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Slovenia: 20 years later – Issue of the erased remains unresolved

The Slovenian authorities must restore the legal status of thousands of people who were removed from the Slovenian registry of permanent residents twenty years ago and compensate them for the hardship they've suffered, Amnesty International said today.

“It's about time that Slovenian authorities acted and reinstated those forced to the margins of society, deprived of their rights and their documents,” said Nicola Duckworth, Amnesty International's Director for Europe and Central Asia.

“With the stroke of the pen, people were denied health care and education, lost their homes, jobs and pensions and had to face extreme poverty and marginalization. Many were forcibly removed from the country as illegal migrants.”

On 26 February 1992, some 25,671 people - about one per cent of the population of the country - were unlawfully removed from the Slovenian registry of permanent residents.

They were mainly people from other constituent republics of the former Yugoslavia, who had been living in Slovenia but had not acquired Slovenian citizenship after the country became independent.

Deprived of their economic, social and political rights, some were forced to migrate to other European countries. Those who stayed in Slovenia had to pretend that they were refugees or even asylum-seekers. Many lost their jobs or pension.

There were some cases of suicide and of death due to poverty and lack of medical care. A series of legal rulings against the erasure have since been made.

The Constitutional Court in Slovenia ruled twice that the revoking of citizenship was illegal - once in 1999 and again in 2003. It said that those affected should have their status of permanent resident reinstated retroactively from the day the records were deleted.

In 2010, the European Court of Human Rights found violations of the right to private and family life and the right to an effective remedy to a group of erased complainants. A piece of legislation from that year had not gone far enough to address all the human rights violations experienced by them - the authorities failed to return the legal status to all of the erased and did not present any plans to wholly address all injustices, including the issue of compensation.

Out of 13,000 whose status remains unresolved only a limited number have made an application for their status to be restored.

“When the erased clung to the new legislative measures, it became clear they were faced with an extremely complex procedure in which the burden of proof rested entirely with the plaintiff. That's despite the fact the erasure was not their fault. They were not even exempt from administrative fees,” said

Nicola Duckworth.

“The deletion of thousands of people from the country's permanent residence registry is one of the gravest human rights violations in independent Slovenia.“

“The authorities must recognize its discriminatory nature and conduct a thorough and impartial investigation of erasure and its consequences”.

“Redress along international law standards, including restitution, satisfaction, compensation, rehabilitation and guarantees of non-repetition is long overdue.”