



## PERMANENT MISSION OF SLOVENIA TO THE UNITED NATIONS

No.: N-242 /14

The Permanent Mission of the Republic of Slovenia to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to submit the report of 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 in accordance with paragraph 13 of resolution 67/93 and requested in Secretary-Generals Note LA/COD/2 dated 5 March 2014.

The Permanent Mission of the Republic of Slovenia to the United Nations avails itself of this opportunity to renew to the Secretary-General of the United Nations the assurances of its highest consideration. *JM*

New York, 17 October 2014



**Secretary-General  
of the United Nations**

New York

**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 2014**

The Republic of Slovenia has been placing relevant emphasis on the respect and implementation of international humanitarian law (hereinafter: IHL) ever since the country's independence in 1991, and the subsequent international recognition and UN membership in 1992.

Since 1992, the Republic of Slovenia has become party to all the key conventions and other IHL instruments and adopted a number of national regulations which needed to be harmonised with IHL instruments ratified by Slovenia.

During this period, the Republic of Slovenia has been implementing organisational and institutional adaptation of its authorities and institutions, thus enabling them to carry out relevant tasks and honour their commitments. It has also endeavoured to continuously and systematically disseminate knowledge in the field of IHL. In the period 1992–2012, an interministerial commission on international humanitarian law, established by the Slovenian government, steered the activities aimed at fulfilling Slovenia's IHL commitments.

In accordance with the UN Secretary General's letter of 5 March 2014 and UN General Assembly resolution 67/93 of 14 January 2014 (Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts), the present report focuses on the relevant tasks and activities that were carried out after the fifth national report to the UN General Assembly in June 2012.

### **Ratification of significant IHL instruments**

After joining the UN, the Republic of Slovenia, through the notification of succession, became party to IHL instruments ratified by the former Socialist Federal Republic of Yugoslavia. Between 1992 and 2010, the country ratified all key IHL instruments (35 in total).

Since the last periodic report (June 2012), the Republic of Slovenia on 2 April 2014 deposited its instrument of ratification of the Arms Trade Treaty.

On 25 September 2013, the Republic of Slovenia deposited its instrument of ratification of the Amendments to the Rome Statute of the International Criminal Court, adopted at the Kampala conference.

## **Education, training and dissemination of knowledge in the field of IHL**

The Ministry of Defence organised a number of courses for Slovenian participants in international peace operations within the framework of the Civil-Military-Cooperation Functional Specialist Course (CIMIC CFS). All members of the Slovenian Armed Forces taking part in international peace operations attended special courses on IHL, nature and cultural heritage protection, and religion and customs in international peace support operations and other crisis response operations. Furthermore, they attended trainings in communication and relationship skills for dealing with stressful situations in crisis areas.

The Republic of Slovenia attaches particular attention to the training of police officers and their knowledge of the Geneva Conventions. All police officers taking part in international peace operations and missions have to attend a special IHL seminar. Other members of the police force are acquainted with the basic IHL principles and supplied with a booklet on international humanitarian standards governing the use of force, which also refers to human rights.

The country has been participating in the ICRC project entitled Exploring Humanitarian Law based on a Memorandum between the Ministry of Education and Sport and the ICRC of 2006. Exploring Humanitarian Law is an international educational programme for students aged from 13 to 18. It is composed of a series of research pieces which are aimed at improving the understanding of humanitarian issues connected to conflict situations. The exploration of humanitarian law encourages young people to understand armed conflict in the broader sense, its consequences, the rules that apply in armed conflicts and the responsibilities borne by the individual. It particularly encourages young people to engage in actions of humanity and solidarity in everyday life. The exploration of humanitarian law promotes the values of humanity, solidarity, equity and responsibility.

The National Education Institute in collaboration with the Slovenian Red Cross, the Interministerial Commission on International Humanitarian Law and the teachers re-edited the Slovenian version of a methodological teacher handbook, entitled Exploring Humanitarian Law, which was also published as electronic version. It is designed to help teachers explain IHL fundamentals and build awareness about the rules to be respected in a state of war.

IHL issues are also part of the curricula of secondary health-care schools, law faculties, and of the Faculty of Social Sciences in Ljubljana.

The students of the Faculty of Law of the University of Ljubljana continue to regularly attend a one-week Regional Course on International Humanitarian Law organized annually in Belgrade. They have also taken part in international student moot courts, which place an ever greater emphasis on IHL issues.

In 2013, the Faculty of Law of the University of Ljubljana (conference chair: Dr Vasilka Sančin) started a series of biannual scientific international conferences with the aim to provide an opportunity for scholars and practitioners from a range of disciplines (legal, political science, military and security studies etc.) to engage in an

interdisciplinary academic debate on the concept of Responsibility to Protect (R2P/RtoP). At the first conference in 2013, more than 90 internationally renowned experts from around the world presented their positions, thoughts and research work on the issue. The introductory lecture was given by Adama Dieng, Special Adviser of the Secretary-General on the Prevention of Genocide, while Dr Edward Luck, former Special Adviser to the UN Secretary-General on Responsibility to Protect, gave the keynote address.

In 2013, Dr Vasilka Sancin was awarded a NATO grant as co-director of the Advanced Training Course entitled NATO Regional Summer School on Cyber Defence – NATO RSSCD that took place in FYROM in October 2013 and where significant emphasis was placed on the applicability of international humanitarian law in the context of cyber defence.

The Slovenian Red Cross carried out a project for promoting knowledge on IHL for members of the Red Cross societies.

### **Promoting compliance with international humanitarian law**

In the period 2012–2014, Slovenia continued to pay special attention to the issue of children and armed conflict. It raised this issue in its statements in different multilateral fora. In this period, Slovenia took part in the annual UN Security Council Open Debates on children and armed conflict, and cosponsored the latest UN Security Council Resolution on children and armed conflict 2068 (2012). Slovenia is an active member of the Group of Friends of Children and Armed Conflict that supports the mandate of the Special Representative of the UN Secretary-General for Children and Armed Conflict. 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 joint statements with other countries in the UN Human Rights Council, including in the Universal Periodic Review.

Since 2012, Slovenia has been one of the initiators of the discussion on the issue of children and armed conflict in NATO.

Slovenia is staunch supporter of the Arms Trade Treaty (ATT) from the very beginning. Slovenia was involved in the preparation of the ATT, taking part in all phases of the long negotiation process.

Slovenia voted in favour of the United Nations General Assembly adoption of the Arms Trade Treaty on 2 April 2013, and was among the first states that signed the Arms Trade Treaty on 3 June 2013 in New York. The Government of the Republic of Slovenia launched ratification process immediately after the signature. The National Assembly of the Republic of Slovenia adopted the Act on Ratification on 27 November 2013. The Act on Ratification of the Arms Trade Treaty was signed by the President of the Republic and published in the Official Journal of the Republic of Slovenia on 16 December 2013. Finally, together with 16 other states, members of the European Union, Slovenia deposited its instrument of ratification of the Arms Trade

Treaty to the United Nations Secretary-General on 2 April 2014, when the first anniversary of the adoption of the Treaty was celebrated.

Slovenia is aware that the Arms Trade Treaty is not a typical international humanitarian law instrument. It is an instrument that sets the mechanism to regulate international trade in conventional arms by applying certain criteria for allowing the international transfers in arms. However, the respect of international humanitarian law is one of the criteria as specified by Articles 6 and 7 of the Treaty. Slovenia believes that the Arms Trade Treaty is an IHL related international instrument that – when fully implemented – will have significant humanitarian consequences.

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

In cooperation with Liechtenstein and the Global Institute for the Prevention of Aggression, Slovenia recently hosted a regional seminar on the ratification and implementation of the Kampala amendments, aimed at the states of the Eastern European Group (15 and 16 May 2014, Brdo). The purpose of the seminar was to recall the historic importance of the amendments to the Rome Statute on the crime of aggression and war crimes, adopted in Kampala in June 2010, and to encourage the states to ratify and implement them. Slovenia was the second state to have both ratified and implemented the Kampala amendments. The eminent speakers included Slovenian Foreign Minister Karl Erjavec, ICC President Judge Sang-Hyun Song, UN Under-Secretary-General for Legal Affairs, Miguel de Serpa Soares, President of the Assembly of States Parties to the Rome Statute, Ambassador Tiina Intelmann, and Slovenian constitutional judge and member of the International Law Commission Professor Ernest Petrič. A video message was delivered by UN Secretary-General Ban Ki-moon. Participants were also greeted by Benjamin B. Ferencz, former chief US prosecutor at the Nuremberg Trial, via video. In addition, several leading experts, academics and civil society representatives spoke at the seminar. The seminar also aimed at promoting the universality of the ICC.

The fight against impunity and promotion of the ICC's work was also a theme of the panel dedicated to the ICC at our 2013 Bled Strategic Forum, attended among others by ICC prosecutor Fatou Bensouda and the President of the Assembly of States Parties to the Rome Statute Tiina Intelmann.

Another important concept related to the respect of the rule of law is the Responsibility to Protect. In April 2013, Slovenia hosted the first Regional R2P National Focal Points Meeting for Europe, and plans to host another R2P meeting in 2015, when we will commemorate the 20<sup>th</sup> anniversary of Srebrenica genocide and 10<sup>th</sup> anniversary of the 2005 World Summit document that endorsed the R2P concept.

Prevention and prosecution of IHL breaches are also strongly connected with adequate internal capacities and functioning inter-state cooperation. Having recognized a legal gap, in particular regarding inter-state cooperation with respect to

the prosecution of the most serious international crimes, Slovenia will continue to work together with the Netherlands, Belgium and Argentina on the initiative for a Treaty on mutual legal assistance and extradition between States.

Slovenia has fully sustained the Montreux Document and carried out the tasks in line with its objectives. The Government of the Republic of Slovenia endorsed the Montreux Document on 19 July 2012.

### **Interministerial Commission on International Humanitarian Law**

The Interministerial Commission on International Humanitarian Law (hereinafter: the Commission) was re-established by the Government of the Republic of Slovenia on 27 March 2014. The task of the Commission is monitoring, initiating, harmonising, and managing activities for the implementation of Slovenia's commitments in the field of IHL, in particular the Geneva Conventions of 1949 and their additional protocols of 1977, as well as the dissemination of IHL knowledge at the national level. With respect to relevant IHL treaties to which Slovenia is not a state party, the Commission proposes their ratification and incorporation in national legislation to competent ministries.

The Commission is composed of the representatives of the Ministry of Foreign Affairs (the Commission's headquarters), the Ministry of Defence (including the Administration for Civil Protection and Disaster Relief), the Ministry of the Interior, the Ministry of Culture, the Ministry of Education, Science and Sport, the Ministry of Labour, Family, Social Affairs and Equal Opportunities, the Ministry of Economic Development and Technology, the Ministry of Infrastructure and Spatial Planning, the Ministry of Health, the Ministry of Justice, the Ministry of Agriculture and the Environment, the Slovenian Red Cross, the National Education Institute, and the Faculty of Law of the Ljubljana University. It is currently headed by Ambassador Andrej Grasselli, Ministry of Foreign Affairs.