



Amnesty International  
Slovenije

Janez Janša, Prime Minister of the Government of the Republic of Slovenia  
Gregorčičeva 20, 25

1000 Ljubljana

Ljubljana, 22 January 2008

Dear Mr. Janša,

on behalf of Amnesty International, a worldwide international movement for the promotion of human rights, we would like to again express our deepest concern regarding the erasure of 18,305 persons who were illegally removed from the Slovenian registry of permanent residents in 1992. Due to this gross violation of human rights, thousands of the erased are still left without a legally regulated status both inside and outside Slovenia, some have become stateless. Even those who subsequently had their status regulated (because they obtained Slovenian citizenship or a permanent residence permit) continue to suffer from negative consequences of their erasure and have not been granted full reparation yet.

The persistence of this human rights violation breaches the very essence of the EU as an "Area of Freedom, Security and Justice" and is not in line with international law obligations. Two decisions of the Constitutional Court of Slovenia (1999 and 2003), the March 2006 report of the Council of Europe Commissioner for Human Rights and the concluding observations of the UN Committee on Economic Social and Cultural Rights of November 2005 clearly note the erasure as illegal and a human rights violation – both in character and in its ongoing negative effects. Negative consequences have included human rights violations such as inadequate access to health care and education and loss of social security including pension rights.

Slovenian authorities have failed to implement these recommendations, including direct and clear instructions by the Slovenian Constitutional Court. As a member state of the UN Human Rights Council and currently holding the EU Presidency, Slovenia's conduct and lack of political will to properly resolve the issue sends the wrong signal to the international community regarding Slovenia's compliance to its obligations under international human rights law and its commitment to the promotion and respect of human rights.

Amnesty International has also received many responses from diplomatic representatives of Slovenian government and from these responses it is evident that even the highest

representatives of Slovenia do not fully comprehend or misuse the legal aspects of the erasure, are not familiar with relevant decisions and opinions of the Constitutional court and international Human Rights bodies – or they intentionally and bluntly ignore them.

We are closely following the proceedings on the adoption of a special Constitutional law relating to the erased. Amnesty International welcomes the readiness of the authorities to seek appropriate solutions for this issue. However, we strongly believe that this draft is not in line with relevant human rights standards and that it does not comply with the Constitutional Court's decisions and other recommendations of international institutions. Among other contentious issues, the draft law seeks to legalize the act of erasure *ex tunc*, denying acknowledgment of the "erasure" and denying appropriate redress including compensation. For these reasons Amnesty International urges Slovenian government to retract the proposal of the Constitutional law.

Eighteen directors and lobbyists of Amnesty International sections from European Union states that met in Slovenia for a two day meeting urge you personally to actively engage yourself to publicly acknowledge the erasure as an illegal act and a violation of Human Rights and to guarantee that any adopted measures will be in line with the decisions and opinions of the Constitutional court and international human rights bodies. Such *ad hoc* legislative and other measures should grant full reparation, including restitution *ex tunc*, satisfaction, compensation, rehabilitation and guarantees of non-repetition, to all individuals affected by the erasure. Such a solution should fully implement the decisions of the Constitutional Court, be in line with international organizations' recommendations and would clearly demonstrate Slovenian compliance with EU fundamental values and its commitment to the human rights cause.

Yours sincerely,



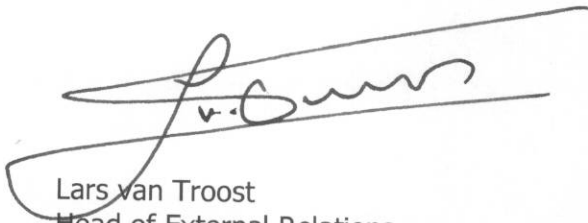
Dick Oosting  
Director  
Amnesty International EU Office



Nataša Posel  
Director  
Amnesty International Slovenia



Nicola Duckworth  
Director of Europe and  
Central Asia Programme  
International Secretariat AI



Lars van Troost  
Head of External Relations  
AI Netherlands



Antoine Fobe  
EU and Intergovernmental Organizations Coordinator  
AI France



Monica Costa  
Foreign Affairs and Institutional Relations  
AI Spain



Stinne Lyager Bech  
International Coordinator  
AI Denmark



Tiina Kaila  
Policy Director  
AI Finland



Ville Forsman  
Director  
AI Turkey



Magdalena Laskova  
Coordinator for International Affairs  
AI Czech Republic



Attila Kosik  
Advocacy Coordinator  
AI Hungary

Montserrat Carreras  
EU Coordinator  
AI Belgium

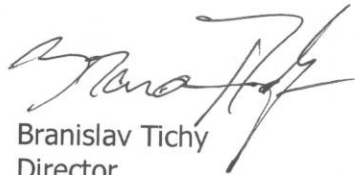


Silke Voss-Kyeck  
EU Coordinator  
AI Germany

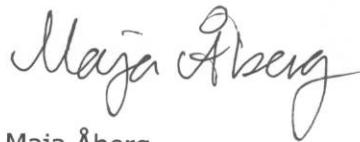


Martin Stübinger  
Monitoring Coordinator  
AI Austria  
Katarzyna Trzpiola  
EU and Intergovernmental Organizations Team  
AI Poland





Branislav Tichy  
Director  
AI Slovakia



Maja Åberg  
Advocacy Officer  
AI Sweden



Dafni-Kyriaki Tsihli  
Lobbying Coordinator  
AI Greece