³³ *Id.*

³⁴ *Support for Ukrainian Nationals in Slovenia*, REPUBLIC OF SLOVN., <https://www.gov.si/en/topics/slovenias-assistance-to-the-citizens-of-ukraine/> (last visited July 8, 2024).

³⁵ *Evaluation Report Slovenia*, *supra* note 31.

³⁶ *Detection, Investigation, and Prosecution*, REPUBLIC OF SLOVN., <https://www.gov.si/en/registries/projects/combating-trafficking-in-human-beings/pregon/> (last visited July 8, 2024).

³⁷ *In Dialogue with Slovenia, Experts of the Committee Against Torture Describe the State's National Preventive Mechanism as One of the Most Effective in the World, Ask About Reported Violations of Asylum Seekers' Rights and Measures to Address Violence Against Women*, OHCHR (Nov. 16, 2023), <https://www.ohchr.org/en/news/2023/11/dialogue-slovenia-experts-committee-against-torture-describe-states-national>.

³⁸ *Detection, Investigation, and Prosecution*, *supra* note 36.

³⁹ *Country Profiles Slovenia*, *supra* note 30.

⁴⁰ *Evaluation Report Slovenia*, *supra* note 31.

⁴¹ *Slovenia General Information: Situation on Trafficking in Human Beings*, EUROPA, https://home-affairs.ec.europa.eu/policies/internal-security/organised-crime-and-human-trafficking/together-against-trafficking-human-beings/eu-countries/slovenia_en (last visited May 14, 2024).

⁴² *Id.*

⁴³ *Detection, Investigation, and Prosecution*, *supra* note 36.

⁴⁴ *GRETA Publishes its Third Report on Slovenia*, COUNCIL OF EUROPE (June 15, 2023), <https://www.coe.int/en/web/anti-human-trafficking/-/greta-publishes-its-third-report-on-slovenia>.

20. In December 2023, police in Slovenia filed charges against twenty-seven individuals who belonged to various criminal organizations.⁴⁵ The individuals were charged with human trafficking, prostitution, migrant smuggling, and drug trafficking.⁴⁶

21. In February 2023, Slovenian police arrested thirteen people for trafficking 212 migrants.⁴⁷ The suspects used social media to entice and lure as many migrants as possible to be trafficked to Austria or Italy.⁴⁸

22. In January 2022, Slovenian police arrested three individuals for human trafficking.⁴⁹ According to police, the individuals were trafficking women for forced prostitution.⁵⁰

Recommendations

23. Slovenia must respect and value human life by rejecting any legislation that calls for the legalization of euthanasia. Slovenia must uphold the principles established in its constitution, and other human rights instruments which stand for the fact that “[h]uman life is inviolable.”⁵¹

24. Slovenia must do more to protect victims from sex trafficking and forced prostitution. Slovenia’s low rates of convictions and lengthy court cases is evidence that Slovenia lacks the resources needed to effectively combat human trafficking and protect victims. Slovenia must allocate more training, resources, and personnel, for both law enforcement and prosecutors so that they can identify victims of human trafficking and prosecute the perpetrators in a timely fashion. Moreover, legislation must be enacted to protect women from the dangers of prostitution.

⁴⁵ *Police Press Charges Against 27 Members of Crime Rings*, STA (Dec. 11, 2023), <https://english.sta.si/3246083/police-press-charges-against-27-members-of-crime-rings>.

⁴⁶ *Id.*

⁴⁷ *13 Criminals Arrested for Smuggling At Least 212 People*, EUROPOL (Feb. 16, 2023), <https://www.europol.europa.eu/media-press/newsroom/news/13-criminals-arrested-for-smuggling-least-212-people>.

⁴⁸ *Id.*

⁴⁹ *Police Arrest Three Suspects Over Prostitution*, STA (Jan. 20, 2022), <https://english.sta.si/2991696/police-arrest-three-suspects-over-prostitution>.

⁵⁰ *Id.*

⁵¹ CONSTITUTION OF SLOVENIA 1991 (rev. 2013) art. 17, *supra* note 7.