

AMNESTY INTERNATIONAL PRESS RELEASE

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Slovenia: Restore the rights of the "erased"

"All this time we lived only from time to time moonlighting and with help of neighbors and friends. When we were sick, we were getting treatment by asking - we were not insured and there was no money to pay for the doctor, so we were asking people in what way we could ease pains."

An "erased" person

Thirteen years on, thousands of people in Slovenia continue to live with no legal status. They ceased to exist legally when their names were erased by the Slovenian authorities from the registry of permanent residents.

Amnesty International today expressed its concerns about the failure of the Slovenian authorities to resolve the status of the so-called "erased" and to ensure that their rights are fully respected.

In 1992 some 18,305 individuals were unlawfully removed from the Slovenian registry of permanent residents. They were mainly people from other former Yugoslav republics, who had been living in Slovenia and had not acquired Slovenian citizenship, after Slovenia became independent.

One of the persons removed from the registry of permanent residents told Amnesty International:

"I lived in Slovenia since 1963 when we were evacuated from Macedonia after the earthquake. I ran a business here but had to leave it when I was removed from the residency register. They destroyed my identity card and passport issued in Slovenia. I felt humiliated and discriminated against. An official told me to go and arrange for a Macedonian passport. 'How can I travel to Macedonia without a passport?' I asked while I could not believe the official in a democratic country, which I considered my homeland, could behave this way. 'Take the wings and fly, or buy yourself a helicopter,' he mocked me."

In 1999 and again in April 2003 the Slovenian Constitutional Court recognized the unlawfulness of the removal from the registry of permanent residents of the individuals concerned and ordered the Slovenian authorities to retroactively restore their permanent resident status. The Slovenian Constitutional Court recognized that this measure constituted a violation of the principle of equality and, in those cases where the individuals concerned had to leave Slovenia, it gave rise to a violation of their rights to a family life and to freedom of movement. Of a total of approximately 18,000 individuals "erased" in 1992, some 12,000 had their permanent residence status restored, but only with effect from 1999 or later; this negatively affected the enjoyment of their pension and other social and economic rights. Following the 2003 Constitutional Court decision, the Slovenian Ministry of Interior has begun issuing permanent residence decrees with retroactive validity but, as of February 2005, only approximately 4,100 such

decrees were issued.

"It is a shame that in Slovenia there are people who do not exist for the authorities. They are deprived not only of names. They are deprived of basic human rights. They cannot travel, find a job, get married, go to school or university, receive pension or health care. Some of them remained stateless after they were removed from the registry of permanent residents," Amnesty International said.

Amnesty International urges the Slovenian authorities to explicitly and publicly recognize the discriminatory nature of the removal from the population registry of the individuals concerned and to ensure that their status of permanent residents is retroactively restored. Moreover, Amnesty International urges the Slovenian authorities to ensure that access to reparation, including compensation, is granted to all individuals concerned.

Public Document

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