

REPORT BY THE REPUBLIC OF SLOVENIA

ON THE

STATUS OF THE PROTOCOLS ADDITIONAL TO THE GENEVA CONVENTIONS
OF 1949 AND RELATING TO THE PROTECTION OF VICTIMS OF ARMED
CONFLICTS

Ljubljana, June 2016

In the 2014–2016 period, the Permanent Coordination Group for International Humanitarian Law monitored the implementation of, and respect for, international humanitarian law, particularly the 1949 Geneva Conventions and their 1977 Additional Protocols.

The prominent role of international law, thus also international humanitarian law (IHL), is also highlighted in the Declaration on the Foreign Policy of the Republic of Slovenia, adopted in 2015.

The Permanent Coordination Group for International Humanitarian Law has been particularly engaged in preparing official Slovene translations of treaties on fundamental humanitarian law (the 1949 Geneva Conventions and the Convention for the Protection of Cultural Property in the Event of Armed Conflict).

It also focused on the drafting of documents (such as an action plan) to serve as guidelines for line ministries in honouring the pledges made and resolutions passed at international conferences and events.

This report was prepared in accordance with the UN Secretary General's letter of 14 March 2016 and UN General Assembly resolution 69/120 of 10 December 2014 (Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts).

IHL education

Training of Slovenian troops and police officers deployed in missions abroad was carried out.

Dissemination of knowledge in the field of IHL

The Convention for the Protection of Cultural Property in the Event of Armed Conflict and the Protocol thereto, done at The Hague on 14 May 1954, are fundamental treaties on international humanitarian law. Slovenia succeeded to them in 1992. Since the text of the Convention and Protocol in the Official Gazette of the FPRY, International Law Series, was published in Serbo-Croatian, the Permanent Coordination Group for International Humanitarian Law prepared the official Slovene translations. In accordance with Article 26 of the Convention, on 17 February 2016, the Embassy of the Republic of Slovenia in Paris submitted the the official translation of the Convention and its Protocol to UNESCO.

In 2015, the Permanent Coordination Group for International Humanitarian Law established a sub-group tasked with issues relating to the implementation of the Convention for the Protection of Cultural Property in the Event of Armed Conflict. To mark the 60 years of the Convention, the sub-group will draft a publication entitled ‘The Protection of Cultural Property during Armed Conflict’.

The four 1949 Geneva Conventions¹, succeeded to by the Republic of Slovenia in 1992, were also published in Serbo-Croatian in the Gazette of the Presidium of the People’s Assembly of the Federal People’s Republic of Yugoslavia. Earlier this year, the Expert Group for the verification of Slovene texts of international instruments published in the Official Gazette of the Republic of Slovenia began preparing an official translation in the Slovene language. The Expert Group includes a translator, language editor, representatives of the ministries of Defence, Health and Justice and of the Slovenian Red Cross, two international law experts from the International Law Department at the Foreign Ministry, a representative of the Faculty of Law, and external experts. The official translations are expected to be published

¹ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field; Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea; Geneva Convention relative to the Treatment of Prisoners of War; Geneva Convention relative to the Protection of Civilian Persons in Time of War.

next year in a dedicated volume of the International Law Series. The translation will be an important contribution to the dissemination of knowledge of international humanitarian law, as a guiding principle for the Slovenian Armed Forces and health personnel on missions abroad, and for the work of state authorities and academia.

Promoting compliance with international humanitarian law

Humanitarian Summit in Istanbul, 16 May 2016

Slovenia has been promoting compliance with international humanitarian law within international events and Summits. At the World Humanitarian Summit in May 2016 in Istanbul, the Slovenian delegation, headed by Prime Minister Miroslav Cerar, supported the core commitments related to IHL and announced national ones in this regard. Slovenia has pledged to continue its activities in relation to advocacy and the promotion of IHL at the national and global levels. Additionally, Slovenia has committed to continue endeavours concerning the protection of civilians, where special attention will be given to the most vulnerable.

32nd International Red Cross and Red Crescent Conference, Geneva 8–10 December 2015

Slovenia has been fulfilling the pledges and resolutions of the 31st conference and reporting accordingly.

The Government of the Republic of Slovenia tasked the ministries to base their work on the guidelines from the 32nd conference.

At the 32nd conference in Geneva, the delegation of the Republic of Slovenia and the Red Cross made the following voluntary pledges:

- International Criminal Court (OPS32041)
- International Humanitarian Law Instruments (OPS32040)
- Promotion and dissemination of international humanitarian law (OPS32039)
- Health care in danger: respecting and protecting health care (OPS32038)

- Sexual and gender-based violence during times of armed conflict or in the aftermath of disasters and other emergencies (OPS32037)
- Fundamental principles of the International Red Cross and Red Crescent Movement (OPS32036)
- Strengthening compliance with international humanitarian law (OPS32033)
- Strengthening international humanitarian law protecting persons deprived of their liberty (OPS32034)

Slovenian representatives were actively involved in drafting the joint pledges of EU member states.

In this regard, the Permanent Coordination Group for International Humanitarian Law is preparing an action plan which will outline activities for implementing the pledges in the following five-year period.

Slovenia has upheld the Kigali Principles on the Protection of Civilians.

ATT

Slovenia has been a strong supporter of the Arms Trade Treaty (ATT) from its inception. As a party to the ATT, Slovenia provided the initial report at the end of 2015 and will continue the reporting process, which is a key element in the implementation of the ATT and cooperation between states.

Slovenia advocates the universalisation of the Arms Trade Treaty, and supports efforts aimed at reducing human casualties and suffering in the future by imposing stricter control on the arms trade and preventing arms from becoming accessible to non-state actors or terrorist groups.

ICC

Slovenia also advocates compliance with IHL in the context of its activities promoting the rule of law and the prevention of impunity for grave crimes of international concern. The promotion of justice and the rule of law, particularly the activities of the International

Criminal Court (ICC) and the endeavours to stop mass atrocities through the Responsibility to Protect approach remain among our key foreign policy priorities.

Accountability for atrocity crimes and the promotion of the ICC's work were important themes of the conference 'Rights for Peace: challenges and opportunities' that took place in April 2015. The eminent speakers at the conference included Ms Fatou Bensouda, ICC prosecutor.

The fight against impunity was also a theme of two panels at our 2015 Bled Strategic Forum, attended among others by Ms Silvia Fernández de Gurmendi, the ICC President, and Mr Adama Dieng, the UN Special Adviser on the Prevention of Genocide.

Responsibility to protect (R2P)

For over a decade, Slovenia has supported the implementation of the UN Responsibility to Protect (R2P) principle, which is a pillar of the country's foreign policy, enshrined in the Declaration and Strategy of Slovenia's foreign policy. As a member of the Group of Friends on R2P and via the national R2P Focal Point, Slovenia promotes discussion on responsible sovereignty, the prevention of international crimes and the practical implementation of these principles. A panel at the 2015 Bled Strategic Forum was dedicated to R2P, with the participation of Mr Adama Dieng, UN Special Adviser on the Prevention of Genocide. During its membership of the Human Rights Council in the 2016–2018 period, Slovenia will draw attention to the R2P concept in HRC general debates and thematic discussions, emphasising the need for preventive action.

MLA initiative

The prevention and prosecution of IHL breaches are also closely connected with adequate internal capacities and functioning inter-state cooperation. Having recognised a legal gap, particularly regarding inter-state cooperation with respect to the prosecution of the most serious international crimes, Slovenia will continue to work with the Netherlands, Belgium and Argentina on the initiative for a treaty on mutual legal assistance and extradition between states to ensure effective domestic investigation and the prosecution of atrocity crimes (the MLA initiative).

Children and armed conflict

Slovenia traditionally pays special attention to the issue of children and armed conflict. In the period under review, it raised the issue in its statements in various multilateral forums. It took part in the annual UN Security Council Open Debates on children and armed conflict, and co-sponsored the latest UN Security Council Resolution (2225) on children and armed conflict, (2015). Slovenia is an active member of the Group of Friends of Children and Armed Conflict, which supports the mandate of the Special Representative of the UN Secretary-General for Children and Armed Conflict in New York and Geneva. The situation of children affected by armed conflict in general and in some concerned countries has been raised by Slovenia in its national capacity and in joint statements with other countries in the UN Human Rights Council, including in the Universal Periodic Review. In April 2016, Slovenia endorsed the Safe School Declaration and therefore the Lucens Guidelines on Protecting Schools and Universities from Military Use during Armed Conflict.

Sexual violence in conflict

At the 2015 Bled Strategic Forum, a panel was devoted to ending sexual violence in conflict. The panel, 'Evading Sexual Violence in Conflict: one year after the Summit', built on the outcomes of the 2014 Global Summit to End Sexual Violence in Conflict. It took stock of the progress made and identified new and remaining gaps.

ITF – Enhancing Human Security

Slovenia is fully committed to continuing mine action activities and conventional weapons destruction (CWD) in South-East Europe and in other regions of the world, especially through the Slovenia-based ITF – Enhancing Human Security, which has become a centre of excellence for regional cooperation on mine action and assistance for mine victims. Since its establishment by the Slovenian Government in 1998, the ITF has always been among the Government's priorities. The Slovenian Government continues to support the ITF politically, financially and with in-kind contributions.

With the assistance of the ITF and its donors, Slovenia has responded to the needs of children affected by conflict in various regions. During the 2014–2016 reporting period, Slovenia contributed 1,438.000 EUR to ITF.