

STATE PARTY EXAMINATION OF SLOVENIA'S THIRD AND FOURTH PERIODIC REPORT

63RD SESSION OF THE COMMITTEE ON THE RIGHTS OF THE CHILD

27 MAY – 14 JUNE 2013

Contents

Opening Comments	1
General Measures of Implementation.....	2
Definition of the Child	4
General Principles	4
Civil Rights and Freedoms	6
Family Environment and Alternative Care.....	7
Basic Health and Welfare.....	8
Education, Leisure and Cultural Activities.....	9
Special Protection Measures	10
The Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (OPAC) .Error! Bookmark not defined.	
The Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (OPSC).....	13
Concluding Remarks	13

Slovenia ratified the Convention on the Rights of the Child (CRC) on 6 July 1992. It was last examined under the CRC on 26 January 2004.

Slovenia ratified the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in armed conflict (OPAC) and the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (OPSC) on 23 September 2004. It was last examined under OPAC and OPSC on 29 May 2009.

On Thursday 6 June 2013, the Committee on the Rights of the Child (the Committee) examined the integrated CRC, OPAC and OPSC report of Slovenia, which included the third and fourth combined periodic report under the CRC and the second periodic reports under the OPAC and OPSC.

Opening Comments

The delegation of Slovenia was led by H.E. Ms Vodicar, Acting Director-General for Family Affairs within the Ministry of Labour, Family, Social Affairs and Equal Opportunities of Slovenia. Ms Vodicar was supported by representatives from the Ministry of Education, Science and Sport, the Ministry of Interior, the Ministry of Labour, Family, Social Affairs and

Equal Opportunities, the Ministry of Health, the Ministry of Justice, the Ministry of Foreign Affairs and the Criminal Police Directorate.

Ms Vodicar presented the main actions and achievements taken for the implementation of the CRC. She indicated that the Family Violence Prevention Act had improved protection for children in Slovenia; however on a more global level, one of the main challenges had been the rejection by public referendum of the comprehensive draft Family Code. Since the submission of the State's report to the Committee, steps had been taken in the areas of social services and benefits, education of Roma children and awareness-raising on Romani culture, as well as free access to health care, transportation to school and improved mental health services for children.

The Criminal Code had been amended in relation to trafficking, sexual exploitation and child pornography, and efforts had been made to improve measures for a child-friendly justice system. The mechanism of compensation for human rights violations would be improved in due course further to the decision of the Grand Chamber of the European Court of Human Rights of June 2012, which had instructed Slovenia to provide victims with compensation for human rights violations. The State had collaborated regularly with non-governmental organisations, and Slovenia continued to cooperate with United Nations agencies and international organisations.

Ms Wijemanne and Ms Shariff, the Country Rapporteurs, welcomed the delegation of Slovenia and looked forward to the dialogue. They were pleased to hear about the positive and impressive steps taken in the country, which were to be commended.

General Measures of Implementation

Legislation

The Committee welcomed the fact that Slovenia had ratified the majority of the core human rights instruments and asked whether it would ratify the Convention on the Rights of Migrant Workers and Their Families and the Convention on Stateless, which corresponded to some provisions of the CRC, particularly in reference to children.

The Committee was concerned about the rejection of the draft Family Code by public referendum and asked for clarification about the next steps. The delegation indicated that the provisions that led to the rejection of the Family Code were the provisions concerning same-sex marriage. The Code would be reintroduced before the Parliament one year after its rejection.

Data

The Committee asked whether the Observatory for Children, which conducted research and collected data on children, was able to collect data on all groups of children, including migrant, asylum-seeking, Roma and minority children. The Committee also asked whether the data were disaggregated by ethnicity and whether that information was used in the elaboration of relevant policies.

Ombudsman

The Committee asked for clarification about the roles of the Ombudsman for Children and the Observatory for Children and about their level of cooperation. The delegation indicated

that the Observatory for Children gathered data according to more than 700 indicators. It focused on seven key thematic areas and six groups of vulnerable children, including children with a disability, children without parental care, Roma children, unaccompanied minors, and children with behavioural disorders and victim of violence. Based on its findings, the Observatory for Children prepared an annual report that could be used to elaborate child-related policies. The Ombudsman for Children was a separate institution that promoted and monitored the application of child rights and received individual complaints.

The Committee subsequently asked why the Ombudsman for Children had not been accredited with 'A' Status, according to the Paris Principles. The delegation indicated that one criteria required to obtain the 'A' status under the Paris Principles would require a change in the Constitution of Slovenia, which was not currently a priority; However, other criteria required under the Paris Principles had been met, including the mandate on awareness-raising about human rights.

The Committee asked whether the Ombudsman for Children had received many complaints directly from children. The delegation answered that the Ombudsman for Children functioned with four deputies, elected by the Parliament. It had an official webpage, but the delegation recognised the need to make the complaint mechanism more accessible to children.

Coordination and monitoring

The Committee asked for more information on coordination at different levels of government on child rights issues. The delegation answered that the Ministry of Labour used to have the task to coordinate the implementation of law and policy for children. This mandate now belonged to an inter-ministerial group on human rights that included a Directorate for Child and Family Matters and was coordinated by the Ministry of Labour. This Ministry still had contact points in all other ministries on issues relating to child rights and facilitated coordinating activities.

Budget

The Committee was concerned that the economic crisis had led to a reduction in the allocation of resources for children, such as the reduction of benefits, the cancellation of scholarships and free kindergartens. It asked whether measures had been taken to guarantee appropriate standards in child protection even in times of crisis.

The delegation explained that the law on budget restrictions would be implemented for a limited period of time. In the meantime, parents who had two children only paid 30 per cent of kindergarten fees. It stated that the main area of potential impact of the economic crisis had been the increase of child poverty. As such, austerity measures introduced in 2012 had impacted mainly the middle class but had aimed to protect the most vulnerable families and groups. Only two categories of benefits out of eight had been stopped as a temporary measure.

Surveys had shown that the situation of single parent families had declined since 2012. As such, measures were being put in place to increase support for those families, and State scholarships would be reintroduced. In addition, the School Meal Act had ensured the provision of free school meals. The delegation noted that the State was aware of the need to maintain a high standard of living for children in times of crisis.

Definition of the Child

The Committee acknowledged that the age of majority was 18 but was concerned that some children aged 15 were able to marry. It asked what the criteria to allow such marriages were and whether there were any data on those cases. The delegation confirmed that the minimum age for marriage was 18, except in exceptional cases and with the approval of social work centres. There had been three such cases in the past year, as social centres rejected the majority of requests for children under the age of 18 to marry. The best interest of the child was the main criteria used to allow or reject such requests, after individual discussion between the child and a psychologist.

General Principles

Non-discrimination

The Committee was concerned about the discrimination of children from same-sex partnership families. The delegation answered that social centres could allow the unilateral adoption of a child by a same-sex couple, and that the legal status of those children was addressed by the government, to ensure that both parents had parental rights. The delegation had no information on bullying of children of same-sex partnership at schools, but indicated that if such issues arose, they would be addressed by the school administration. Cases could also be referred to the Ministry of Labour, Family, Social Affairs and Equal Opportunities where a disagreement could not be resolved. In addition, all relevant professionals had regular training on evolving child rights issues and dispute resolution.

The Committee asked whether there were confidential complaint mechanisms in schools that would allow children to report violence or bullying. The delegation explained that all information about opportunities to make complaints were provided at school by the teachers, both to children and parents; children could directly or indirectly get in touch with experts and could also report violence through anonymous helplines.

The Committee asked whether the Slovene police was aware of the importance of training of police officers to avoid stereotyping against Roma people including children. The delegation indicated that the Slovene police was aware of the need to communicate better with the Roma population. A dictionary between the Slovene and the Romani language had been elaborated for police officers to improve such communication.

Best interest of the child

The Committee recognised that the right of the child to have his or her best interest be made a primary consideration in matters affecting him or her, had been included in the legislation. It asked whether there were criteria and elements that each decision concerning the child had to meet to ensure the respect of the right. Also, the Committee asked whether a child or a representative could appeal a decision that the complainant deemed did not respect the best interest of the child. The Committee also asked whether judges, prosecutors and other relevant professionals received training on the best interest of the child, including all professionals working directly with children.

The delegation explained that the draft Family Code, rejected by referendum, was based on the best interest of the child within family relations and within family courts. Provisions focused on the need for speedy and high-quality procedures, limitation of the time spent in

foster care, positive parenting and family mediation. The best interest of the child applied to all procedures concerning children. The delegation added that these provisions were not the ones that had been challenged in the rejection of the referendum and would remain in the new draft proposal of the Family Code.

The delegation added that judges had to take into account the right of the best interest of the child to be a primary consideration when formulating decisions, including through an informal discussion with the child. Court experts also participated in the procedure and issued opinions. Final decisions had to explain in detail the reasons of the decision and how they corresponded to the best interest of the child.

The delegation finally explained that a new Police Act gave special attention to the respect of the best interest of all children, including those belonging to vulnerable groups.

Right to life, survival and development

The Committee was concerned about the high level of traffic accidents involving children and asked whether there were any prevention measures in place to decrease this number. The delegation explained that the number of injuries due to traffic accidents had decreased, especially thanks to prevention measures, workshops and programmes on road safety carried out by the police, both in schools and to young parents. Non-governmental organisations were also involved in road accident prevention and car seats for babies were offered by maternity facilities to all new parents.

Respect for the views of the child

The Committee welcomed the establishment of the Parliament for Children and asked whether any measures had been adopted following the ideas resulting from those sessions. The delegation indicated that the Children's Parliament had existed since 1990 and was an important way for children to express their views on issues affecting them. Every primary school pupil could participate and select their delegation to the Parliament of Children. Sessions were organised in the presence of a representative of the government. Non-governmental organisations were in charge of coordination at all levels and prepared reports on the sessions. Several policies had been influenced by the discussions during the Children's Parliament sessions, including the creation of a helpline for children. Girls' participation in this project was higher than boys'; therefore measures had been taken to increase boys' participation.

The Committee asked how the State ensured the participation of children belonging to vulnerable groups, particularly those belonging to minority groups.

The Committee asked how children's views were heard during judicial proceedings, either in courts or by the social work centres, and was concerned that the opinion of experts might have more weight in family cases than the view of the child. The Committee also asked whether children living in foster families could express their views about their everyday life. The delegation explained that children in foster families could express their opinion, while foster families could take decisions for the everyday life of the child. The delegation added that placement in foster care was only limited to a duration of three years. The child could also express his or her views during adoption processes and also once in the care of an adoptive family.

Civil Rights and Freedoms

Forced and informal marriages

The Committee was concerned that some Roma girls were involved in informal marriages, through a traditional ritual that included the establishment of the girls' virginity, either through forced intercourse before the marriage or by a physical examination by the mother and mother-in-law. The Committee was especially concerned about information that there were cases where social work centres had concluded that girls under 18 were sufficiently mature to enter into such marriages. The delegation answered that forced marriages were linked to trafficking and that significant efforts had been made in collaboration with non-governmental organisation to raise awareness about such practices among the population.

Informal marriages that took place within Roma communities did not go through the screening of social work centres. Efforts would be increased to address this issue among the relevant communities.

Corporal Punishment

The Committee acknowledged that the law explicitly prohibited corporal punishment but asked whether the law also contained such an explicit prohibition for corporal punishment in the family setting. The Committee welcomed the decrease of child abuse rates and parental negligence cases and asked whether the change in the law had been the reason for this evolution.

The delegation stated that corporal punishment in the family was not explicitly prohibited but that other provisions could apply to this situation. The law was based on the best interest of the child and it stated clearly that parents had the obligation to guarantee the wellbeing and development of children. Slovenia was very active in the discussion on positive parenting within the Council of Europe and programmes on prevention of corporal punishment had been implemented at local and regional levels within social work centres. The delegation added that a project to prevent violence in education had been implemented between 2008 and 2011, in order to train workers and educate parents on violence prevention and positive discipline practices. This programme would continue until 2017, together with new mechanisms of prevention.

The delegation added that training of police officers on handling cases of violence in the family, both in prevention and immediate protection, had been improved, and recent indicators did not show any increase in the number of cases of family violence.

Access to information

The Committee asked how the State ensured that all children had access to appropriate information in a language they understood. The delegation recognised the importance of providing appropriate information to migrants in their own language. In 2013, a strategy on the inclusion of migrant children in schools had been implemented, which had included the organisation of classes on the Slovenian language free of charge. Children belonging to vulnerable groups were the focus of several programmes, including on language policies, mostly funded by the European Social Fund.

Nationality

The Committee understood that the State had taken several measures to address the issue of “erased people”, who had lived on the territory of Slovenia when the State became independent and were citizens of Yugoslavia. Many of them had reportedly not been permitted to apply for Slovenian citizenship at the time and had effectively been erased from the national records, thus becoming illegal residents. The Committee acknowledged the positive steps that had been taken in this regard since the decision of the European Court of Human Rights in 2012. It asked about the current status of the law on compensation of victims.

The delegation answered that a legislative amendment introduced in 2010 addressed issues relating to “erased people”, including a retroactive arrangements status. A specific procedure had been introduced to grant the affected people a resident permit. Regarding the implementation of the decision of the European Court of Human Rights, the delegation indicated that a proposal for the compensation of victims had been introduced to the public and comments from civil society, on the proposal, would be taken into account.

The Committee asked whether there were “de facto” stateless persons, as opposed to “de jure” stateless persons. The State indicated that according to current law and policy, no child would be stateless in Slovenia.

Family Environment and Alternative Care

Adoption

The Committee asked for clarification on international adoption. The delegation indicated that the number of adopted children increased every year, including international adoptions; however, there were not many children available for adoption.

Placement of children

The Committee asked for more information on the Social Work Centres, including the composition of their staff and their role and competencies. The delegation indicated that Social Work Centres could remove a child from the family setting as they had specific, which involved the decision of a multidisciplinary team. The Ministry of Labour, Family, Social Affairs and Equal Opportunities was responsible for the training of those experts and all staff. The Committee expressed concern that those decisions were not taken by a court.

Divorce

The Committee was concerned about the difficulties encountered in the recovery of maintenance payments for children from a divorced parent. The Committee asked for clarifications on information that the sentence for failure to pay this maintenance was imprisonment of the parent, which cost more to the State than the amount due to the child by the parent. The Committee was concerned that maintenance amounts for children were quite low.

The delegation assured the Committee that all family cases were treated with priority. While payments could be directly deducted from the salary of the parent, there were a large number of cases where parents had been untruthful about their income. Non-payment of maintenance was now a criminal offence and parents were only sent to prison in extreme cases. A

maintenance fund had been in place for several years and provided families with funds after three consecutive months of non-payment.

The Committee was concerned that many children did not maintain contact with one of their parents after a divorce, especially with fathers, and that in many cases, meetings with fathers took place in a Social Work Centre, which might not always be appropriate. The delegation indicated that in the last years, 12 per cent of families were given joint parenting rights and 30 per cent of children were in the custody of their father. Contact with a father that did not have custody did sometimes take place under the supervision of a Social Work Centre, and there was no contact with the father if the court considered that there was a danger for the child to do so.

Basic Health and Welfare

Children with disabilities

The Committee asked whether children with disabilities had access to inclusive education, and whether pre-natal screening methods were available to detect disabilities. The delegation answered that children with disabilities were guaranteed access to inclusive education, which was the approach that had been followed by Slovenia since 2003. An individual plan was prepared for each case in order to meet the needs of each child. The school and experts were always encouraged to dialogue with families. In 2007, 7,000 children with particular educational needs had attended mainstream primary schools. In 2012, this number had increased to 13,000. Special centres existed for children with severe disabilities, which offered medical care and specific programmes; however, the number of children placed in those centres was decreasing. The aim of all policies was the inclusion of children with disabilities in society. Day care facilities were also available to children with disabilities.

Nutrition

The Committee was concerned about the level of obesity among children in the country, and by the prevalence of malnutrition among children under the age of five. It asked whether parents were informed about the nutrition of children. The delegation acknowledged that Slovenia was among the countries listed as having particular challenges in the area of child obesity. Several measures had been taken to address this issue, including the implementation of a national nutrition policy, which had been commended by the World Health Organisation. Promotion of healthy diet was included in school programmes and each kindergarten provided meals according to the recommendations of experts.

Mental health

The Committee was concerned by the prevalence of self-harming behaviours among adolescents. The delegation explained that this phenomenon was challenging to monitor and address, and added that it seemed to be triggered by peer pressure in many cases. Non-governmental organisations were especially involved in prevention campaigns. A special programme called “This Is Me”, which raised issues of concern to adolescents, was currently being implemented.

Health care services

The Committee welcomed the wide range of health care services available to children and the low child mortality rate, but was concerned about access to health care for Roma children. The delegation indicated that a study had been requested by the Ministry of health on this issue, which was being addressed as a priority. Nurses worked in Roma communities on health risk prevention and on the negative consequences of tobacco consumption during pregnancy. Such measures seemed to be having a positive effect. Workshops with a focus on health care were also organised, together with radio programmes available to the Roma community.

Breastfeeding

The Committee asked for more information on the situation of breastfeeding in the country, including on the implementation of relevant policies and programmes of the World Health Organisation. The delegation indicated that there was a high percentage of breastfeeding of children up to the age of three months but that this percentage dropped significantly thereafter. There was a special emphasis on breastfeeding in resolutions and guidelines on healthy diet of children. Slovenia had prohibited the promotion and advertisement of formula in the majority of medical structures and many clinics had attained the status of being baby-friendly. In employment relationships, mothers were entitled to arrangements to facilitate breastfeeding until their child was 18 months old.

Drug and alcohol issues

The Committee was concerned about the prevalence of the increase of alcohol abuse, as well as tobacco and illicit drugs' use among adolescents. It asked whether preventive programmes were targeted at adolescents, in combination with information on reproductive health. The delegation recognised the increase in the use of tobacco, drugs and alcohol by adolescents. Studies showed that boys typically started drinking alcohol earlier than girls and in larger amounts. In addition, the number of adolescents that inhaled harmful vapours was increasing significantly. Measures introduced to address this phenomenon were focused on the development of school programmes that promoted a healthy lifestyle, as well as campaigns such as "This Is Me", which targeted issues relating to drug and alcohol consumption.

The Committee asked whether the increasing number of suicides among adolescents was being addressed by the State. The delegation indicated that the rate of suicide had always been an area of focus for the authorities and there had been no increase in the phenomenon for several years. Multidisciplinary institutions specialised in mental health had been created in the three main cities, and university programmes performed a screening of potentially suicidal adolescents, the findings of which had been used to counsel adolescents and parents. A resolution on mental health was currently under review in the parliament, and would include several other prevention measures.

Education, Leisure and Cultural Activities

Human Rights Education

The Committee asked for clarification on whether human rights education was provided in schools as part of the standard curriculum.

Segregation of Roma children

The Committee noted that segregated classrooms and schools were prohibited by the law but was concerned that in practice, a large number of Roma children attended schools designed for children with a disability. The delegation answered that all children in Slovenia were treated in the same manner, and the best interest of the child was always analysed. There were no segregated classrooms or schools; however, some schools had a higher percentage of Roma children as they tended to live in the same areas.

The Committee observed the positive impact of the presence of 26 Roma educators in schools, aimed at increasing attendance among Roma children. The Committee asked whether the State intended to appoint and fund more educators. The delegation answered that a strategy on education has been drafted in consultation with representatives of the Roma community. Roma teaching assistants represented a unique project, and involved Roma non-governmental organisations; the number of Roma teaching assistants would increase in the next years in order for Roma children to be fully included in the school environment and to raise awareness about education to Roma communities. The Romani language and culture were also subjects taught in schools.

Early childhood development

The Committee asked for information on early childhood development, including on an integrated policy that would ensure a holistic approach. It asked about the existence of day care centres, and about the participation of Roma children in those programmes. The delegation explained that the transition between pre-school and school enrolment at the age of six was challenging, especially for Roma children. Roma children usually did not participate in pre-school education. A special project within Social Work Centres targeted the Roma population to increase the inclusion of children in the society.

Special Protection Measures

Sexual exploitation

The Committee welcomed the fairly comprehensive legislation, which provided for a minimum sentence of three years' imprisonment for sexual exploitation of a minor. There was no maximum sentence. The legislation provided for a minimum sentence of one year of imprisonment when the perpetrator was a teacher, which could be extended to a maximum of eight years' imprisonment. The Committee asked whether the minimum of three years' imprisonment for cases of sexual exploitation involving minors would apply to teachers as well. The delegation answered that sexual exploitation of a person of 15 years old or under could be punished by an imprisonment sentence of three to ten years, including when committed by a teacher. When the person was particularly vulnerable, that is for children with a disability, for example, the sentence was between five and 15 years' imprisonment.

Juvenile justice

The Committee was concerned by the high number of pending judicial proceedings on family issues and on juvenile justice cases. The delegation indicated that programmes were in place to address the issue of the backlog in tribunals, focused on improving the efficiency of the courts. Cases involving children were given priority and a temporary decision could be issued if a final decision was not taken in time. Those programmes had led to a reduction in delays in the examination of cases. All decisions, including decisions on mediation, always took into account the best interest of the child.

The Committee asked what the criteria were in the appointment of a State's advocate to a juvenile case, given that such an appointment was not made for all cases. The delegation explained that there was a family law unit in each department and one specialised judge responsible for each case.

The Committee observed that detention was possible for children aged 16 and over. It asked what alternative measures were taken for children below that age. The Committee also asked about the functioning of juvenile detention facilities. It especially referred to the information provided by the State that children could be detained with adults in exceptional circumstances and asked what the criteria were for this. The delegation explained that adolescents convicted of violent offences were placed in closed juvenile facilities where they were given an education and participated in cultural activities.

For minor offences, adolescents were not detained. Children under the age of 14 could not be seen as perpetrators but only as participants in an illegal offence. They were never placed in institutional care but were assigned to a Social Work Centre. When they committed a serious offence, a restorative justice approach was taken to include minors in their community through special open institutions.

The Committee asked whether child victims or witnesses of sexual violence were required by the law to appear before the court, or whether there were child-friendly interrogation techniques in practice, including the involvement of psychologists. The delegation answered that there was a programme for child victims and witnesses that would ensure that the child could give a statement only once and without having to be in contact with the perpetrator.

The Committee inquired whether children could reside in a prison setting with their mothers. The delegation indicated that the law provided that proper health care had to be provided to pregnant women in prison. After the birth, children could stay with their mother until the age of one year old. This could be extended to the age of two years old if by that time, the mother would have completed her sentence. If the mother had to remain in prison, the child was transferred to the care of the father or of a foster family, in accordance with the child's best interest.

Asylum seekers

The Committee asked whether asylum-seeking children were appointed a guardian at the time of their arrival and granted a temporary permit. The delegation answered that the procedures for the recognition of international protection were in line with the procedures of the European Union. Criteria to be granted the status of refugee were analysed individually, and children could otherwise be granted subsidiary protection. If the minor did not meet the criteria for any status but it was clear that he or she would face danger if returned, then the child could be granted temporary residence, which could be extended upon application.

Slovenia applied the principle of non-refoulement and minors were never returned to zones of armed conflict. Procedures were fast-tracked for unaccompanied minors and all minors were offered free legal aid by non-governmental organisations or financed by the European Refugee Fund. The delegation recognised that the training of staff in charge of minors did not take place; instead, social workers were involved in the care of children. In 2009, nine unaccompanied minors had been returned after the completion of all procedures. There were one further case in 2011 and two in 2012.

The Committee asked whether the age of the children was assessed systematically or only when there was a doubt. The delegation answered that this procedure only took place in cases where there was doubt.

The delegation indicated that foreign children had access to health care services, and all centres for foreign children had special units for unaccompanied minors. One of the centres also had equipment for very young children. Unaccompanied minors due to be returned to their country had access to emergency health care and education. Minors applying for international protection, even when accompanied by their families, had access to health care on an equal footing with Slovenian children. Those minors were also provided with education, literacy courses and leisure activities, mainly financed by the European Social Fund.

Helpline

The Committee asked whether there were helplines accessible to all children in the country and whether they were administered and funded by the State or by non-governmental organisations. It also asked how the people in charge of the helpline followed up with the calls received. The delegation mentioned the existence of a helpline, which was available 24 hours a day. The establishment of this helpline had come from an idea raised by children within the Children's Parliament and was co-financed by the State.

Children in street situations

The Committee was concerned by the number of Roma children begging in the street. The delegation indicated that efforts had been made to improve the quality of Roma settlements. The State was aware of the trend of children begging and was taking steps to address the problem. Children found begging were treated as victims and could not be subjected to criminal liability.

The Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (OPSC)

The Committee congratulated the State for providing clear information on the OPSC in its Written Replies. The legislation criminalising child pornography evidently encompassed all aspects of the definition in the OPSC; however, the legislation did not cover all cases of sale of children, in particular cases of illegal adoption that did not go through the screening of the Social Work Centres that had the competency to assess the case.

The Committee asked whether forced child labour had been criminalised as a case of sale of children. The delegation recognised that forced labour and illegal adoption were not specifically criminalised as sale of children but were criminal offences, punished by imprisonment of one to ten years. The delegation explained that the legal provisions on slavery included the situation of intermediation. It added that each crime under the OPSC was addressed through a specific legal provision.

The Committee also inquired whether the legislation provided domestic courts with the competence of extraterritorial jurisdiction for OPSC-related crimes committed outside of the territory of Slovenia by a Slovenian citizen, a Slovenian resident or against a Slovenian

citizen or resident child. The delegation answered that such extraterritorial jurisdiction applied to all citizens of Slovenia, regardless of the nationality of the victim.

The Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (OPAC)

The Committee asked whether the State had implemented a programme for identification and rehabilitation of former child soldiers coming to Slovenia, so that they would not be returned to their country of origin.

Concluding Remarks

Ms Shariff and Ms Wijemanne thanked the delegation for covering a large range of issues during the dialogue. The Committee had obtained a clearer idea of the situation of child rights in the country. She hoped that the Concluding Observations of the Committee would help the country to further enhance children's rights in Slovenia.

Ms Vodigar thanked the Committee for the fruitful dialogue and noted that Slovenia would do its best to implement the Concluding Observations.