



PERMANENT MISSION OF SLOVENIA TO THE UNITED NATIONS

No: N172/22

The Permanent Mission of the Republic of Slovenia to the United Nations presents its compliments to the Office of Legal Affairs of the United Nations and, with reference to the latter's Note Verbale No. LA/COD/2/1 of 17 January 2022 has the honour to submit the 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.

The Permanent Mission of the Republic of Slovenia to the United Nations avails itself of this opportunity to renew to the Office of Legal Affairs of the United Nations the assurances of its highest considerati

New York, 5 May 2022



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, 5 May 2022

In the 2020–2022 period, the Permanent Coordination Group for International Humanitarian Law (hereinafter: the Slovenian national IHL committee) monitored the implementation of, and respect for, international humanitarian law, particularly the 1949 Geneva Conventions and their 1977 Additional Protocols.

The Permanent Coordination Group for International Humanitarian Law has been particularly engaged in the drafting of programmes of two international events on IHL issues held during the Slovenian Presidency of the Council of the EU, in September and November 2021.

The report was drafted in accordance with the UN General Assembly resolution 75/138 of 15 December 2020 (Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts).

Slovenia addresses IHL issues in multilateral (by delivering regular statements at the Security Council Open Debate on Protection of Civilians in Armed Conflict and at high-level UN side events on IHL, such as enhancing monitoring of and Improving Compliance with IHL) and regional forums.

Slovenia is a co-sponsor of the Swiss side event titled Protecting Water in Armed Conflicts is Protecting Civilians. The event will be organised at the UN level during the Protection of Civilians Week (23–27 May 2022).

Slovenia strongly supports the International Humanitarian Fact-Finding Commission and a number of IHL initiatives, including the Call for Action.

33rd INTERNATIONAL CONFERENCE OF THE RED CROSS AND RED CRESCENT

Slovenia reported on the progress made in the implementation of resolutions and pledges adopted by the 33rd International Red Cross and Red Crescent Conference held in Geneva between 9 and 12 December 2019.

PROMOTING COMPLIANCE WITH IHL AT THE EU LEVEL

In the EU framework, the Council adopted the Guidelines on promoting compliance with IHL, and annual reports on the EU's activities on IHL are being prepared. These reports prove that the EU has placed compliance with IHL at the heart of its external action. In order to promote compliance with IHL by third countries, the EU uses different tools, such as statements, declarations, conclusions, political dialogue, restrictive measures, demarches, arms control, crisis management operations and training.

On 8 September 2021, the fourth report on the implementation of the EU Guidelines on promoting compliance with IHL was launched for the first time at a virtual event organised by the two Council presidencies in 2021, Slovenia and Portugal. The event was aimed at raising awareness of the EU's activities in IHL and brought together more than one hundred participants from all over the world.

The panellists agreed that only coherent, coordinated, complementary and mutually reinforcing actions can contribute to effective compliance with IHL on the ground, highlighting the importance of the global response to IHL violations, since we are facing a growing number of civilian victims, especially among children and other vulnerable groups.

IHL AT THE DOMESTIC LEVEL

Slovenia promotes the dissemination of, and respect for, IHL through regular consultations between the Slovenian and German IHL committees. In 2021, the ICRC experts significantly

enriched these consultations with their contributions. Doctors without Borders have joined the discussion for the first time. The consultations held in accordance with the resolution adopted at the 33rd Conference of the Red Cross and Red Crescent titled "Bringing IHL Home" addressed contemporary IHL issues, such as attacks against medical and humanitarian personnel, challenges of the International Humanitarian Fact-Finding Commission and the UN Human Rights Committee, protection of media professionals in armed conflicts and the spreading of IHL knowledge at the domestic level.

In accordance with the above resolution adopted at the 33rd Conference of the Red Cross and Red Crescent, Slovenia organised regional consultations for the first time during its EU Council Presidency, on 16 and 17 November 2021. These consultations brought together the Slovenian, Austrian, Dutch, French, German Committees and the MFA of Portugal. Dr Helen Durham, Director of International Law and Policy of ICRC, was a keynote speaker.

The chairs of the five national IHL committees compared their mandates, tasks, composition and challenges. The second panel addressed the issue of climate change and armed conflicts from the political, scientific and humanitarian perspectives. The last panel focused on the protection of the environment during and after armed conflicts. The environment is often directly attacked or incidentally affected in the course of military operations. The environmental consequences of armed conflicts may contribute to climate change. The ICRC regional legal adviser underlined the aim and the main elements of the ICRC updated Guidelines on the protection of the natural environment in armed conflict.

DISSEMINATION OF IHL THE NATIONAL LEVEL

a) MINISTRY OF DEFENCE

Members of the Slovenian Armed Forces acquire a basic knowledge of the principles, concepts and rules of the international law of armed conflict as part of the military education programme provided by the Military Schools Centre of the Slovenian Armed Forces. In addition, annual training in individual military skills is provided in accordance with the Slovenian Armed Forces Annual Training Plan. An e-learning centre has been established for this purpose.

Prior to any deployment to International Operations and Missions (IOM), the Slovenian Armed Forces provide training for Slovenian Armed Forces members and civilian functional experts. The mandatory part of the programme includes: legal bases for the conduct of IOM and the use of force. The participating Slovenian Armed Forces members also become acquainted with the provisions of international military law, international humanitarian law, first aid procedures and other mandatory topics.

b) MINISTRY OF THE INTERIOR

IHL is also part of the police education programme in Slovenia. Topics related to international humanitarian law are included in the theoretical and practical parts of police education and interrelate with topics on the protection of human rights and fundamental freedoms

c) *FACULTY OF LAW, UNIVERSITY OF LJUBLJANA*

IHL is taught as part of international public law. At the second (master's) level, students regularly select the optional subject – International Law of Armed Conflict. IHL can also be selected as a topic for a master's degree (e.g. the use of autonomous weapons and IHL) and a doctoral thesis. The students test and broaden their knowledge of IHL at numerous international competitions (Moot Courts) organised by the Faculty of Law of the University of Ljubljana (*All-European International Humanitarian and Refugee Law Moot Court Competition*), in cooperation with the ICRC, UNHCR and the Slovenian Red Cross. Student teams also successfully compete abroad (e.g. the Jean Pictet Competition). Current issues relating to IHL are also discussed at international interdisciplinary scientific conferences on the Responsibility to Protect in Theory and Practice (www.R2Pconference.com), which is organised every second year by the Department of International Law of the Faculty of Law of the University of Ljubljana.

d) *PEACEKEEPING OPERATIONS TRAINING CENTRE (POTC)*

A few years ago, the Slovenian ministries of foreign affairs, defence and the interior established the Peacekeeping Operations Training Centre (POTC), which implements certified training and education for the military, police, civilian functional specialists and other civilian personnel prior to their deployment to peacekeeping operations and missions within the UN, EU, NATO and the OSCE. The Centre organises training courses, such as work and life in a multicultural environment, protection of human rights and cooperation with local personnel. The POTC has recently organised the Protection of Civilians Introductory Training Course for Civilian and Police Personnel.

ICC

Slovenia supports full implementation of the Rome Statute, its universality and integrity. In addition, Slovenia supports the work and efficient functioning of the ICC and its judicial independence.

According to the complementarity principle of the Rome Statute, the primary responsibility for bringing offenders to justice lies with States themselves. To strengthen the fight against impunity and enhance cooperation between national courts of different States when prosecuting the most heinous crimes, Slovenia supports the adoption of a new multilateral instrument: the Convention on International Cooperation in the Investigation and Prosecution of the Crime of Genocide, Crimes against Humanity and War Crimes (the MLA Initiative). As a member of the MLA Initiative Core Group, Slovenia contributes to the process leading to the adoption of the Convention. The Diplomatic Conference for the adoption of this convention was planned to take place in Ljubljana, Slovenia, in June 2020. Unfortunately, due to the coronavirus pandemic, the Conference was postponed and will not take place before 2023.

In support of the work of the ICC, Slovenia acknowledges the importance of cooperation between the States and the Court, especially through bilateral agreements enabling the Court to perform its duties. In this respect, Slovenia concluded the Agreement with the ICC on the Enforcement of Sentences of the ICC and ratified it in 2022.

Within bilateral and multilateral fora, Slovenia regularly voices its support for the ICC and the fight against impunity in general.

In order to promote and raise awareness of the ICC, Slovenia regularly participates in the Assembly of States Parties to the Rome Statute (ASP) and additionally contributed to the work of the ASP as a member of its Bureau until 2021.

With its participation in the Council Working Group on Public International Law (COJUR-ICC), Slovenia contributes to the advancement of the 2011 EU Action Plan aimed at promoting universal support for the Rome Statute of the International Criminal Court. Therefore, Slovenia promotes the widest possible participation of States in the Statute, supports the independence of the ICC, its efficient functioning, and cooperation with the Court.

The Minister of Foreign Affairs attends annual informal ministerial network meetings in support of the ICC and also visited the ICC and met with its officials in 2020. Slovenia voices its support for the ICC at the UN General Assembly in its national statements on the report of the ICC to the UN.

Slovenia held its presidency of the Council of the EU in the second half of the 2021. During the presidency, the Slovenian delegation met with the Court's officials, including the ICC Presidency, to discuss cooperation and the challenges facing the Court. The Slovenian Foreign Minister gave a speech on behalf of the EU at the ASP, expressing strong support for the ICC and all of its aspects.

Within bilateral fora with States not parties to the Rome Statute, Slovenia regularly promotes the ICC in the context of the fight against impunity, the need for universal recognition of the importance of the Rome Statute, its integrity and independence. We call upon non-states parties to ratify the Rome Statute and become members of the ASP. Regarding accession to the Rome Statute, Slovenia has not received any requests for assistance from non-states parties.

Slovenia regularly expresses its unwavering support for the crucial work of the ICC in the fight against impunity, as well as on the occasions of the annual EU Day against Impunity and the Day of International Criminal Justice. Slovenia will continue to promote the universality of the Rome Statute in the future, i.e. by commemorating the 20th anniversary of the entry into force of the Rome Statute on 1 July 2022.