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Slovenia*

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I. General information on the reporting State

A. Demographic, economic, social, natural and cultural characteristics

(i) General overview

1. Slovenia is a parliamentary democratic republic; it became independent after the dissolution of the Socialist Federal Republic of Yugoslavia (SFRY) in 1991. Upon gaining independence, the Republic of Slovenia pursued its strategic developmental and security interests by joining numerous international and regional organisations: in March 1992, the Organization for Security and Co-operation in Europe; in May 1992, the United Nations; in May 1993, the Council of Europe; in March 2004, the North Atlantic Treaty Organization; and in May 2004, the European Union.

2. Slovenia extends over 20,300 km², bordering Austria in the north, Italy in the west, Croatia in the south and east, and Hungary in the east. Its coastline of some 47 km skirts the Adriatic Sea. At 2,864 metres, its highest mountain is Triglav, the highest peak of the Julian Alps. Incorporated in the national coat of arms, this triple-peak mountain is Slovenia's national symbol.

3. The official language in Slovenia is Slovene; in the municipalities in which Italian or Hungarian national communities reside, Italian or Hungarian are also official languages. The capital of Slovenia, as well as its geographical, cultural, scientific, economic, political, and administrative centre, is Ljubljana. On 1 January 2007, the Slovenian currency (tolar) was replaced by the euro.

4. Owing to its natural and social characteristics, Slovenia is a contact and transit country. Slovenia is located at the meeting point of four linguistic and cultural regions: Slavic, Germanic, Romance, and Finno-Ugric. In addition, four major geographical phenomena meet and overlap in Slovenia, i.e. the Alps, the Dinarides, the Pannonian Basin, and the Mediterranean. The rich diversity of its geology, relief, and climate, combined with their interaction, creates exceptional soil and biotic diversity.

5. Slovenia has a moderate climate, although it varies considerably according to the country's geographical diversity. Slovenia has three different climates: the coastal region is characterised by a Mediterranean climate; the central region and the Pannonian region in the east have a continental climate; and north-western Slovenia has an Alpine climate.

6. It is rich in forest resources, with 12,114.1 km², i.e. 59.8%, of its total surface covered in woodland, supporting some 950 plant species, including 71 tree species. Slovenian forests are home to 95 bird species, 70 mammal species, 17 amphibian species, and 10 reptile species. The forests absorb 7.5 million tonnes of carbon dioxide annually, part of which is stored in wood, and produce approximately 5.5 million tonnes of oxygen, thus representing, in global terms, a major carbon sink.

7. Approximately 14 % of Slovenia's territory is protected by nature conservation legislation, with Triglav National Park (83,807 ha) being the largest area. Part of the European network for the protection of species and habitats, Natura 2000 sites stretch over 38% of Slovenia's surface area (the largest share of a national territory in the EU). In 1986, the Škocjan Caves were inscribed on UNESCO's World Heritage List, to be followed in 2017 by two forest reserves that are part of the transboundary property of the Ancient and Primeval Beech Forests of the Carpathians and Other Regions of Europe. The Sečovelje Salt-pans, Lake Cerknica, and the Škocjan Caves have been included in the List of Wetlands of International Importance under the Ramsar Convention.

8. The great diversity of animal and plant species in Slovenia is made possible by its rich geology and diverse relief, ranging from sea level to 2864 m, and because the country extends over four bio-geographical regions. Slovenia is home to some 26,000 species, including 800 endemic animal, and 66 plant, species. In order to preserve agricultural biodiversity, landrace plant varieties, animal breeds, indigenous plant species are kept in animal husbandry and crop gene banks.

9. Endemic animal species include the olm or proteus (*Proteus anguinus*), the world's largest cave-dwelling species, with the most numerous population found in Slovenia. The brown bear (*Ursus arctos*) population in Slovenia belongs to one of the largest in Europe, inhabiting the territory of the Alps, the Dinarides, and the Pindus. Concerning endangered animal species, Slovenia has been involved in a European project to preserve the lynx (*Lynx lynx*), with a population of only 10 to 15 animals still living in the country. Slovenia is home to the renowned Lipizzan horses, whose origins date back to the establishment of a stud-farm in the Karst village of Lipica in 1580.

10. Preserving biodiversity, i.e. the diversity of plant and animal species, is a prominent feature of Slovenia's foreign policy. Slovenia boasts a centuries-long bee-keeping tradition. In fact, it was on Slovenia's initiative that the UN designated 20 May as World Bee Day to raise awareness of the importance of bees and wild pollinators for human welfare and to protect them. Since their role in nature is indispensable to the preservation of mankind, the observance of a designated day at the global level also carries an important humanitarian message.

(ii) Population

11. On 1 January 2019, Slovenia's population was 2,080,908, of which 1,038,656 men and 1,042,252 women. The average population density is 103 people per km². The population has increased by 4.0% since 1991; since 2011 it has grown by 1.5%, mainly owing to immigration, the net migration change accounting for almost the double of the natural change (20,000 compared to 10,000 people) between 2011 and 2018.

Table 1: Population by age and sex, Slovenia, 1 January 1991–2019

<i>Sex</i>	<i>Age</i>	<i>1991</i>	<i>2000</i>	<i>2011</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>
Total		1 999 945	1 987 755	2 050 189	2 064 188	2 065 895	2 066 880	2 080 908
	0–14 years	411 072	320 374	290 853	306 390	308 594	310 677	313 706
	15–64 years	1 372 530	1 391 981	1 420 392	1 377 696	1 366 875	1 354 941	1 354 148
	65 years and over	216 343	275 400	338 944	380 102	390 426	401 262	413 054
	Children aged 0–17	499 683	401 944	350 696	362 221	364 253	366 526	368 733
Males	Total	970 229	970 812	1 014 563	1 023 333	1 025 125	1 027 041	1 038 656
	0–14 years	211 000	164 437	149 702	157 674	158 666	159 783	161 389
	15–64 years	684 333	705 782	730 685	708 132	703 235	697 990	701 435
	65 years and over	74 896	100 593	134 176	157 527	163 224	169 268	175 832
	Children aged 0–17	256 362	206 118	180 337	186 570	187 416	188 652	189 869
Females	Total	1 029 716	1 016 943	1 035 626	1 040 855	1 040 770	1 039 839	1 042 252
	0–14 years	200 072	155 937	141 151	148 716	149 928	150 894	152 317
	15–64 years	688 197	686 199	689 707	669 564	663 640	656 951	652 713
	65 years and over	141 447	174 807	204 768	222 575	227 202	231 994	237 222
	Children in the age of 0–17 years	243 321	195 826	170 359	175 651	176 837	177 874	178 864

Source: Statistical Office of the Republic of Slovenia.

12. Since 2011, the median age of the population has increased by 1.7 years. There was a 3.3 percentage point increase in the number of the older people, whereas the percentage of children (0–14 years) has decreased by 0.9 percentage points; the percentage of working-age people (aged 15–64) has been constantly decreasing.

Table 2: Population by age, Slovenia, 1 January 1991–2019

	1991	2000	2011	2016	2017	2018	2019
Median age (in years)	35.9	38.6	41.7	42.7	43.0	43.2	43.4
0–14 years (%)	20.6	16.1	14.2	14.8	14.9	15.0	15.1
15–64 years (%)	68.6	70.0	69.3	66.7	66.2	65.6	65.1
65 years and over (%)	10.8	13.9	16.5	18.4	18.9	19.4	19.8

Source: Statistical Office of the Republic of Slovenia.

13. On 1 January 2019, foreign nationals accounted for 6.6% of the total Slovenian population. Since 2009, their number has increased by 3.1 percentage points, with the number of males significantly exceeding that of females; however, the recent years have witnessed a rising percentage of females. The increase in the number of foreign nationals among the Slovenian population can mostly be accounted for by immigration.

Table 3: Foreign nationals, Slovenia, 1 January 2009–2019

	2009	2011	2016	2017	2018	2019
Total	70 723	82 746	107 766	114 438	121 875	138 193
Males	52 083	58 697	70 471	74 314	78 856	90 830
Females	18 640	24 049	37 295	40 124	43 019	47 363
Foreign nationals (%)	3.5	4.0	5.5	5.5	5.9	6.6

Source: Statistical Office of the Republic of Slovenia.

14. Approximately one half of Slovenia's population live in urban areas; this percentage has remained unchanged for several years.

(iii) Population projections

15. According to the EuroPop2018 population projection, Slovenia is expected to experience population growth until around 2025 (to some 2,088,000), at which point the population will start declining. It is projected that by 1 January 2100, Slovenia will have a population of some 1,796,441, which is a 14 % decrease with respect to the first projection year (2020).

16. In 2100, Slovenia's immigration rates are expected to exceed emigration rates by 1,768 people. In addition, Slovenia's total rates are projected to rise slowly to reach 1.77 by 2100. In Slovenia, life expectancy at birth is projected to increase: males born in 2100 are expected to reach the age of 89 and females almost the age of 93.

17. Furthermore, a significant change is projected in the age structure: the percentage of children (under 15) is not expected to decrease significantly, with rapid population ageing as the main demographic characteristic. It is assumed that in 2100, Slovenia will have 57 older people (over 65) and 25 children per 100 working-age persons (aged 15–64).

Table 4: EUROPOP2018 population projections for Slovenia, 2020–2100

	Total population	Aged 0–14 (%)*	Aged 15–64 (%)*	Aged 65 and over (%)*	Aged 80 and over (%)	Old-age dependency ratio (%)
2020	2 083 676	15.2	64.5	20.4	5.5	31.6
2025	2 087 779	14.7	62.6	22.8	6.1	36.4
2030	2 079 967	13.6	61.4	25.0	6.8	40.8
2035	2 068 389	12.9	60.0	27.0	8.4	45.0
2040	2 056 567	13.0	58.5	28.5	9.8	48.7

	<i>Total population</i>	<i>Aged 0–14 (%)*</i>	<i>Aged 15–64 (%)*</i>	<i>Aged 65 and over (%)*</i>	<i>Aged 80 and over (%)</i>	<i>Old-age dependency ratio (%)</i>
2050	2 024 248	14.1	54.5	31.3	11.6	57.5
2060	1 961 700	13.9	54.6	31.5	13.3	57.6
2070	1 893 609	13.7	56.4	29.9	14.3	53.0
2080	1 846 638	14.4	55.3	30.2	12.9	54.7
2090	1 819 201	14.3	54.7	31.0	13.2	56.6
2100	1 796 441	13.9	55.0	31.1	15.1	56.6

Source: Eurostat * Percentages by major age groups may not total 100 due to rounding.

(iv) Fertility rate

18. Slovenia's fertility rates have registered a decrease for more than 100 years, particularly after 1980, with the number of live births falling under 20,000 in 1992 for the first time. The lowest fertility rate was recorded in 2003 (17,321 births), exceeding 20,000 in the 2007–2017 period, only to fall again to 19,585 in 2018. The increase in births in the last ten years is related to the age structure of the population on the one hand and to the trend of delaying motherhood on the other. The slowly declining number of women of prime childbearing age (25–35 years) has resulted in a smaller number of live births. In recent years, women at birth are on average almost 5 years older than in the early 1990s.

19. In 2018, the mean age of women giving birth was exactly 31 years, with 29.5 years for first-time mothers. On average, first-time fathers were three years older. More than one half (58%) of women who gave birth in 2018 were aged 30 or more, while 30 years ago (1988), the share amounted to 18%. In 1988, every second woman who gave birth was younger than 25 years; in 2018, the share of young mothers was one in nine.

20. In 2018, the total fertility rate, i.e. the average number of live-born children per woman during her childbearing age (given the current mortality rate and based on the expectation that the woman will live past her 49th birthday), stood at 1.61. Similar figures were recorded at the end of the 1980s. Despite the increase in the past decade (the bottom was touched in 2002 at 1.20), the population replacement rate in Slovenia continues to decline.

21. Since 2007, 50% of babies were born to unmarried mothers or in extra-marital unions; in 2018, the percentage stood at 57.7. In most cases (around 70%), paternity is acknowledged before the birth. According to these data, marriage is no longer the prevailing type of family unit among young people; the share of unmarried mothers at birth has been increasing since the mid-1970s, when there was no difference between the share of children born to unmarried and married couples. The age difference between married and unmarried mothers is minimal.

22. Following the legalisation of abortion in 1977, the number of legal abortions has been decreasing since 1982, i.e. by two-thirds over the past 20 years. In 2017, there were 3,529 legal abortions, equalling 17 % of live births; 8.1 legal abortions were performed per thousand women aged 15–49. The highest percentage was recorded among 30–34-year-olds (13 abortions per thousand women).

Table 5: Selected fertility rate indicators, Slovenia, 1991–2018

Year	Live births				Total fertility rate	Mean age of mother at birth		Age of mother Up to 25 years (%)	35 years and over (%)	Legal abortions	
	Total	Per 1,000 inhabitants	Live births outside marriage (%)	Third birth or more (%)		All live births	First birth			Number	Rate
1991	21 583	10.8	26.4	13.3	1.42	26.3	24.1	44.8	6.1	14 027	27.4
2000	18 180	9.1	37.1	13.8	1.26	28.3	26.5	26.4	9.6	8 429	16.4

Year	Live births				Total fertility rate	Mean age of mother at birth		Age of mother		Legal abortions	
	Total	Per 1,000 inhabitants	Live births outside marriage (%)	Third birth or more (%)		All live births	First birth	Up to 25 years (%)	35 years and over (%)	Number	Rate
2011	21 947	10.7	56.8	13.6	1.56	30.4	28.8	12.7	16.6	4 263	9.0
2015	20 641	10.0	57.9	14.1	1.57	30.7	29.3	11.4	19.0	3 682	8.2
2016	20 345	9.9	58.6	14.3	1.58	30.9	29.4	10.8	20.1	3 736	8.4
2017	20 241	9.8	57.5	14.7	1.62	30.9	29.4	11.3	20.6	3 529	8.1
2018	19 585	9.5	57.7	15.4	1.61	31.0	29.5	11.5	21.5	-	-

Source: Statistical Office of the Republic of Slovenia and National Institute of Public Health (Abortions).

(v) Mortality rate

23. Between 1993 and 2017, the number of deaths in Slovenia was below 20,000 annually. Despite some minor fluctuations between the years, the rate continued to decrease. In 2017 and 2018, the number of deaths amounted to 9.9 per 1,000 people. Life expectancy has increased over the past 30 years. In 2018, men at death were, on average, almost 10 years older, while women were 9 years older, than in 1988. It is well known that, on average, women have a slightly longer life expectancy than men. Consequently, in 2018, the mean age at death was 7.5 years higher for women than for men.

24. Nevertheless, the difference in life expectancy between men and women is gradually decreasing. Between 1988 and 2018, it fell from 7.8 to 5.7 years. Given the current mortality rate, the life expectancy of a boy born in 2018 is 78.3 years and that of a girl is 84.

25. The infant mortality rate continues to decrease. In 2018, 33 infants died in their first year. Over the last 20 years, the infant mortality rate has decreased radically. In 1988, the number of infant deaths was 10 per 1000 live births, while in 2018 it amounted to 1.7. In 2012, the rate fell below 2 for the first time. Slovenia ranks among the European countries with the lowest infant mortality rate.

Table 6: Selected mortality indicators, Slovenia, 1991–2018

Year	Deaths		Mean age at death		Infant deaths per 1,000 live births		Life expectancy	
	Total	per 1,000 inhabitants	Males	Females	Boys	Girls	Males	Females
1991	19,324	9.7	65.4	75.0	10.5	5.8	69.5	77.3
2000	18,588	9.3	67.2	75.6	5.6	4.2	72.1	79.6
2011	18,699	9.1	71.2	79.7	3.6	2.1	76.6	82.9
2015	19,834	9.6	72.8	81.0	1.7	1.5	77.6	83.5
2016	19,689	9.5	73.0	81.4	1.9	2.1	78.0	83.9
2017	20,509	9.9	74.0	81.4	2.0	2.2	78.1	83.7
2018	20,485	9.9	74.1	81.6	2.2	1.2	78.3	84.0

Source: Statistical Office of the Republic of Slovenia.

Table 7: Leading causes of death, Slovenia, 2008–2017

	2008	2011	2015	2016	2017
Cardiovascular diseases	7 237	7 313	7 982	7 810	8 005
Neoplasms	5 762	5 896	6 231	6 248	6 382

	2008	2011	2015	2016	2017
Respiratory diseases	1 144	1 197	1 306	1 266	1 280
Injuries, poisoning and other external causes of death	1 404	1 363	1 336	1 330	1 467
Digestive diseases	1 184	1 139	875	896	912
Endocrines, nutritional and metabolic diseases	316	355	386	357	387
Urinary and genital diseases	220	328	311	308	277
Neurological diseases	280	338	422	434	621
Other symptoms, signs, and abnormal clinical or laboratory results	181	273	379	410	484
Certain infectious and parasitic diseases	143	78	152	131	114

Source: National Institute of Public Health.

(vi) International migration

26. Even before its independence, Slovenia was a popular immigration destination for people from less-developed regions of the former Yugoslavia. The majority were economic immigrants who were not Slovenians by origin, but some of them were also of Slovenian descent. The same trend continued after independence, with immigrants and emigrants being mainly foreign nationals. Some have settled permanently in Slovenia, causing a constantly positive net migration growth of foreign nationals (more than 17,000 people moved to Slovenia in 2018, which saw the second largest net migration growth since independence). By contrast, a negative net migration growth of Slovenian citizens was recorded, averaging at just below 6,000 in the 2012–2017 period. The reasons for immigration are mainly economic, but there is also a significant trend of secondary immigration, i.e. the immigration of family members of foreign nationals already residing in the country (primarily from the territory of the former Yugoslavia). Slovenian citizens migrate to EU countries (mostly Germany and Austria).

Table 8: International migration, Slovenia, 2000–2018

	Immigrants			Emigrants			Net migration growth		
	Total	Citizens of Slovenia	Foreign nationals	Total	Citizens of Slovenia	Foreign nationals	Total	Citizens of Slovenia	Foreign nationals
2000	6 185	935	5.25	3 570	1 559	2 011	2 615	-624	3 239
2011	14 083	3 318	10 765	12 024	4 679	7 345	2 059	-1 361	3 420
2015	15 420	2 755	12 665	14 913	8 654	6 259	507	-5 899	6 406
2016	16 623	2 863	13 760	15 572	8 818	6 754	1 051	-5 955	7 006
2017	18 808	3 288	15 520	17 555	9 871	7 684	1 253	-6 583	7 836
2018	28 455	4 354	24 101	13 527	6 595	6 932	14 928	-2 241	17 169

Source: Statistical Office of the Republic of Slovenia.

27. On 1 January 2018, Slovenia registered 250,000 immigrant residents (12.1%), – 21,000 more than in 2011. The first residence of the majority was in one of the following countries: in other countries emerging from the former Yugoslavia (as many as 86%), Germany, Italy, the Russian Federation, Austria, and Ukraine (8% in total). 55% already held Slovenian citizenship (the majority obtained it shortly after independence), which puts Slovenia among the European countries with the highest percentage of citizens born abroad. In total, immigrant residents are coming from 171 countries.

(vii) Households and families

28. Between the 2002 census and the beginning of 2011, the number of households increased by 128,000 to 684,847, while the average household size fell from 2.8 to 2.5 members, mostly owing to a leap in the number of single households (from 150,000 to

266,000). As of 2011, the number of households has increased steadily, to reach 824,618 in early 2018; a slight decline in the average household size (to 2.46) was due to the decreased number of four-member households, which are the most common (with one in four residents living in such households). Two-thirds of residents live in one-family households (all members of the household belong to one family); 18% live in extended family households, and 13% in single households.

29. The share of single-parent families has been on the rise, currently accounting for one-fourth of all families and one-third of families with children. The majority of single-parent families consist of a mother and children, with mothers being mostly single – never married (36%). In the age group below 47, most of these mothers are single, in the group aged 48-61 most are divorced, and widowed in the group over 62. The number of common-law marriages has also been on the rise (their number stood at 42,000 in 2002, at over 61,000 in 2011, and at 83,000 in 2018); lately, this has been the fastest-growing family type in both absolute and relative numbers (since 1 January 2015, their number has risen by 5,500 or 7.1%). Nevertheless, a married couple with children still remains the most common type of family. This is also the only type which has been on a decline for four decades. The reasons are manifold, i.e. the empty nest syndrome, when adult children leave their families to create a new one; divorce and changed traditional patterns in the life cycle, since marriage is no longer the only reason for two people to live together.

(viii) Educational structure

30. The share of Slovenian citizens with completed higher (tertiary) education, i.e. short-cycle higher education or higher education, continues to rise, while the percentage of the population with basic education or even incomplete basic education is falling. This percentage is the highest among the older people, while the majority of young people continue their studies at the upper secondary level. Between 2002 and 2018, the share of the population with basic education or less fell from 39 to 25%. The most significant changes have been recorded in the share of the population with tertiary education: in 2002, 215,000 residents aged 15 or more (12.9%) had higher education; in 2011, their number rose to 308,000, i.e. every sixth resident, and in 2018, to 416,000, i.e. every fourth resident. However, the share of those with completed technical or general upper secondary education (30% in 2018) still prevails.

31. On average, women are better educated than men, and the gap continues to widen. In 2002, the number of women with completed higher education for the first time exceeded that of men (by slightly more than a thousand). In 2018, 20.0% of men and 27.3% of women held a higher education degree. In 2018, women holders of a master's or doctoral degree surpassed men in total and by each individual age group under 52 years.

32. In 2018, foreign nationals were, on average, much less educated than Slovenians. The share of foreign nationals with higher education is on the rise: in 2011, 5.9% of them had completed higher education and 9.2% in 2018. Foreign-born women are better educated than men (15.2% completed higher education).

Table 9: Population aged 15 or over by level of education and sex, Slovenia, the 2018 and 2002 censuses

Education	2018 Census			2002 Census		
	Total	Males	Females	Total	Males	Females
Total	1 756 203	867 258	888 945	1 663 869	804 286	859 583
Incomplete basic education	54 214	20 363	33 851	115 556	46 492	69 064
Basic education	365 064	148 738	216 326	433 910	169 509	264 401
Short vocational and vocational upper secondary education	392 114	252 436	139 678	452 292	280 373	171 919
Technical and general upper secondary education	528 547	272 295	256 252	447 049	206 915	240 134

Education	2018 Census			2002 Census		
	Total	Males	Females	Total	Males	Females
Short-cycle higher education	93 591	41 732	51 859	84 044	36 083	47 961
1st and 2nd cycle higher education	286 881	114 033	172 848	114 630	55 070	59 560
Third-cycle master's or doctoral degree	35 792	17 661	18 131	16 388	9 844	6 544

Source: Statistical Office of the Republic of Slovenia.

33. The most recent survey of literacy was part of the 1991 census (0.46 % of illiterates); as a result of compulsory basic education, this phenomenon is no longer statistically typical, since basic education has been compulsory for several decades.

(ix) **Labour force, unemployment and wages**

34. Following years of economic downturn, in early 2014 the decline in labour force numbers was halted. Between the end of 2014 and 2018, the number of persons in employment by register source rose by almost 87,000, of whom 47,000 were men and 41,000 women. Construction and processing industries saw the largest increase (each by 16%): in processing industries as the largest sector this accounted for 29,000 people, and 8,400 in construction.

Table 13: Working-age population by register source, 2014–2018, Slovenia, 31 December

	2014	2015	2016	2017	2018
Total					
Working-age population	919 416	916 720	924 100	941 261	965 704
Labour force	799 958	803 644	824 485	856 201	887 170
Persons in employment	704 410	714 530	737 377	765 121	792 269
Self-employed persons	95 548	89 114	87 108	91 080	94 901
Persons in unemployment	119 458	113 076	99 615	85 060	78 534
Males					
Working-age population	501 182	496 549	499 979	510 380	527 255
Labour force	441 226	440 107	450 071	467 805	487 779
Persons in employment	374 865	380 006	391 553	406 875	424 646
Self-employed persons	66 361	60 101	58 518	60 930	63 133
Persons in unemployment	59 956	56 442	49 908	42 575	39 476
Females					
Working-age population	418 234	420 171	424 121	430 881	438 449
Labour force	358 732	363 537	374 414	388 396	399 391
Persons in employment	329 545	334 524	345 824	358 246	367 623
Self-employed persons	29 187	29 013	28 590	30 150	31 768
Persons in unemployment	59 502	56 634	49 707	42 485	39 058

Sources: Statistical Office of the Republic of Slovenia, Employment Service of Slovenia (Persons in unemployment).

35. In 2018, the labour force (according to the labour force survey) amounted to 1,034,000 persons (556,000 men and 478,000 women), with 981,000 persons in employment (530,000 men and 450,000 women) and 53,000 in unemployment (26,000 men and 27,000 women). Having peaked at 10.1% in 2013, the survey unemployment rate is on a decline, standing at 5.1% in 2018. Employment rate of the population aged 20-64, a headline indicator of the Europe 2020 strategy, stood at 75.4% in 2018.

Table 14: Unemployment rate, Slovenia, 2014–2018

	<i>Registered unemployment rate (%)</i>	<i>Unemployment rate according to the Labour Force Survey (ILO) (%)</i>
2014	+ 13.1	+ 9.7
2015	12.3	9.0
2016	11.2	8.0
2017	9.5	6.6
2018	8.2	5.1

Source: Statistical Office of the Republic of Slovenia, Employment Service of Slovenia (the latter has been responsible for calculating the unemployment rate since 2017).

36. Over the last five-year period, the average monthly gross wage has been increasing, viz. from EUR 1,546 in 2014 to EUR 1,682 in 2018.

(x) Household expenditure

37. Between 2005 and 2010, total household expenditure has grown by 3% per year on average. In 2012, the methodology was changed and data for previous years are not entirely comparable; however, between 2015 and 2018, this type of expenditure has grown by 3.2%. During the period in question, the largest share of household expenditure was allocated to transport (in 2015, more than one-fifth of total expenditure for the first time ever). This is followed by expenditure on food and non-alcoholic beverages, which fell in 2015 as a result of the entry of discount chains in Slovenia's market.

38. A small share of household expenditure is allocated to education and health. In the period in question, no significant changes were recorded regarding expenditure on education, which comprised, on average, 1 % of total household expenditure. By contrast, expenditure on health grew from 1.7 % in 2005 to 2.7% in 2012; in 2015, it fell slightly.

Table 15: Structure of household expenditure, Slovenia, 2004–2015

	2005	2006	2007	2008	2009	2010	2012*	2015
Household expenditure (EUR)	14 956	15 332	15 908	17 482	17 142	17 420	16 797	17 333
Food and non-alcoholic beverages	16.6	16.6	16.5	16.4	16.1	16.3	16.4	15.4
Alcoholic beverages and tobacco	2.4	2.5	2.5	2.4	2.1	2.2	2.1	2.1
Clothing and footwear	8.0	8.0	8.1	8.3	7.8	7.5	6.7	6.7
Household	12.1	12.4	12.8	13.0	13.6	13.8	15.6	14.8
Furnishing and household equipment	7.3	7.6	7.8	7.8	7.9	7.3	5.4	5.0
Health	1.7	1.8	1.9	2.2	2.5	2.6	2.7	2.5
Transport	19.2	18.7	18.1	17.2	17.1	16.7	19.3	20.8
Communications	5.0	5.2	5.3	5.2	5.3	5.2	5.7	5.7
Recreation and culture	10.9	10.7	10.6	10.9	10.9	11.3	10.0	8.5
Education	1.0	1.1	1.0	1.0	0.9	1.0	1.1	1.0
Hotels, cafés, and restaurants	4.7	4.1	4.1	4.2	4.2	4.5	3.6	5.7
Miscellaneous goods and services	11.0	11.4	11.4	11.4	11.6	11.6	11.5	11.9

Source: Statistical Office of the Republic of Slovenia

* The research methods were amended in 2012 and 2015; research is conducted every three years.

(xi) Poverty and social inclusion

39. In 2018, the risk-of-poverty rate in Slovenia stood at 13.3%, with 268,000 people living below the poverty threshold (126,000 men and 142,000 women). The difference in the risk-of-poverty rate between men and women was 1.4 percentage points (12.6 for men and

14.0 for women), with the differences growing significantly after 60 years of age. 28% of women aged 75 years or over were living below the poverty threshold, and only 12% of men.

40. The poverty threshold was EUR 7,946 annually or EUR 662 monthly per equivalent adult household member. Since 2005, the annual poverty threshold has grown by 50%, and by 7% since 2017.

Table 16: Poverty threshold, Slovenia, 2005–2018

	2005	2008	2011	2014	2015	2016	2017	2018
Annual poverty threshold (EUR)	5 278	6 536	7 199	7 146	7 399	7 396	7 628	7 946
Monthly poverty threshold (EUR)	440	545	600	596	617	616	636	662

Source: Statistical Office of the Republic of Slovenia

41. Social transfers, including pensions, are essential for reducing poverty. If these transfers (family and social assistance benefits) were not included in income, the risk-of-poverty rate would almost double, amounting to 23.4%. If the income did not include pensions, this rate would further increase to 40.5 %.

Table 17: The risk-of-poverty rate before and after social transfers, Slovenia, 2005–2018

	2005	2008	2011	2014	2015	2016	2017	2018
Risk-of-poverty rate after social transfers (% of persons)	12.2	12.3	13.6	14.5	14.3	13.9	13.3	13.3
Risk-of-poverty rate before social transfers, except pensions (% of persons)	25.9	23.0	24.2	25.1	24.8	24.3	24.0	23.4
Risk-of-poverty rate before social transfers, including pensions (% of persons)	42.2	38.5	40.2	42.5	42.5	41.2	41.5	40.5

Source: Statistical Office of the Republic of Slovenia.

42. Income inequality is relatively low and stable. In 2018, the Gini coefficient was the same as in 2008 (23.4%). Having grown during the first years of economic downturn, wage inequality has been decreasing since 2014.

Table 18: Gini coefficient, Slovenia, 2005–2018

	2005	2008	2011	2014	2015	2016	2017	2018
Gini coefficient	23.8	23.4	23.8	25.0	24.5	24.4	23.7	23.4

Source: Statistical Office of the Republic of Slovenia.

(xii) Education

43. A unified, publicly subsidised pre-school education system has been put in place in Slovenia for all children aged 1–6 (school starting age). All children aged 11 months or older are eligible for pre-school education places. Despite not being compulsory, pre-school education is part of Slovenia's education system. The line ministry (ministry responsible for education) provides for continuity between pre-school and compulsory basic education. Pre-school education is guided by a relevant national policy, legislation and a framework programme. As founders of pre-school institutions, municipalities are responsible for the implementation of programmes designed for pre-schoolers. In addition to pre-school institutions, a regulated home-based childcare system cares for a very limited number of children. The provision of pre-school education is a key responsibility of municipalities, which establish and finance pre-school institutions.

44. In Slovenia, the number of pre-schoolers increases annually: 25 years ago, half of pre-school-aged children attended pre-school, and as many as 81.7% in the 2018/19 academic year. In the 2018/19 academic year, pre-school was attended by 93.5% of children aged 4 or over, and according to the Education and Training 2020 framework, 95% are projected by 2020.¹ In the past years, an increase has also been recorded in the number of the youngest children, aged 1 to 2 years, attending pre-school. In the 2018/19 academic year, pre-school was attended by as many as 52% of all 1-year-olds and 79% of 2-year-olds. Slovenia's network of public pre-school institutions is well developed, with over 94 % of all pre-schoolers included; in addition, an increase has been recorded in recent years in the number of private pre-school education providers, which are mostly co-financed from public funds. In the 2018/19 academic year, 5.6% of all Slovenia's pre-schoolers attended private pre-school institutions. Approximately 8 children on average are supervised by a pre-school teacher and an assistant.

Table 19: Children enrolled in pre-school institutions (in %) by age, Slovenia, 2013/14–2018/19 academic years

<i>Academic year</i>	<i>Total</i>	<i>1 year</i>	<i>2 years</i>	<i>3 years</i>	<i>4 years</i>	<i>5 years</i>	<i>6 years</i>
2013/14	75.0	42.1	66.1	82.9	88.7	90.0	5.3
2014/15	76.8	42.8	69.0	82.8	89.3	91.8	6.5
2015/16	78.1	45.1	69.9	83.7	89.6	92.0	7.3
2016/17	78.7	47.7	74.0	85.6	90.5	93.6	8.2
2017/18	80.4	50.3	76.7	87.1	91.8	94.1	9.1
2018/19	81.7	52.2	78.9	89.1	92.5	94.5	10.0

Source: Statistical Office of the Republic of Slovenia.

45. The Constitution of the Republic of Slovenia states that basic education is compulsory and financed from public funds. All children who are residents of the Republic of Slovenia have the right to receive basic education under equal conditions. Children start elementary school at the age of 6 and follow a national nine-year curriculum; in the ninth grade, children are aged 14, and they finish elementary school at the age of 15. In Slovenia, basic education is provided by public and private elementary schools. Private elementary schools are allocated funds equal to 85% of the funds that the State or local community provides for the implementation of the public school programme (the schools established and accredited prior to the adoption of the Organisation and Financing of Education Act in 1996 are entitled to 100% funding). The Act also provides for derogation: public funds are not allocated if the enrolment in a private elementary school jeopardises the existence of the only public elementary school in the school district. Despite the compulsory basic education, the elementary school net enrolment rate (the share of children aged 6–14 in this age group) is not 100% for several reasons, e.g. the postponement of compulsory schooling for one year for children who are not sufficiently mature to enter basic education; these figures also take no account of home-schooled children and children with mild to moderate intellectual disabilities living in residential facilities or receiving special education in educational institutions for children with special needs.

46. The student/teacher ratio reflects the total number of school children per total number of teachers (the two numbers are given as the full-time equivalent). In the last five years, a teacher was responsible for 10 students on average.

¹ In the 2016/17 academic year, the pre-school education enrolment rate was 78.7% of all children aged 1–5. Over the last 10 years, the number of children attending pre-school has grown almost by half: from 58,127 in the 2006/07 academic year to 86,284 in the 2016/17 academic year (Statistical Office of the Republic of Slovenia, 2017 [18 September 2017]). A vast majority of pre-schoolers attend public pre-school institutions (as many as 97% in 2010/11 and 95% in 2015/16).

Table 20: Number of students per teacher, basic education, Slovenia, 2013/14–2018/19 academic years

<i>Academic year</i>	<i>Student/teacher ratio</i>
2013/14	12.1
2014/15	10.2
2015/16	9.8
2016/17	10.0
2017/18	10.2
2018/19	10.5

Source: Statistical Office of the Republic of Slovenia.

47. Each person with completed basic education has the right to enrol in the public network of schools providing short vocational or vocational upper secondary education, upper secondary technical education and general upper secondary education, at least to obtain a first occupation or pass a *matura* examination. Compulsory nine-year basic education is followed by 2 to 5 years of secondary education. Usually, children start secondary education at the age of 15 years. In the 2018/19 academic year, the secondary education enrolment rate was 91% of all young people aged 15–18.

48. Most pupils, i.e. 47% at the end of the 2018/2019 academic year, enrol in programmes of upper secondary technical education (including vocational courses and vocational technical education). 35% of all students enter upper secondary general education, and only 18% enrol in short vocational or vocational upper secondary programmes. Women predominate in upper secondary general education, and men in short vocational and vocational upper secondary education.

49. Early school leavers refers to the share of persons aged 18–24 who only have the basic level of education and who have not received any education or training in the last four weeks. In Slovenia, there are few early school leavers, less than 5% (according to a calculation based on the data collected through a labour force survey).

Table 21: Youth enrolled in upper secondary education by type of education, Slovenia, 2013/14–2018/19 academic years

<i>Academic year</i>	<i>Type of education</i>				
	<i>Upper-secondary education enrolment</i>	<i>Short vocational</i>	<i>Upper-secondary vocational</i>	<i>Upper-secondary technical</i>	<i>Upper-secondary general</i>
2013/14	91.6	1.1	15.2	45.3	38.4
2014/15	91.6	1.2	15.6	45.7	37.5
2015/16	91.7	1.3	16.1	46.3	36.5
2016/17	91.4	1.4	16.6	46.4	35.6
2017/18	91.8	1.4	16.7	46.6	35.3
2018/19	91.2	1.4	16.7	46.9	35.0

Source: Statistical Office of the Republic of Slovenia.

50. In recent years, an increasing number of young people who completed upper secondary technical or general education have enrolled in short-cycle higher education and higher education. Accounting for 35% of the age group 19–24 years in 2000, higher education students have gradually increased in number, to almost 50% of this age group by the 2012/13 academic year. In the last four years, the higher education enrolment rate has been on a decline, totalling 46% in the 2018/19 academic year.

51. As a result, the number of higher education graduates is increasing every year, and has more than doubled in the last 15 years, accounting for over 20,000 students in 2011 and

2012 and almost 16,700 in 2018. As many as 30,967 students graduated in 2016, since the end of the 2015/16 academic year (30 September 2016) had been set as the final deadline to complete the former, “pre-Bologna” study courses. In the 2018/19 academic year, 75,991 students enrolled in higher education programmes, 0.7% less compared to the previous year (76,534), and 34.2% less than ten years before. For the ninth consecutive year, the number of higher education students has been on a decrease, having declined for almost 39,000 in total, or, on average, for 4,320 per year. Although in 2018/2019 the total number of higher education students is lower compared to the previous academic year, the number of newly enrolled first-year students surpasses that of 2017/2018. Study programmes in the domains of technical science, processing technologies, and construction had the most students.

52. The educational structure of the population is improving every year: in 2018, 41.2% of the Slovenian population aged 30–34 completed higher education (in the 2002 census, the share was 20.8%, and 31.7 in 2011), with females predominating and accounting for 54.3%, while males lagged behind at 29.2%.

Table 22: Higher education students and graduates, Slovenia, 2013–2018

Academic year	Number of students	Higher education enrolment, age group 19–24 (%)			Graduates	
		Total	Males	Females	Total	Females (%)
2013	92 769	49.4	40.4	58.8	19 175	61.5
2014	85 616	49.0	40.2	58.2	18 824	60.4
2015	80 798	47.8	39.3	56.7	18 631	61.0
2016	79 547	47.4	39.0	56.3	30 967	59.5
2017	76 534	46.5	37.9	55.7	16 458	61.3
2018	75 991	46.1	37.2	56.0	16 680	61.0

Source: Statistical Office of the Republic of Slovenia.

(xiii) Gross domestic product and gross domestic income

53. After years of recovery from the economic and financial downturn, Slovenia’s economy returned to pre-crisis levels in 2017. Economic growth ranged from 2.3 to 4.9% between 2014 and 2018, peaking in the last two years. A small and open economy, Slovenia is highly dependent on external demand; this fluctuates with the situation and expectations on global markets, shaping Slovenia’s economic landscape in all phases of the economic cycle.

54. The share of imports and exports of goods and services in GDP has been on a rise, averaging 80% of GDP between 2014 and 2018 and surpassing the 2009–2013 average by 12 percentage points. Since 2012, Slovenia has had a surplus in foreign trade in goods and services; although the latter represented only one fifth of total exports, they accounted for the majority of trade surplus.

55. In 2018, GDP grew by 4.5 %, as a result of both domestic and external demand. Rising by 4.6%, in the same year domestic consumption saw the largest increase in volume since 2007, both in terms of final consumption (+2.3%) and gross investments (+12.6%).

56. In 2018, Slovenia’s GDP at current prices amounted to EUR 45,948 million, or to EUR 22,182 per capita², reaching an all-time high. In 2019, gross national income (GNI) amounted to EUR 45,343 million, or to EUR 21,890 per capita³.

Table 23: GDP and GNI, Slovenia, 1995–2018

Year	GDP (in million EUR)	GDP growth rate in %	GDP per capita (EUR)*	GNI (in million EUR)
1995	10 522		8 280	10.574

² USD 26,197 per capita (at current prices and rates).

³ USD 25,852 per capita (at current prices and rates).

<i>Year</i>	<i>GDP (in million EUR)</i>	<i>GDP growth rate in %</i>	<i>GDP per capita (EUR)*</i>	<i>GNI (in million EUR)</i>
1996	12 132	3.5	8 619	12.164
1997	13 827	5.1	9 247	13.821
1998	15 337	3.3	9 954	15.314
1999	17 210	5.3	10 738	17.196
2000	18 902	4.2	11 105	18.855
2001	21 147	2.9	11 714	21.128
2002	23 622	3.8	12 543	23.415
2003	25 668	2.8	13 184	25.393
2004	27 673	4.4	13 900	27.285
2005	29 227	4.0	14 608	28.951
2006	31 555	5.7	15 719	31.158
2007	35 153	6.9	17 412	34.343
2008	37 951	3.3	18 769	36.955
2009	36 166	-7.8	17 714	35.564
2010	36 252	1.2	17 694	35.768
2011	36 896	0.6	17 973	36.392
2012	36 076	-2.7	17 540	35.515
2013	36 239	-1.1	17 596	35.753
2014	37 603	3.0	18 238	37.261
2015	38 863	2.3	18 836	37.649
2016	40 357	3.1	19 547	39.295
2017	43 000	4.9	20 815	42.222
2018	45 948	4.5	22 182	45.343

Source: Statistical Office of the Republic of Slovenia.

NB: *At current prices and rates.

(xiv) **Foreign trade and foreign direct investment**

57. Since the major decline in 2009, international trade cooperation of the Slovenian economy has been experiencing an upward trend. According to information provided by the Statistical Office, the total value of Slovenia's exports in 2018 amounted to EUR 30.9 billion, and imports to EUR 30.7 billion. In 2018, Slovenia exported mostly to the EU-28 (77.1% of the total value of exports), particularly to the countries of the Eurozone. Slovenia's major trading partners in terms of exports included Germany (20.3%), Italy (12.5%), Croatia (8.1%), Austria (7.7%), and France (5.6%). An important share of exports outside the EU is also accounted for by countries of the former Yugoslavia (6.7%, without Croatia), Russia (2.6%) and Switzerland (2.3%). The regional orientation of the Slovenian exports in goods in 2018 had only seen moderate changes compared to the previous year. The share of exports to the EU and the countries of the former Yugoslavia decreased, while the exports to other countries increased.

58. The market share, an indicator of export competitiveness, rose for the sixth year in a row. In 2018, Slovenia's share in the global market of goods stood at 0.192%, surpassing by one fifth the pre-crisis maximum level in the EU market, the destination for 3/4 of Slovenia's exports. Having experienced a severe fall during the downturn, it reverted to pre-crisis levels in the global market. During most of this period, the market share increased for a broad range of products vital to Slovenia's exports. The increase is due to positive trends in terms of costs and pricing, as well as non-price determinants (e.g. better quality of exported goods), as demonstrated by higher added value of Slovenia's exports in the post-crisis period. Another circumstance augmenting the growth of Slovenia's total export market share was the composition of exports: until 2017, foreign demand from countries, or for product categories, occupying a prominent position in the domestic export composition exceeded the average.

According to data on the growth of the market share on the EU market, the favourable production and geographical structure of exports determinant was absent in 2018, with quarterly dynamics revealing a gradual slowdown of market share growth in 2019. This was partially due to the dwindling effect of the new car assembly line opened in 2017, which had temporarily boosted the market share growth. In part, the slowdown resulted from the 2018 slackening in the automotive industry with several related auxiliary sectors, representing a fairly high share of Slovenia's exports. In terms of composition, the imports of goods are similar to those in the EU, while the share of knowledge-based services is still lagging behind and remains low compared to other countries.

59. At the end of 2018, FDI in Slovenia totalled EUR 15.2 billion (33.1% of GDP), which is EUR 1.2 billion (8.6% of GDP) more than in late 2017. Between 1994 and 2018, FDI grew 12.0 % per year on average. The majority of investor countries were EU member states, accounting for 83.9% of all incoming FDI by value, with Austria as the foremost investor (24.0% of all incoming FDI), followed by Luxembourg (13.7%), Switzerland (10.5%), Germany (9.0%), and Italy (7.9%). The composition of FDI at the end of 2018 reveals that incoming foreign investments concentrated around three industry classes: predominantly in manufacturing (35.4%), finance and insurance sector (19.3%), and trading, maintenance and repair of motor vehicles (17.6%). At the end of that year, Slovenian FDI abroad totalled EUR 6.1 billion or 13.2% of GDP, which is a 1.6% (EUR 93 million) increase compared to the previous year, mainly due to equity capital transactions (subscriptions) and reinvested profit (EUR 432 million in total). Between 1994 and 2018, Slovenian FDI abroad rose by 14.1% per year on average, with negative growth between 2010 and 2013 (0.4%), while in the last five years, the trend has turned, exhibiting an average annual growth rate of 3.2%.

Table 24: Trade balance, Slovenia, 2000–2018

<i>Year</i>	<i>Exports (in million EUR)</i>	<i>Imports (in million EUR)</i>	<i>Trade balance (in million EUR)</i>	<i>Import to export ratio (in %)</i>
2000	9 491.6	10 984.2	-1 492.6	86.4
2001	10 346.8	11 344.5	-997.7	91.2
2002	10 962.0	11 574.1	-612.1	94.7
2003	11 285.0	12 238.9	-954.0	92.2
2004	12 783.1	14 143.0	-1 360.0	90.4
2005	14 397.1	15 804.8	-1 407.7	91.1
2006	17 004.1	18 354.9	-1 350.8	92.6
2007	19 629.1	21 521.3	-1 892.3	91.2
2008	20 042.1	23 038.0	-2 995.9	87.0
2009	16 269.3	17 275.9	-1 006.6	94.2
2010	18 639.3	20 100.6	-1 461.2	92.7
2011	20 999.3	22 555.1	-1 555.8	93.1
2012	21 060.7	22 077.7	-1 017.0	95.4
2013	21 548.7	22 114.1	-565.4	97.4
2014	22 935.6	22 580.2	355.5	101.6
2015	23 940.0	23 304.9	635.1	102.7
2016	24 970.8	24 111.7	859.1	103.6
2017	28 265.1	27 606.2	658.8	102.4
2018	30 857.7	30 706.0	151.7	100.5

Source: Statistical Office of the Republic of Slovenia.

(xv) External debt

60. In September 2019, gross external debt amounted to EUR 44.7 billion, i.e. EUR 2.8 billion more than one year ago. The debt increased across all sectors, the main increase coming from the central bank (by EUR 1.4 billion) and the general government (by EUR 1.1

billion). With 49.7%, the general government had the largest share of gross external debt, while that of banks, including the central bank, totalled 16.2%. In terms of financial instruments, the largest share of debts is represented by debt securities (45%) and loans (22%). Gross international claims stood at EUR 43.2 billion in November 2019, which is five billion more than a year ago.

61. The largest increase in claims has been recorded in the central bank sector (by EUR 1.7 billion), general government (by EUR 1.5 billion), and other sectors (by EUR 1.3 billion) holding the largest share of holdings (34.8%). In terms of holdings, debt securities prevail (39%), followed by cash and savings (27%). In November 2019, net external debt (liabilities – claims) amounted to EUR 1.5 billion, a decrease by EUR 2.2 million compared to the year before. The general government was the only sector with net external debt (of EUR 16.0 billion); all other sectors were net external creditors.

(xvi) Inflation rate

62. As a result of coordinated economic policies, a stable price increase in the 2005–2006 period enabled Slovenia to adopt the euro at the beginning of 2007. Combined with measures to prevent unjustified price increase, the adoption of the euro had a relatively low impact on inflation. However, in 2007 and the first half of 2008, external factors (increased prices of oil and non-energy raw materials) caused accelerated inflation. After four years of moderate growth, the inflation increased sharply again in 2012, particularly as a result of economic policy measures (excise duty and one-time factors) to be substantially reduced in subsequent years. Deflation was recorded for 2015, particularly due to lower prices of petroleum-based products. A very moderate price increase continued throughout 2016. During the next two years, the inflation rate registered a slight increase, owing to higher energy and food prices, as well as services as a result of a favourable economic situation. In 2018, consumer goods prices increased by 1.4% in Slovenia, and by 1.6% in the Eurozone.

Table 26: Inflation, Slovenia, 2000–2018

<i>Year</i>	<i>Inflation, in % (December/December)</i>	<i>Inflation, in % (average of the year)</i>
2000	8.9	8.9
2001	7.0	8.4
2002	7.2	7.5
2003	4.6	5.6
2004	3.2	3.6
2005	2.3	2.5
2006	2.8	2.5
2007	5.6	3.6
2008	2.1	5.7
2009	1.8	0.9
2010	1.9	1.8
2011	2.0	1.8
2012	2.7	2.6
2013	0.7	1.8
2014	0.2	0.2
2015	-0.5	-0.5
2016	0.5	-0.1
2017	1.7	1.4
2018	1.4	1.7

Source: Statistical Office of the Republic of Slovenia.

B. Slovenia's constitution, political structure and legislation

(i) Constitutional framework

63. On the basis of the right to self-determination, recognised not only by the International Covenant on Civil and Political Rights but also the Constitution of the former Yugoslavia, the people of Slovenia decided by an absolute majority in a plebiscite held on 23 December 1990 to establish an independent Republic of Slovenia. Consequently, the republican Assembly (the parliament), as the highest elected authority, adopted on 25 June 1991 the Basic Constitutional Charter on the Sovereignty and Independence of the Republic of Slovenia. The Yugoslav Army, disregarding the Charter or the decision made by the Slovenian people in the 1991 plebiscite, launched an armed attack on Slovenia on 27 June 1991. Following mediation efforts by the European Community, a ceasefire was achieved ten days later, followed by a withdrawal of the Yugoslav Army from Slovenia in October. Slovenia's authorities had taken control of all Slovenian territory as early as the second half of 1991.

64. On 23 December 1991, the Slovenian Parliament adopted a Constitution⁴, stipulating that Slovenia is a democratic republic governed by the rule of law and a social state, and that in Slovenia, power is vested in the people. Citizens exercise this power directly and through elections, consistent with the principle of the separation of the legislative, executive and judicial powers.

65. Human rights and fundamental freedoms are defined in the chapter Human Rights and Fundamental Freedoms, Articles 14–65; the Constitution also specifies other rights: e.g. Under Chapter III (Economic and Social Relations), Article 72 stipulates the right to a healthy living environment; Article 76 guarantees the freedom to establish, operate and join trade unions, and Article 77 guarantees employees the right to strike. In 2016, a new Article 70a of the Constitution was adopted by the National Assembly, establishing a universal right to drinking water. The Constitution also stipulates collective rights (e.g. Article 64 – special rights of the autochthonous Italian and Hungarian national communities in Slovenia, and Article 65 – special position and rights of the Roma Community).

(ii) The National Assembly and political parties

66. Slovenia is a parliamentary democracy. The legislative power is vested in its two-chamber parliament composed of the National Assembly and the National Council. The National Assembly is the highest representative and legislative body; its 90 deputies are elected by universal, equal, direct and secret ballot for a 4-year term based on the principle of proportional representation, with a 4% threshold required. By virtue of the Constitution, the autochthonous Italian and Hungarian national communities are directly represented in the National Assembly. The President of the National Assembly is elected by a majority vote of all deputies. The deputies are representatives of all Slovenian people, and their parliamentary immunity means that no deputy can be criminally liable for any opinion expressed or vote cast in National Assembly sessions or its working bodies.

67. The National Assembly passes laws, takes other decisions, and ratifies treaties by a majority of votes cast by the deputies present, except where a different type of majority is provided for by the Constitution or by law. Laws may be proposed by the Government, a deputy or at least 5,000 voters. The National Assembly may call a referendum on the entry into force of a law adopted if so requested by at least 40,000 voters. However, a referendum may not be called on laws on urgent measures to ensure the defence of the state, security, or the elimination of the consequences of natural disasters, laws on taxes, customs duties, and other compulsory charges, and on the law adopted for the implementation of the state budget, laws on the ratification of treaties, laws eliminating an unconstitutionality regarding human rights and fundamental freedoms or any other unconstitutionality. The National Assembly also has the power to declare war or a state of emergency, and to deploy defence forces.

⁴ Official Gazette of the Republic of Slovenia Nos. 33/1991-I, 42/1997, 66/2000, 24/2003, 69/2004, 68/2006, and 47/2013.

(iii) National Council

68. Slovenia has a 40-member National Council – representing social, economic, professional and local interests of different interest groups and local communities – comprised of four representatives of employers, four representatives of employees, four representatives of farmers, crafts and trades, and independent professions, six representatives of non-commercial fields, and twenty-two representatives of local interests. Members are elected for a five-year term by elected representatives of special interest organisations and local communities. The National Council is involved in the legislative process (may propose legislation; may exercise a suspensive veto), and may, in some respects, be regarded as the second chamber of the parliament.

(iv) The President of the Republic

69. The President of the Republic represents the Republic of Slovenia and is the commander-in-chief of its defence forces. The President is elected in direct general elections by secret ballot for a five-year term and may be elected for a maximum of two consecutive terms.

70. The President of the Republic calls elections to the National Assembly; promulgates laws; proposes candidates for Prime Minister to the National Assembly; issues instruments of ratification of treaties; appoints and recalls ambassadors and envoys of the Republic, and accepts the letters of credence of foreign diplomatic representatives; appoints state officials where so provided by law; confers decorations and honorary titles; and performs other duties specified by the Constitution. If required by the National Assembly, the President must express his or her opinion on an individual issue. If the National Assembly cannot convene due to a state of emergency or war, the President, on the proposal of the Government, may issue decrees with the force of law.

(v) The Government

71. The President of the Republic proposes a candidate for Prime Minister to the National Assembly, who is then elected by a majority vote of all deputies. Before taking office, the Prime Minister, the President of the Republic and all ministers swear before the National Assembly to uphold the Constitution, to act according to his or her conscience, and to do all in his or her power for the benefit of Slovenia. The Prime Minister is responsible for ensuring the unity of the political and administrative direction of the Government, and coordinates the work of ministers. The ministers are appointed and dismissed by the National Assembly on the proposal of the Prime Minister. The Prime Minister's coordinating and technical tasks are carried out by the Prime Minister's Office and the Secretary-General's Office. The Government may establish additional government offices responsible for specific technical fields.

72. The duties of state administration are performed directly by the ministries. However, by law, certain duties of state administration may be performed by self-governing communities, enterprises, other organisations, and individuals vested with public authority.

(vi) Municipalities

73. As guaranteed by the Constitution, the people of Slovenia exercise local self-government in municipalities and other local communities. The municipality, as the basic unit of local self-government, comprises a settlement or several settlements bound together by the common needs and interests of its residents. Smaller units may be organised within municipalities: district communities in urban municipalities, and local or village communities in other municipalities. A municipality is established by law following a referendum by which the will of the residents in a given territory is determined. In accordance with the Constitution, local self-government may also be exercised at the level of regions, which are established by a law. However, no region has yet been established in Slovenia.

74. The municipality manages local affairs of public interest as defined by law and performs duties that may be regulated autonomously by the municipality. In accordance with the principles and criteria laid down in the relevant legislation, additional funding is provided

by the state to those municipalities that cannot perform all their functions due to poor economic development.

75. The highest municipal decision-making body is the municipal council, whose members are elected in direct elections. The municipality is represented and governed by a mayor, who is also elected in direct elections. The mayor is responsible for the municipal administration and the implementation of decisions made by the municipal council.

76. At the end of 2019, Slovenia had 212 municipalities, of which 11 were urban municipalities.

(vii) The judiciary

77. The third branch of power is the judiciary. Judicial power is wielded by judges. Judges are independent in the discharge of their judicial duties and bound only by the Constitution and the law. The office of judge is permanent. Judges are appointed by the National Assembly on the proposal of the Judicial Council. The majority of members of the Judicial Council are elected by judges from among their own numbers; the remaining members are elected by the National Assembly on the proposal of the President of the Republic from among professors of law, lawyers, and other legal experts. The organisation and jurisdiction of courts are determined by law. Extraordinary courts may not be established in Slovenia, nor may military courts be established in peacetime. Regular courts are courts of general jurisdiction. The Slovenian judicial system also includes courts with specialised jurisdiction, such as labour and social courts and the administrative court.

78. Family law departments dealing with family law cases have been introduced at all district courts. As to the organisation of courts, the Courts Act stipulates that a court having at least ten judges may organise departments by legal fields; nevertheless, departments may be set up in each district court for the field of family law, regardless of the number of judges. Following the adoption of the new Family Code, which transferred certain competences from the jurisdiction of social work centres to courts, two specialised departments have been formed at the Ljubljana and Maribor courts to deal with these new tasks.

(viii) The Constitutional Court

79. Operating as a separate constitutional authority, the Constitutional Court is the highest judicial authority for the protection of constitutionality, legality, and human rights and fundamental freedoms. Its main powers include the review of the constitutionality of acts, the review of the constitutionality and legality of regulations, and deciding on constitutional complaints due to human rights violations through individual acts by state authorities, local community authorities or bearers of public authority.

80. As stipulated by the Constitution, the Constitutional Court decides on:

- The conformity of laws and other regulations with the Constitution, ratified treaties and general principles of international law;
- The conformity of executive regulations and local community regulations with the law;
- Constitutional complaints arising from violations of human rights and fundamental freedoms through individual acts;
- Jurisdictional disputes between the state and local communities and between local communities themselves, between courts and other state authorities, and between the National Assembly, the President of the Republic and the Government;
- The unconstitutionality of the acts and activities of political parties;
- Appeals against decisions of the National Assembly confirming the election of its members; and
- The impeachment of the President of the Republic, the Prime Minister and the ministers.

81. In the treaty ratification procedure, the Constitutional Court issues an opinion on the conformity of a treaty with the Constitution. By law, the Constitutional Court has the authority to decide on appeals against decisions of the National Council not to confirm the election of its members, review the constitutionality of a referendum question, and determine whether a decision of the National Assembly not to call a referendum is substantiated.

82. It entirely or partially abrogates unconstitutional laws and abrogates or abrogates *ab initio*, with *ex tunc* effects, unconstitutional or unlawful executive regulations and local community regulations. The Constitutional Court may, until a final decision is taken, stay the implementation of the challenged regulations.

83. In general, it decides on constitutional complaints after all legal remedies have been exhausted. If it discovers a human rights violation, it may abrogate *ab initio* or abrogate individual acts and remand the case to the competent court or another body to decide thereon. If all the conditions required by law are met, the Constitutional Court may decide on the disputed right or freedom.

C. EU membership

84. Slovenia became an EU Member State on 1 May 2004. EU institutions (Parliament, Council, and Commission) have far-reaching legislative powers. EU regulations and directives are either directly applicable in Slovenia or transposed into its national law. In decision making, Slovenian courts are bound by EU law, and must interpret national legislation in conformity with it. Disputes arising from the interpretation of EU treaties and law are settled by the Court of Justice of the European Union. In addition, the courts of the Republic of Slovenia may seek advice from the Court of Justice when in doubt about the interpretation of an EU law. The Court of Justice also deals with cases brought by individuals and legal and other entities from Slovenia.

II. General legal framework for the exercise and protection of human rights

A. National legal framework for the protection of human rights

85. In Slovenia, the following bodies have jurisdiction in areas affecting human rights:

- All judicial bodies that decide on the rights and obligations of an individual or on charges against an individual, i.e. the Constitutional Court, all courts of general jurisdiction and specialised courts;
- Other bodies of the judiciary, such as state prosecutor's offices, which decide on the prosecution of individuals, and correctional institutions;
- All bodies of the state administration when deciding on the rights, obligations and legal entitlements of individuals in administrative affairs;
- Other public authority bodies which, by virtue of their statutory power, may decide on the rights, obligations or legal entitlements of individuals (such as pension and disability insurance institutes, health insurance institutes, employment services and other institutes);
- The police, who perform their tasks and exercise their powers in order to ensure the security of individuals and the community, respect for human rights and fundamental freedoms, and the enhancement of the rule of law⁵.

86. Any person maintaining that any of his or her rights have been violated may request that the case be heard in court. If a person's rights have been violated in court proceedings or by a state body or a public authority body, he or she is guaranteed the right of appeal and the right to judicial review, depending on whether criminal, civil, administrative, or other

⁵ Police Tasks and Powers Act, Article 1, Official Gazette of the Republic of Slovenia No. 15/2013.

proceedings have been instituted. A person whose rights have been violated may request judicial protection against administrative decisions (administrative dispute) under the conditions and in the manner specified by the Administrative Dispute Act, provided that no judicial protection in the matter is accorded by law. If a human right or a fundamental freedom had been violated through a certain action, the persons affected may lodge a constitutional complaint with the Constitutional Court provided that they have (as a general rule) exhausted all ordinary remedies before the competent court.

87. The Constitution guarantees that any person unjustly convicted of a criminal offence or deprived of liberty without due cause has the right to rehabilitation and compensation, both material and non-material. The relevant conditions and procedures are stipulated in the Criminal Procedure Act. The state must compensate such persons. Victims of criminal offences may obtain damages from the perpetrator through criminal proceedings or private action. If damage has been caused by an official in the performance of his or her duties, the injured party may demand compensation directly from the state.

88. The Constitution does not stipulate only the human rights and freedoms of individuals, but also the mechanisms available to them for the protection of their rights. These include:

- Right to judicial protection: everyone has the right to have any decision regarding his rights, duties, and any charges brought against him made without undue delay by an independent, impartial court constituted by law (Article 23);
- Right to legal remedy: everyone is guaranteed the right to appeal (Article 25);
- Right to compensation for damage: everyone has the right to compensation for damage caused through unlawful actions in connection with the performance of any function or other activity by a person or authority performing such function or activity within a state or local community authority or as a bearer of public authority (Article 26);
- Right to constitutional complaint before the Constitutional Court.

89. The human rights instruments provided for by the Constitution are detailed in a number of laws. In the first instance, these are procedural laws, such as the Criminal Procedure Act, the Minor Offences Act, the Civil Procedure Act, the General Administrative Procedure Act, and the Civil Enforcement Act. These determine the cases, the manner, the conditions, and the procedure available to anyone whose rights have been violated to use recourse to individual human rights instruments. Apart from these procedural acts, individual human rights are regulated by numerous other acts, in particular social and economic rights, implementation methods, and legal instruments for individuals to exercise their rights.

90. According to the Constitution, human rights are exercised directly on a constitutional basis, and the method of exercising them may be regulated by law whenever the Constitution so provides or due to the particular nature of an individual right (Article 15, paragraphs 1 and 2). Hence, human rights instruments provided for in the Constitution may also be implemented directly on the basis of the Constitution itself. One third of constitutional provisions concern human rights and fundamental freedoms. For these rights and freedoms to be effectively guaranteed and exercised, the general principle of equality and specific constitutional provisions are defined further in special legislation, including the Human Rights Ombudsman Act⁶, the Protection Against Discrimination Act⁷, the Equal Opportunities for Women and Men Act⁸, the Domestic Violence Prevention Act⁹, and the Personal Data Protection Act¹⁰. Human rights are also guaranteed by, or implemented through, certain statutory provisions in different areas of legal regulation, i.e. by protective laws guaranteeing the human rights of individuals with special needs or of members of vulnerable social groups, as well as by a number of other laws. In order to provide for genuine equality, the Protection Against Discrimination Act and the Equal Opportunities for Women

⁶ Official Gazette of the Republic of Slovenia No. 69/17 – official consolidated text.

⁷ Official Gazette of the Republic of Slovenia Nos. 33/16, 21/18.

⁸ Official Gazette of the Republic of Slovenia Nos. 59/2002 and 61/2007.

⁹ Official Gazette of the Republic of Slovenia No. 17/2008.

¹⁰ Official Gazette of the Republic of Slovenia, No. 94/2007 - official consolidated text 1.

and Men Act explicitly define the grounds for special measures or positive discrimination in cases when derogations from the equal treatment principle are substantiated by analyses of less favourable position of persons with a specific personal circumstance, or justified by a legitimate objective, and the means to attain it are both adequate and necessary.

91. Human rights are exercised and implemented at multiple levels: through state authorities that must abide by law and often take into account the principle of proportionality; through judicial protection against administrative decisions; and in the process of drafting legislative or other regulatory texts that must be in accordance with the Constitution. With its case-law, the Constitutional Court contributes significantly to the development of constitutional norms on human rights and fundamental freedoms.

(i) Human Rights Ombudsman

92. The legal basis for establishing a Human Rights Ombudsman in Slovenia is provided by Article 159 of the Constitution, which stipulates that, in order to protect human rights and fundamental freedoms in relation to state authorities, local self-government authorities, and bearers of public authority, the office of the ombudsman protecting the rights of citizens shall be established by law. Paragraph 2 allows for the establishment of special ombudsmen responsible for particular fields, although the prevailing formula thus far has been to set up only one ombudsman with a broad scope of competency.

93. The Human Rights Ombudsman Act was passed in December 1993, with the duties and competences based on the classic Scandinavian model. The organisation, methods, and areas of work, including procedures and roles, are specified in the rules of procedure of the Human Rights Ombudsman. In order to carry out investigations and therefore call witnesses for questioning, the Ombudsman has primarily the authority to obtain, from the state authorities and other bodies subject to his or her monitoring, any data and information regardless of the level of confidentiality. At any time he or she may carry out an inspection of any state authority or an institution that restricts personal freedom, e.g. psychiatric institutions. However, the Ombudsman does not have the authority to monitor the work of judges and courts, except in cases of undue delay of procedures or clear abuse of power.

94. The Ombudsman may lodge a constitutional complaint in connection with an individual case that he is dealing with (Article 50 of the Constitutional Court Act). The Ombudsman may also initiate proceedings to review the constitutionality of regulations without having to prove legal interest first, as required of other initiators of such motions (Article 23a of the Constitutional Court Act).

95. The competences of the Human Rights Ombudsman are also part of several other acts, such as the Integrity and Prevention of Corruption Act, the Patients' Rights Act, the Defence Act, the Consumer Protection Act, the Environment Protection Act, the Personal Data Protection Act, the Criminal Procedure Act, the State Prosecution Service, the Courts Act, the Judicial Service Act, the Equal Opportunities Act, the Police Tasks and Powers Act, the Rules on Service in the Slovene Army, the Attorneys Act, the Enforcement of Penal Sentences Act, the Administrative Fees Act, the Classified Information Act, the Infertility Treatment and Procedures of Biomedically-Assisted Procreation Act, the Civil Servants Act, the Public Sector Salary System Act, and the Travel Documents Act.

96. Procedures of the Human Rights Ombudsman are confidential and free of charge for petitioners. The Ombudsman informs the public and the National Assembly of the findings and measures adopted. The Ombudsman addresses petitions that may be lodged by anyone who believes that his or her human rights or fundamental freedoms have been violated by an act or action of a state, local or public authority. Having obtained the injured party's consent, the Ombudsman may also initiate a *proprio motu* procedure in cases of gross violations of human rights or fundamental freedoms or other irregularities. Pursuant to Article 9 of the Human Rights Ombudsman Act, the Ombudsman may also address more general issues relevant to the protection of human rights and fundamental freedoms and legal certainty of citizens. This provision enables the Ombudsman to address systemic and topical issues that the petitioners may not have perceived.

97. The Act ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment sets up the Human Rights Ombudsman as the national preventive mechanism (see below for further information).

98. The Ombudsman is elected by the National Assembly with a two-thirds majority of all votes, on the proposal of the President of the Republic. Pursuant to the relevant act, the Ombudsman's term of office is six years, renewable for one more term only. The Ombudsman may have no less than two and no more than four deputy ombudsmen, who are appointed by the National Assembly, upon nomination by the Ombudsman, for the same term of office.

99. Adopted on 20 September 2017, the Act Amending the Human Rights Ombudsman Act entered into force on 14 October 2017; its main objective was to provide adequate legal grounds for establishing an A status national human rights institution according to the 1993 Paris Principles on international benchmarks for the accreditation of human rights institutions. The mandate of the Human Right Ombudsman was widened so as to enable the implementation of all international principles and, as a consequence, to acquire the A status under the Paris Principles. According to the amending act, a Council of the Human Rights Ombudsman is established as an advisory body addressing the broader issues of promoting, protecting and providing oversight in the field of human rights and fundamental freedoms; it also acts as an important platform for ensuring the plurality of opinions with a broad participation of stakeholders, ranging from scientific circles to the civil society. The Council operates as a think tank – a leading independent institution in charge of development of the field of human rights and fundamental freedoms under the auspices of the Human Rights Ombudsman and the lead by autonomous experts. The Council was established in 2018. The amending act also provides for a Human Rights Centre set up to support the Human Rights Ombudsman. The Centre has a general mandate as a national human rights institution, including for providing human rights education and training, promoting human rights and safeguarding them; it also provides general information to the public on human rights protection mechanisms and strengthens international activities of the Human Rights Ombudsman. The Centre will be launched shortly. The amending act also envisages child advocacy, which had previously been a pilot project within the scope of the Ombudsman.

100. In October 2018, the Ombudsman filed with the Global Alliance of National Human Rights Institutions an application to obtain an A status according to the Paris Principles; the application is expected to be processed in 2020.

(ii) Ministry of Justice

101. The 2016 Act Amending the State Administration Act¹¹ conferred on the Ministry of Justice additional powers relating to human rights. With amendments to Article 37, the Ministry gained explicit mandate for the organisation and status of the Human Rights Ombudsman (i.e. for drafting the Human Rights Ombudsman Act), as well as for examining and planning the implementation of human rights and fundamental freedoms. This provision, however, does not centralise the human rights powers to one single government ministry, since each ministry and government service preserve their competence for ensuring and protecting human rights and fundamental freedoms within their remit; the Ministry of Justice was given the role of an additional controlling mechanism for identifying inadmissible violations of human rights and fundamental freedoms, including when examining draft regulations on human rights, which were prepared by other ministries. In this respect, it cooperates with the Government Office for Legislation and the Legislative and Legal Service of the National Assembly.

102. According to the 2014 Act Amending the State Administration Act¹², the Ministry of Justice was tasked with providing advice to other ministries concerning the implementation of decisions of international courts, in particular the European Court of Human Rights (ECHR). In 2016, an interministerial working group led by the State Secretary of the Ministry

¹¹ Official Gazette of the Republic of Slovenia Nos. 113/05 – official consolidated text, 89/07 – Constitutional Court Decision, 126/07, 48/09, 8/10, 8/12, 21/12, 47/13, 12/14, 90/14, and 51/16.

¹² Official Gazette of the Republic of Slovenia No. 90/14.

of Justice was established for the implementation of ECHR judgments; at the same time, a Project Group was formed at the Ministry of Justice to coordinate the implementation of ECHR judgments at the operational level with expert guidelines. This demonstrates the Government's commitment to the rule of law, including in relation to the implementation of ECHR judgments. Slovenia also implemented all semi-pilot and pilot ECHR judgments in cases brought against Slovenia (the Lukenda case on the right to trial within a reasonable time; the Kurić case on the "erased", and the Ališić case on former LB savers), and regularly implements all the other ECHR judgments. Additional information on the execution of ECHR judgments against Slovenia is published on website of the Ministry of Justice.

(iii) Ministry of Labour, Family, Social Affairs and Equal Opportunities

103. The Ministry is the competent authority for shaping gender equality policy and performs tasks defined in the Act on Equal Opportunities for Women and Men and the Rules on internal organisation and job classification at the Ministry of Labour, Family, Social Affairs and Equal Opportunities. Its main tasks on gender equality include: (i) monitoring the situation of women and implementing their rights guaranteed by the Constitution, laws and international conventions; (ii) scrutiny of regulations, acts, and measures adopted by the Government and ministries from the aspect of gender equality, participation in drafting such documents, and submission of proposals for measures concerning gender equality; (iii) cooperation with NGOs promoting gender equality.

(iv) Advocate of the Principle of Equality

104. In accordance with the Protection Against Discrimination Act adopted on 21 April 2016 to replace the Implementation of the Principle of Equal Treatment Act, the Advocate of the Principle of Equality was established as an autonomous state authority mandated to promote equality and protect against discrimination. This is a major shift compared to the previous regulation, under which the advocate of the principle of equality was a civil servant working at the Ministry of Labour, Family, Social Affairs and Equal Opportunities. The Advocate of the Principle of Equality, in charge of the namesake independent institution, is appointed by the National Assembly on the proposal of the President of the Republic. The first Advocate was appointed by the National Assembly on 25 October 2016.

105. The Advocate is responsible for ensuring protection against discrimination and promoting equality at a systemic and individual levels, in relation to both public and private entities. The tasks and responsibilities of the Advocate are specified by the Protection Against Discrimination Act, and include conducting independent studies on the situation of persons with a specific personal circumstance; publishing independent reports and making recommendations to state authorities, public bodies and private entities; identifying discrimination in individual cases and providing supervision over the implementation of the Protection Against Discrimination Act; providing independent assistance to victims of discrimination, advocating for them and representing them in court proceedings related to discrimination; raising the awareness of the general public regarding discrimination and measures taken to prevent it; monitoring the general situation in the Republic of Slovenia in the field of protection against discrimination; proposing the adoption of specific measures to improve the situation of persons who are disadvantaged on grounds of a certain personal circumstance; ensuring international exchange of information on discrimination. The Advocate also holds a privileged access to the Constitutional Court before which a review of constitutionality legality may be requested for regulations deemed discriminatory.

106. Those who believe to be subject to unjustified unequal treatment due to their personal circumstances may lodge a complaint with the Advocate. The procedure conducted by the Advocate shall be free of charge for the parties. During the procedure, the Advocate may request the alleged perpetrator or any other entity to submit additional information and documents which he/she requires to establish discrimination in the case under consideration. The Advocate's procedure is concluded with the issuance of a declaratory administrative decision on the (non)existence of discrimination. The Advocate does not have the mandate to impose sanctions. The introduction of minor offence proceedings for cases of discrimination depends on the Advocate's cooperation with line inspection services mandated with the supervision of the Protection Against Discrimination Act implementation.

(v) Coordinator for equal opportunities for women and men

107. The Equal Opportunities for Women and Men Act introduced a new mechanism for the integration of gender mainstreaming into government policies and its implementation and monitoring. Each ministry has appointed a coordinator for equal opportunities for women and men who carries out tasks defined by law and collaborates with the competent gender equality policy authority. In 2016, guidelines for gender mainstreaming were adopted at the governmental level, encompassing general guidelines for the work of ministries and gender equality coordinators, defining the cooperation between ministries and the main body responsible for gender equality, and identifying priorities for the 2016–2020 period. As the competent Government authority for gender equality policy, the Ministry of Labour, Family, Social Affairs and Equal Opportunities holds regular meetings with the coordinators.

(vi) Office for Religious Communities

108. The Office has been operating within the Ministry of Culture and carries out its tasks in the field of religious freedom stipulated by the Freedom of Religion Act¹³. It monitors the situation of religious communities; provides professional assistance; conducts the registration procedure and keeps the register of religious communities; provides budgetary funds for co-financing social security contributions of religious employees; organises discussions and meetings with representatives of religious communities; and participates in the drafting of regulations, other documents and measures concerning religious communities that are drafted by other authorities.

(vii) Office for National Minorities

109. The Office for National Minorities is an autonomous government office. The basic provisions on the protection of national communities and the Roma community are set out in the Constitution, while more detailed ones are included in legislation governing various areas that in any way concerns the situation of the Italian and Hungarian national communities and the Roma community. These provisions are implemented by relevant ministries. In light of such division of responsibilities, the main task of the Office for National Minorities is the overall monitoring of the implementation of legal provisions on the protection of the Italian and Hungarian national communities and the Roma community and of their practical effects, drawing attention to deficiencies, drafting proposals and initiatives for the Government and other state authorities, and preparing analyses and reports on wider issues of the protection of the Italian and Hungarian national communities and the Roma community, together with the line ministries.

(viii) Information Commissioner

110. The Information Commissioner Act¹⁴ of 31 December 2005 established the Information Commissioner as an autonomous state authority responsible for both access to public information and personal data protection. The Information Commissioner is appointed by the National Assembly on the proposal of the President of the Republic for a five-year term of office. The right of access to public information and the right to protection of personal data are considered fundamental human rights enshrined in articles 38 and 39 of the Constitution.

111. As a member of the European Union, Slovenia is also bound by EU legislation governing this area. Article 8(1) of the Charter of Fundamental Rights of the European Union grants the protection of personal data as a fundamental right. Everyone has the right to the protection of personal data concerning them, also according to Article 16(1) of the Treaty on the Functioning of the EU (TFEU). At the EU level, personal data protection is further regulated by the General Data Protection Regulation¹⁵ (hereinafter GDPR), which is directly

¹³ Official Gazette of the Republic of Slovenia Nos. 14/2007, 46/2010 – Constitutional Court Decision, 40/2012, and 100/2013.

¹⁴ Official Gazette of the Republic of Slovenia No. 113/2005.

¹⁵ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC.

applicable and in use in Slovenia. The Preamble, Recital (2), stipulates that the principles of, and rules on, the protection of natural persons with regard to the processing of their personal data should, whatever their nationality or residence, respect their fundamental rights and freedoms, in particular their right to the protection of personal data. The purpose of personal data protection is thus to protect the rights of the individual to whom these data refer.

112. According to the GDPR, any processing of personal data must be conducted in a legally sound, just, and transparent manner. Personal data may only be collected for specified, explicit and legitimate purposes and may not be further processed in a manner incompatible with these purposes. The processing is only limited to data which is necessary in relation to the purposes of the collection. Data subjects have special rights in relation to personal data that refer to them, which allows them greater control and influence over the processing of their personal data. Data subjects have at their disposal effective legal remedies to enforce their rights in relation to personal data protection. Anyone who becomes aware of a personal data breach may also file a complaint with the Information Commissioner of the Republic of Slovenia. Data controllers and processors are obliged to ensure appropriate security of personal data processing. The authorised persons must be able to demonstrate the compliance of their processing activities with the GDPR. Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation is prohibited. The processing of such data is only allowed in specifically defined exemptions listed in Article 9(2) of the GDPR. In addition to the general personal data protection regulation stemming from the GDPR, Slovenia also regulates data protection in relation to deceased persons, video surveillance, the use of biometric data in public and private sectors, connectivity of public sector and other data bases which, due to their specific nature, require a special regulation to facilitate the implementation of personal data protection rules in practice. By adopting field specific regulation, Slovenia coordinates the exercise of the right to personal data protection with other fundamental rights and the public interest. If a legal vacuum is identified concerning a specific issue, fundamental human rights may also be balanced directly on the basis of the Constitution.

113. Pursuant to the Public Information Access Act¹⁶, public information is any information originating from the remit of public bodies, irrespective of its form or origin (and regardless of whether it was drawn up by a public body, or acquired from other source); such information is publicly available unless it constitutes an exception specified by the Act (personal data, classified data, trade secrets, information acquired or drawn up for the purposes of criminal prosecution or court proceedings, etc.). A broad range of entities are required to provide public information by law: all state and local authorities, public law entities, bearers of public authority, and public service providers. The amended Act, which entered into force in April 2014, extended the range of these bodies to include all companies and other legal entities subject to dominant influence by the state, municipalities or other entities of public law. The Act is intended to ensure that the work of the authorities is public and open, and to enable natural persons and legal entities to exercise their rights to acquire public information from any liable authority holding the information pertaining to its remit. Pursuant to the Act, the authorities must furthermore endeavour to inform the public of their work to the greatest extent possible. Another purpose of the Act is to increase transparency and responsible management of public resources and financial resources of business entities subject to the prevailing influence of public law entities.

114. Statutory powers of the Information Commissioner:

- Deciding on an appeal against a decision with which a body refused or dismissed an applicant's request for access or violated the right to access or re-use of public information in some other way and, as part of appellate proceedings, also supervision over the implementation of the act regulating access to public information and regulations deriving from it;

¹⁶ Official Gazette of the Republic of Slovenia Nos. 51/2006, 23/2014, and 50/2014.

- Inspection of the implementation of the Act and other regulations governing the protection or processing of personal data or the transfer of personal data from Slovenia;
- Carrying out other duties defined by these regulations;
- Deciding on an appeal of an individual when the data controller refuses his or her request for data, extract, list, examination, confirmation, information, explanation, transcript or copy in accordance with the provisions of the act governing personal data protection;
- As the relevant authority it is responsible for supervision over the implementation of the Information Commissioner Act, the Access to Public Information Act (in appellate proceedings), and the Personal Data Protection Act.

B. Treaties

115. Article 8 of the Constitution stipulates that laws and other regulations must comply with the generally accepted principles of international law and with treaties that are binding on Slovenia. Ratified and published treaties are applied directly. Slovenia respects the objectives and principles of the UN Charter, the Universal Declaration of Human Rights, and other international obligations assumed by succession or the conclusion of major international universal and regional instruments governing human rights. Based on the adopted international treaty obligations for the protection of human rights, the relevant bodies established under the treaties exercise supervision, while Slovenia reports regularly on the human rights situation to them, holds open dialogue and implements their recommendations in good faith. A member state of the Council of Europe and the European Union, Slovenia is also bound by ratified treaties of the Council of Europe, the EU *acquis* and the case law of the European Court of Human Rights and the Court of Justice of the European Union.

116. Slovenia has succeeded to or ratified the following universal human rights treaties:

- International Covenant on Civil and Political Rights (26 June 1991) with two optional protocols: Optional Protocol to the International Covenant on Civil and Political Rights (18 May 1993) and Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (17 December 1993);
- International Covenant on Economic, Social and Cultural Rights (25 June 1991);
- International Convention on the Elimination of All Forms of Racial Discrimination (25 June 1991); Slovenia also made a declaration pursuant to Article 14 allowing the Committee on the Elimination of Racial Discrimination to receive and process communication by individuals or individual groups (21 August 2001);
- Convention on the Elimination of all Forms of Discrimination Against Women (25 June 1991) and its optional protocol (21 April 2004);
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (15 April 1993) and its optional protocol (29 September 2006);
- Convention on the Rights of the Child (25 June 1991) and its optional protocols: Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (15 July 2004), Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (15 July 2004), and Optional Protocol to the Convention on the Rights of the Child on a communications procedure (20 March 2018);
- Convention on the Rights of Persons with Disabilities and its optional protocol (2 April 2008).

117. In addition, Slovenia has ratified other universal treaties, including: Rome Statute of the International Criminal Court (22 November 2001), UN Convention against Transnational Organized Crime (2 April 2004) and the Protocols Thereto, i.e. Protocol to Prevent, Suppress

and Punish Trafficking in Persons, Especially Women and Children and Protocol against the Smuggling of Migrants by Land, Sea and Air (both 21 April 2004). Slovenia was among the first countries to sign the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights in September 2009.

118. The country has ratified and is party to 78 International Labour Organization conventions, including all eight fundamental conventions. As of 12 February 2015, Slovenia is bound by the Convention concerning the Promotional Framework for Occupational Safety and Health (ILO No. 187); as of 8 October 2015, by the Instrument for the Amendment of the Constitution of the ILO, and as of 15 April 2017, by the Maritime Labour Convention (No. 186).

119. Slovenia has also ratified the majority of Council of Europe conventions, including the European Convention for the Protection of Human Rights and Fundamental Freedoms with protocols, allowing Slovenian citizens to submit applications to the European Court of Human Rights, including Protocol 12 on the general prohibition of discrimination. In 2009, Slovenia ratified the Council of Europe Convention on Action against Trafficking in Human Beings and in 2015, the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention).

C. Promotion and protection of human rights

(i) Information and public awareness

120. In the late 1980s, Slovenia, at the time still part of Yugoslavia, witnessed concerted efforts by individuals and various NGOs to raise awareness of the significance of human rights among the general public and relevant state authorities; with the transition from a one-party state to a parliamentary democracy and a state of political pluralism after 1990, these efforts became even more extensive and institutionalised. Apart from various NGOs such as the International Helsinki Federation for Human Rights and Amnesty International, the Council of Human Rights and Fundamental Freedoms was most active in these movements, substantially contributing to the promotion of human rights in Slovenia until 1994. The most prominent NGOs currently involved in human rights advocacy in Slovenia include the Peace Institute, the Legal Information Centre for NGOs, Amnesty International, and UNICEF Slovenia.

121. At present, there are more than 27,000 NGOs in Slovenia. In 2001, 27 NGOs established the CNVOS - Centre for Information Service, Co-operation and Development of NGOs. Today, the CNVOS acts as an umbrella and horizontal association of NGOs, bringing together more than 1100 societies and organisations from various fields: social protection, sports, culture, health, philanthropy, and volunteerism. The CNVOS actively represents the interests of the Slovenian non-governmental sector in dialogue with the Government and local self-government, the National Assembly, and businesses.

122. The Human Rights Ombudsman has a key role in informing the public about violations of human rights and fundamental freedoms in Slovenia. The Ombudsman takes part in public debates, responds to urgent questions and draws attention to violations through media articles, annual reports, special reports, newsletter, press conferences, website, promotional material, etc. In recent years, the Ombudsman's Office has conducted several campaigns to promote human rights, especially children's rights. In addition, a new publication was designed: a free newsletter entitled *The Ombudsman – How to Protect Your Rights*. Its main aim is to educate people about their rights, show them ways to seek help and redress wrongs, thereby reducing potential violations. The first issue appeared on 10 December 2003, Human Rights Day. The quarterly newsletter is available at administrative units, hospitals, clinics, libraries, employment services, boarding schools and university residence halls, retirement homes, NGOs, social work centres, prisons, police stations, etc.

123. Several weekly and monthly publications are dedicated to the legal profession and practice, including *Dignitas: revija za človekove pravice* (*Dignitas: Human Rights Journal*), *Pravnik* (*Lawyer*), *Pravna praksa* (*Legal Practice*), *Revija za kriminalistiko in kriminologijo* (*Journal of Criminal Investigation and Criminology*), *Penološki bilten* (*Penology Bulletin*),

Teorija in praksa (Theory and Practice) and Zbornik znanstvenih razprav (Scientific Review), which regularly feature articles on human rights protection.

124. At the international level, Slovenia is a supporter of progressive human rights policy by advocating the development of new standards and by applying and implementing existing international human rights standards, cooperating with representatives of civil society and regularly informing the public of its activities. Through its website and the media, the Ministry of Foreign Affairs regularly informs the Slovenian public of the fulfilment of obligations arising from international conventions, particularly by publishing all reports to relevant UN and CoE control mechanisms and their recommendations.

125. The Foreign Minister meets NGO representatives annually to present Slovenia's foreign policy activities regarding human rights. Regular meetings on human rights and international development cooperation are also held at the working level. In addition, the Foreign Ministry cooperates with civil society at all levels on raising the awareness of the Slovenian public of the importance of effectively tackling global challenges, such as climate change, water, migration, and sustainable development. The Inter-departmental Commission on Human Rights, which coordinates reporting to international human rights control mechanisms, meets annually with representatives of civil society organisations. Two of its members represent these organisations.

(ii) **Rule of law: implementing Constitutional Court decisions; court backlogs; trial without undue delay**

126. The Constitutional Court is the supreme authority clarifying the provisions of the Constitution, the founding legal act of the state; its decisions must be respected and implemented by all state bodies, natural persons, and legal entities.

127. Article 23 of the Constitution stipulates that everyone has the right to have any decision regarding his rights, duties and any charges brought against him made without undue delay by an independent, impartial court constituted by law. Since 2010,¹⁷ the average duration of proceedings in general courts of first and second instance (all matters) has been cut by 56.4%, from 6.6 months to 2.9 months.¹⁸

Table 27: Average duration of proceedings (in months) in general courts of first and second instance (all matters)

<i>Courts</i>	<i>2006</i>	<i>2010</i>	<i>2013</i>	<i>2018</i>	<i>Reduction rate (2010–2018)</i>
Higher-instance	3.6	2.3	3.0	2.4	3.4%
District	1.6	2.6	3.8	3.5	35.4%
Local	5.8	7.6	5.0	2.7	-63.9%
Total	3.2	6.6	4.7	2.9	-56.4%

128. Slovenia believes that the objective of ensuring hearings within a reasonable time has mostly been met, so this is no longer a systemic issue.¹⁹ According to recent data, both within the Slovenian judiciary and the independent external control mechanisms (e.g. the 2019 EU Justice Scoreboard, the 2018 Council of Europe CEPEJ Report based on data from 2016, or

¹⁷ Reliable data from computerised registers.

¹⁸ In this section, the previous report provided data on court backlogs. Data on the number of cases considered court backlogs has become meaningless and superfluous as the Court Rules' definition of backlogs does not correspond to the actual proceedings (the Supreme Court has repeatedly pointed to this problem since 2010), see annual report on efficiency and effectiveness of courts for 2018, p. 72, available at: http://www.sodisce.si/mma_bin.php?static_id=2019053010295563.

¹⁹ In late 2016, the Secretariat of the Council of Europe noted that Slovenia had managed to resolve court backlogs through legislative action, including organisational, IT, and other measures, thereby ensuring access to trial within a reasonable time as per the European Convention for the Protection of Human Rights and Fundamental Freedoms - see the revised action report of the Secretariat of the Council of Europe on the judgement enforcement process in the Lukenda group of cases against Slovenia (23032/02) issued on 28 October 2016.

the World Bank Group publication *Doing Business 2018*), a positive turn in the efficiency of court proceeding was observed in 2010, and Slovenia currently ranks among top European countries in terms of resolving cases within a reasonable time.

129. On the basis of GRECO recommendations that proposed the adoption of a code of professional conduct or a code of ethics binding on all judges, the last amendment of the Courts Act, which entered into force on 13 March 2015, entrusted the Judicial Council with a new task of drafting a code of judicial ethics, which was then adopted at its session of 11 June 2015. Similarly and in accordance with the provisions of the State Prosecution Service Act (20 March 2015), the State Prosecutors' Council adopted the Code of Ethics of State Prosecutors within six months following the entry into force of the Act. Both the Judicial Council and the State Prosecutors' Council established their respective ethics and integrity commissions in 2015.

130. On 8 December 2016, the Committee of Ministers of the Council of Europe adopted the final resolution on the execution of judgments in the Lukenda group of cases against Slovenia concerning the right to trial within a reasonable time. On the basis of the revised action report on the judgement enforcement process in the Lukenda group of cases against Slovenia of 28 October 2016, the Secretariat of the Council of Europe established that Slovenia had resolved court backlogs through legislative action, including organisational, IT, and other measures, thereby ensuring access to trial within a reasonable time as per the European Convention for the Protection of Human Rights and Fundamental Freedoms.

(iii) Right to life and the prohibition of torture and other cruel or degrading treatment

131. According to the Constitution, human life is inviolable and there is no capital punishment in Slovenia (Article 17); no one may be subjected to torture or to inhuman or degrading punishment or treatment (Article 18); respect for human personality and dignity shall be guaranteed in criminal and in all other legal proceedings, as well as during the deprivation of liberty and enforcement of punitive sanctions (Article 21, paragraph 1); and violence of any form against any person whose liberty has been restricted in any way is prohibited, as is the use of any form of coercion in obtaining confessions and statements (Article 21, paragraph 2).

132. Based on recommendations of the UN Committee against Torture, the 2008 Criminal Code²⁰ stipulated an independent criminal offence of torture (Article 265, renumbered Article 135a in the amended Criminal Code of 2011²¹) – in addition to the existing criminalisation of torture with regard to crimes against humanity (Article 101, item 6) and war crimes (Article 102, paragraph 1, item 2), whereby the legislator took into account the definition of torture under Article 1 of the UN Convention against Torture.

133. The Act ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment sets up the Human Rights Ombudsman as the national preventive mechanism exercising its tasks and powers together with selected NGOs and organisations that gained humanitarian organisation status in Slovenia. Such monitoring, which has been in place since 2007, enhances effectiveness, frequency, and professionalism in detecting and preventing torture and other forms of cruel treatment.

134. In order to pursue independent investigation of criminal offences of which police officers are suspected, a special department has been set up within the newly-established Specialised State Prosecutor's Office, which has been operating in a different format since 1 November 2007. The department is exclusively responsible for prosecuting criminal offences committed by officials employed by the police and similar law enforcement authorities of the state.

135. Slovenia conducted a 2-year Šilih Project related to different measures for ensuring patients' rights to adequate, high-quality, and safe treatment and to effective (judicial) protection in case of violation of this right. The Project followed-up to the ECHR judgment

²⁰ Official Gazette of the Republic of Slovenia Nos. 55/2008 and 39/2009.

²¹ Official Gazette of the Republic of Slovenia No. 91/2011.

of 9 April 2009 in the case *Šilih v. Slovenia*²² in which a breach of the right to life was established pursuant to Article 2 of the ECHR, mostly due to inefficient judicial – especially civil law – procedures in the pertinent case. The Ministry of Health and the Ministry of Justice implemented 23 measures as part of/ during the Project, and a report on the effects of the measures was submitted to the Government in July 2019. On 5 September 2018, based on the action report on the execution of judgment of the ECHR Grand Chamber in the case *Šilih v. Slovenia*, the Committee of Ministers of the Council of Europe adopted the final resolution on the execution of the judgment, in which both individual and general measures adopted by Slovenia were deemed adequate.

136. In 2013, police legislation was amended. The Police Act was replaced by the Police Tasks and Powers Act and the Organisation and Work of the Police Act. The former in particular provides for different solutions to guarantee better respect for human rights in police procedures. A new element introduced in implementing regulations is included in the Rules on Police Powers: the Police Tasks and Powers Act explicitly stipulates that the Rules must be issued by the Minister after obtaining a preliminary opinion from the Human Rights Ombudsman.

137. The enforcement of penal sentences is regulated by law and falls under the remit of the Prison Administration of the Republic of Slovenia, which is in charge of the comprehensive exercise of rights and duties of detained persons, of the development of specific, psychological, social, pedagogical, sociological, and other forms and methods of work with detained persons, of the comprehensive development and implementation of social work and post-penal treatment as well as healthcare of detained persons. The most prominent task for every institution within the Administration is to provide for legality of all its activities as well as to ensure and protect human rights of detained persons. Detained persons must have access to legislative acts and treaties ratified by the Republic of Slovenia concerning the implementation of penal sanctions and the protection of human rights.

138. The supervision over the lawfulness of treatment of detained persons is carried out by the ministry responsible for justice, and the President of the District Court with jurisdiction over the location of the institution or its department. An authorised official of the ministry responsible for justice or the President of the District Court verifies with the detained persons how they are treated and how their rights are enforced; at the wish of the detained persons, the talks may be conducted in the absence of the institution's personnel. In accordance with the Human Rights Ombudsman Act, supervision must also be granted to the Human Rights Ombudsman and, according to treaties, also to competent authorities authorised for the protection of human rights and the prevention of torture, inhuman or degrading treatment or punishment. Detained persons may contact the Human Rights Ombudsman at any time at 080 15 30 (free telephone line).

139. The basic training for newly employed correctional officers and professional workers also pays special attention to the knowledge of human rights legislation, treaties and institutions mandated with the protection of human rights of detained persons. Furthermore, correctional officers give a solemn promise concerning their work, reading: "I solemnly swear to fulfil my duties of protection and control diligently, responsibly, humanly and lawfully while fully respecting human rights and fundamental freedoms."

(iv) Freedom of expression

140. The Constitution (Article 39) guarantees freedom of expression of thought, freedom of speech and public appearance, freedom of the press, and other forms of public communication and expression.

141. Pursuant to the Media Act²³, media activities in Slovenia are based on freedom of expression, the inviolability and protection of human personality and dignity, the free flow of information, media openness to different opinions and beliefs and to diverse content, the

²² Application No. 71463/01, judgment of 28 June 2007, and Grand Chamber judgment of 9 April 2009.

²³ Official Gazette of the Republic of Slovenia Nos. 110/2006 – official consolidated text, 69/2006 – ZOIPub, 36/2008 – ZPOmK-1, 77/2010 – ZSFCJA, 87/2011 – ZAvMS, and 47/2012, 47/2015 – ZZSDT, 22/2016, 39/2016, and 45/2019 - Constitutional Court Decisions.

autonomy of editors, journalists and other authors in creating programmes in accordance with editorial charters and professional codes of conduct, and the personal responsibility of journalists, other authors of contributions and editors for the consequences of their work. Pursuant to the Media Act and the Audiovisual Media Services Act²⁴, the broadcasting of programmes that incite discrimination, hatred or intolerance on the basis of nationality, race, religion, sex or other factors, or to violence or war, is prohibited. Certain articles of the two acts also refer to human rights protection.

142. The Media Act stipulates that advertising may not affect the respect for human dignity, incite discrimination on the grounds of race, gender or ethnicity, or religious or political intolerance, encourage behaviour damaging to public health or safety or to the protection of the environment and the cultural heritage, give offence on the grounds of religious or political beliefs, or harm users' interests. A special right under the Act is the right of correction or reply, based on which any person shall have the right to demand from an executive editor to publish free of charge a correction provided by this person to any notification published that infringed upon this person's rights or interests, or publish, free-of-charge, a reply denying allegations of facts and information in the published report with verifiable statements. In advertising, special provisions refer to children. Advertisements targeting children or in which children appear may not contain scenes of violence, pornography or any other content that could damage their health or mental and physical development or otherwise have a negative effect on them. Advertising must not morally or mentally affect the children. Therefore, advertisements must not encourage children to purchase products or services by exploiting their inexperience or credulity; encourage children to convince their parents or any other person to purchase products or services; and must not unjustifiably show children in dangerous situations.

143. With respect to the protection of human rights, the Audiovisual Media Services Act, which regulates television programmes and audiovisual media services (on demand), explicitly prohibits enticement to inequality and intolerance and prejudicing respect for human dignity. Particular attention is dedicated to the protection of children and adolescents from content that might impair their physical, mental or moral development and to their protection in disseminating audiovisual commercial communications. Through audiovisual media services, children and adolescents must not be exposed to arbitrary or unlawful interference in their private life, family or home, or to unlawful attacks on their honour or reputation.

144. In the provisions dedicated to criminal offences against honour and reputation (articles 158–162), the Criminal Code includes aggravated forms of criminal offences when these have been committed through the press, radio, television or other means of public information or at a public assembly. The amended Criminal Code limits the liability of the responsible editor in such cases (the editor is held liable only if the author remains unknown, if the information was published without the author's consent or if there are material or legal obstacles preventing the author's prosecution). The responsible editor is not held liable in cases of a live broadcast of a show that could not have been prevented, and for content published on a web page allowing real-time comments without prior checks.

145. The prosecution of hate speech offences is regulated by Article 297 of the Criminal Code (Public Incitement to Hatred, Violence or Intolerance), as amended in 2011 (and adopted in 2012). The article was amended so as to provide a more detailed definition of the elements of a criminal offence in order to ensure its differentiation from minor offences under Article 20 of the Protection of Public Order Act; to harmonise Slovenian legislation with EU documents (Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law) and provisions of Council of Europe documents (2003 Additional Protocol to the Convention on Cybercrime, concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems). The statutory elements under which the criminal offences of public incitement to hatred are considered more serious, and thus subject to stricter sanctions, have been amended to include publications on the internet so as to dispel

²⁴ Official Gazette of the Republic of Slovenia Nos. 87/2011 and 84/15.

any doubts about the fact that publications in mass media also include websites as the public part of the internet, which provides for the sanctioning of editors or persons acting as editors.

146. In April 2016, the Act amending the Media Act entered into force, stipulating that a publisher who allows public comments in a given medium must establish a commenting policy and publish it appropriately in the medium. Comments violating the policy must be removed as quickly as possible, or within one working day after having been reported, at the latest. Such regulation is an effective means of self-regulation and reduction of online hate speech and offensive language, which is also an objective under the Resolution on the National Programme of Crime Prevention and Suppression for the 2012–2016 period. The Slovenian Government is well aware of the need to establish and support self-regulation mechanisms to respond to hate speech, i.e. it is also necessary to support other ways of responding to hate speech and discussions on the topic. In line with these guiding principles, the 2019 Resolution on the National Programme of Crime Prevention and Suppression for the 2018–2022 period adopted by the National Assembly also includes a section titled “Strategy/programme – setting up programmes for countering public incitement to hatred and intolerance”.

147. Hate speech in the media is prohibited, too (Media Act; Audiovisual Media Services Act). The Ministry of Culture also continues to encourage the fight against hate speech through yearly calls for the co-funding of broadcasts. The national broadcasting service plays a major role in warning against hate speech and raising awareness of its illegality. The RTV Slovenija Act stipulates that, through its broadcasts, the national broadcasting service RTV Slovenija promotes the raising of awareness about the different cultures that are represented in Slovenia and their members, promotes the culture of public dialogue, and provides a wide platform for public debate on social issues. Furthermore, the Act stipulates that, in the production of broadcasts, RTV Slovenia journalists must respect the principles of constitutionality and legality, including the prohibition of inciting cultural, religious, sexual, racial, national or other forms of intolerance.

(v) Freedom of Conscience

148. Freedom of conscience is provided for by Article 41 of the Constitution, referring to religious beliefs as well as moral, philosophical and other convictions. Any individual may hold any religious or other convictions and may freely profess religious beliefs, or may not hold religious convictions, may not declare religious beliefs and, in this regard, is not obliged to declare him/herself. Any forcible declaration is an infringement of the individual’s integrity and a denial of free declaration. As a result of this freedom, anyone has the right to be or not to be a member of any religious community, and should not be limited in becoming a member of, or leaving, a religious community.

149. The Freedom of Religion Act governs and ensures the exercise of religious freedom, provides for the register of churches and other religious communities, criteria, conditions and procedure for the registration of churches and other religious communities, and the rights of registered churches and other religious communities and their members. Established within the Ministry of Culture, the Office for Religious Communities holds consultations with representatives of churches and other religious communities on the topics of interest to religious communities, providing them with information about legislation, their rights and how to exercise them.

(vi) Right to equal treatment

150. Article 14 of the Constitution stipulates that everyone is guaranteed equal human rights and fundamental freedoms irrespective of national origin, race, sex, language, religion, political or other conviction, material standing, birth, education, social status, disability or any other personal circumstance. Article 14, paragraph 2, stipulates that all are equal before the law. The equal protection of rights regulated in Article 22 also falls within the scope of the general principle of equality (equal protection of rights in any proceeding before a court or before other state authorities). Gender equality is also provided by certain laws such as the Implementation of the Protection against Discrimination Act, including individual provisions

of various laws (e.g. the provision of the Criminal Code²⁵ criminalising the violation of equality; the provision of the Employment Relationships Act²⁶ prohibiting discrimination; the provisions of procedural laws guaranteeing the equality of parties to criminal, civil, administrative, and tax proceedings).

151. The constitutional principle of equality is specified by legal provisions regulating employment and work, education, social protection, electoral law, etc. The application of this principle is defined in greater detail in the Implementation of the Protection against Discrimination Act, which provides for equal treatment regardless of personal circumstances. Compared to the previous regulation under the Implementation of the Principle of Equal Treatment Act, the personal circumstances on the basis of which any discrimination is prohibited now explicitly include language, sexual identity or sexual expression, social position, property status, and education. Under the Protection against Discrimination Act, discrimination is prohibited in different areas of social life, including employment and work, social protection, social benefits, education and access to goods and services available to the public, including housing. The Act prohibits both direct and indirect discrimination, instructions that might result in discrimination, discrimination through contacts, retaliatory measures, sexual harassment, harassment, and incitement to discrimination. Serious forms of discrimination are defined as multiple or mass discrimination, continuous or repeated discrimination, and discrimination with consequences that would be difficult to remedy. It also provides the legal basis for the introduction of temporary special measures aimed at ensuring the actual equality of persons who are in a less favourable situation due to one or more personal circumstances. Alleged violations of the prohibition of discrimination are dealt with by the Advocate of the Principle of Equality. Anyone who believes they are being discriminated against may contact the Advocate by filing a complaint. In special cases, the Advocate of the Principle of Equality may represent or accompany the discriminated person in judicial proceedings, should the person in question authorise the Advocate or consent to his/her presence.

152. Alleged victims may also contact relevant inspection services and other administrative and judicial authorities that provide for protection against discrimination; victims may also claim damages. Should suspicion arise in respect of violations, the burden of proof lies with the offender.

(vii) Right to work, fair remuneration, safe and healthy working conditions, paid leave and freedom to join trade unions and protection of trade union rights

153. Article 49 of the Constitution guarantees freedom of work, and stipulates that everyone has access under equal conditions to any position of employment. Forced labour is prohibited.

154. The Employment Relationships Act includes a rule on employment contracts concluded for an indefinite period. Fixed-term employment contracts are envisaged in exceptional cases only. During fixed-term employment, the contracting parties have the same rights and obligations as in cases of contracts with no fixed term. Special features relate to the reasons for termination of employment: expiry of the period for which it was concluded, completion of the agreed work or cessation of the reason for which the contract was concluded. Since fixed-term employment is an exceptional form of employment, the Act emphasizes the importance of form: the intention of the contracting parties to conclude an employment contract for a definite period must be expressed in writing; otherwise, the employment contract is assumed to have been concluded for an indefinite period. The Act limits the conclusion of fixed-term contracts to cases stipulated by law and to collective agreements, limiting the validity of such contracts. The illegally concluded fixed-term employment contract results in the transformation into an open-ended employment contract.

²⁵ Official Gazette of the Republic of Slovenia Nos. 55/2008 – KZ-1, (66/2008 – corr.), 89/2008 – Constitutional Court decision U-I-25/2007-43 and 5/2009 – Constitutional Court decision U-I-88/2007-17.

²⁶ Official Gazette of the Republic of Slovenia No. 21/2013 – ZDR-1.

155. In Slovenia, health and safety at work are regulated by the Health and Safety at Work Act²⁷, which entered into force on 3 December 2011. The legal framework is complemented by numerous implementing regulations adopted on the basis of this and other acts which govern health and safety at work with regard to employees' exposure to specific risks (e.g. asbestos, carcinogens, chemical factors, noise or biological factors), safe and healthy working conditions for specific vulnerable groups of workers (e.g. young workers, pregnant and breastfeeding women or new mothers), for workers using special equipment (e.g. work equipment, protective equipment or screening equipment), and those working in specific environments (e.g. fishing vessels, explosive atmosphere or exploitation of mineral substances). In addition, health and safety at work are guaranteed by implementing organisational regulations that sustain the enforcing and implementing of the Act (e.g. concerning professional examinations on health and safety at work, the issuing of work permits or providing training for coordinators).

156. Slovenia has ratified the ILO Convention 87 on Freedom of Association and Protection of the Right to Organise and the Right to Organise and Collective Bargaining Convention (No. 88). These instruments underlie the Constitution of the Republic of Slovenia, chapter on Economic and Social Relations, which stipulates in Article 76 that the freedom to establish, operate and join trade unions is guaranteed. Slovenia ensures protection against any interference with the work, establishment and leadership of trade unions, and punishes any such interference, thereby implementing the provisions of the ILO Convention 98 on the Right to Organise and Collective Bargaining, as well as other binding international instruments.

157. The establishment and work of trade unions is regulated under the Representativeness of Trade Unions Act, which stipulates how a trade union becomes a legal entity and when it is deemed representative, granting legal protection for both types of procedures. The mandate of trade unions, as well as the work and protection of trade union representatives, which have to be respected by employers, are regulated by the Employment Relationships Act, which grants legal protection before the court for labour disputes and provides for sanctions.

158. In accordance with the Labour and Social Courts Act, the labour court is also in charge of proceedings related to employment relations, including interference in the autonomy of trade unions or the rights of workers to freely join them, as well as interference in the mandate of trade unions in relation to their members, i.e. workers.

159. In addition, the violation of trade union rights constitutes a criminal offence against employment relationship and social security. Article 200, paragraph 2 of the Criminal Code stipulates that whoever breaches regulations and general acts by preventing employees or hindering them from exercising free association and executing union activities, or obstructs the implementation of union rights, or takes over a union shall be punished by a fine or sentenced to imprisonment for not more than one year.

(viii) Right to social security

160. In April 2013, the National Assembly passed the Resolution on the National Social Assistance Programme for the period 2013–2020, which is the basic document outlining the development of social security for the period. Its main goal is to guarantee social security and social inclusion for citizens and non-citizens of Slovenia. The key objectives referred to in the Resolution include:

- Reducing the risk of poverty and improving social inclusion of socially endangered and vulnerable groups;
- Improving availability and diversity and guaranteeing accessibility of services and programmes; and
- Increasing the quality of services, programmes, and other forms of assistance through improved autonomy, better quality management and greater influence of users on the planning and provision of services.

²⁷ Official Gazette of the Republic of Slovenia No. 43/2011.

161. Based on the Resolution, implementation plans will be drafted for short-term periods, with detailed definitions of the main social security tasks within each relevant period.

162. In 2010, the National Assembly adopted a new social legislation package in the form of the Exercise of Rights to Public Funds Act and the Social Assistance Payments Act, which entered into force in 2012. The package had a major impact on previous legislation governing social and family transfers and subsidies, introducing significant changes to the system of benefits financed from public funds. These systemic amendments are aimed at:

- Improving transparency of social benefits;
- Enhancing efficiency and targeting of social benefits; and
- Creating a simplified, more friendly and transparent system, and faster and more cost-effective decision-making about the benefits.

163. A year into the implementation of the new social legislation, its effectiveness was evaluated; as a result, several amendments to the legislation were passed by the National Assembly in November 2013. Some amendments entered into force on 1 January, and the remainder on 1 September 2014. The amendments mainly bring additional protection for the most vulnerable groups (the older people, single-parent families and large families) and additional improvements to administrative support.

164. Other measures aimed at combating poverty include rent subsidies; subsidised pre-school care, transport for students, textbook funds, and scholarships; active employment policy programmes and pilot programmes under the EQUAL Community Initiative addressing the employment difficulties faced by vulnerable groups (persons with disabilities, migrants, Roma); free legal assistance; personal income tax relief and exemption from certain other taxes; and exemption from the payment of compulsory health insurance.

165. During the economic and financial crisis, the Government sought to adopt anti-crisis measures that did not encroach on human rights and the financing of institutions monitoring their implementation.

166. In December 2016, the Act Amending the Social Assistance Payments Act entered into force, aimed at ensuring more fair restrictions on succession and notes of the prohibition of alienation or encumbrance on immovable property for beneficiaries of financial social assistance and income supplement, taking into account the basic principle of providing means of subsistence only to those really in need.

167. In 2018, Slovenia increased the basic amount of the minimum wage, which currently stands at EUR 402,18. The measure is expected to have a strong positive effect on the reduction of poverty and the rise of disposable income. In 2017, another set of measures was adopted, with direct impact on the reduction of poverty and social exclusion. After several years, all retired persons received an annual bonus amounting to between EUR 90 and 400 (depending on the amount of their pensions). In 2019, the annual bonus ranges from EUR 127 to 437. Since 2016, pension indexation has no longer been subject to austerity measures. In 2018, there was a regular indexation (by 2.2%) and an extraordinary indexation (by 1.1%). In 2019, the regular indexation stood at 2.7%, while the planned extraordinary indexation was to be implemented in December, namely 1.5%. In 2017, the amended Pension and Disability Insurance Act also introduced the guaranteed level of pension benefits for anyone meeting the conditions in terms of age and pension qualifying period for either old age pension or disability pension without any additional payments in the case of minimum required age; the guaranteed amount of pension benefits amounts to EUR 500 (in 2019, EUR 530.70). In 2018, 55,269 persons were entitled to the guaranteed pension benefits: 47,483 were entitled to the old-age guaranteed pension and 7,786 were entitled to the guaranteed disability pension.

168. In 2017, the risk-of-poverty rate (13.3%) and the risk-of-social-exclusion rate (17.1%) were lower than the year before, and remain at the same level in 2018. All forms of social benefits, including pensions, remain an important factor of poverty reduction in Slovenia, although their impact in 2018 was slightly less pronounced than the year before.

169. A new Act Amending the Social Assistance Payments Act is currently going through the legislative procedure. The amended Act envisages the exclusion of activity supplement

from financial social assistance and the provision of an additional incentive to activate unemployed beneficiaries of financial social assistance. In combination with amendments to legislation governing pensions and the labour market, the amendment aims to draw a line between financial social assistance and minimum wage, while maintaining the level of ‘basic financial social assistance’ unchanged in order to assist beneficiaries in finding jobs faster. By eliminating the activity supplement, the risk of prolonged inactivity of unemployed beneficiaries of financial social assistance will be lowered.

(ix) Right to education

170. The Constitution (Article 57) guarantees fundamental rights pertaining to education. It guarantees freedom of education. Primary education is compulsory and financed from public funds, and the state creates opportunities for citizens to obtain a proper education.

171. According to the Constitution, physically or mentally handicapped children and other severely disabled persons have the right to education and training for an active life in society (Article 52).

172. The Organisation and Financing of Education Act²⁸ stipulates that the education system aims:

- To provide the optimal development of the individual, irrespective of gender, social background or cultural identity, religion, racial, ethnic or national origin, and regardless of their physical and mental constitution or disability;
- To educate for mutual tolerance, promote gender equality awareness, respect for human diversity and mutual cooperation, respect for children’s and human rights and fundamental freedoms, foster equal opportunities for women and men, and thereby develop competences to live in a democratic society;
- To develop linguistic competences and to raise awareness of the Slovenian language as the language of the Republic of Slovenia;
- To promote awareness of the individual’s integrity;
- To raise a sense of belonging to the country and national identity and broaden knowledge of Slovenia’s history and its culture;
- To enable inclusion in European integration processes;
- To provide equal educational opportunities in areas with specific development problems and to provide equal educational opportunities to children from socially disadvantaged environments;
- To provide equal educational opportunities to SEN children, youth and adults;
- To educate for sustainable development and active participation in a democratic society, including in-depth knowledge of, and a responsible attitude to, oneself, one’s health, other people, one’s own and other cultures, natural and social environments, and to future generations, etc.

173. To protect children from violence, the relevant ministry drafted the Act Amending the Organization and Financing of Education Act in 2016. Article 2.a provides a clearer definition of a safe and stimulating learning environment. The Article stipulates that “/i/n kindergartens, schools and other educational institutions for children and youth with special needs, a safe and stimulating learning environment shall be provided in accordance with the aims provided in the preceding Article, where corporal punishment of children and any other form of violence against and among children and non-equal treatment based on gender, sexual orientation, social and cultural background, religion, racial, ethnic and national affiliation, and specific characteristics in physical and mental development shall be prohibited”.

²⁸ Official Gazette of the Republic of Slovenia Nos. 16/2007 – official consolidated text 5, 36/2008, and 58/2009.

174. Other laws²⁹ also deal with the rights of national communities, Roma community, foreign nationals, and children with special needs. The Ministry of Education, Science and Sport regularly publishes calls for applications for research projects relating to social and civic competences, e.g. prevention of violence and intercultural dialogue, for projects carried out by educational institutions (recognition and prevention of violence, education for gender equality), and for providing training for qualified professionals (encouraging tolerance and acceptance of diversity, intercultural cooperation and learning, promotion of intercultural dialogue, equal opportunities, and the recognition and prevention of violence). Several projects focusing on human rights education for students are under way. Both compulsory and elective subjects in regular and extracurricular activities are also intended to promote intercultural dialogue.

(x) Right to the best possible physical and mental health

175. Applicable health legislation provides for equal, adequate, high-quality, and safe health care. The entire population enjoys equal rights arising from compulsory and complementary health insurance. The Patients' Rights Act³⁰ define the rights of patients as consumers of healthcare services offered by healthcare service providers, including the procedures for exercising these rights. The Ministry of Health identified the protection of rights of vulnerable population groups as a priority of health care and human rights. Special emphasis is placed on people with mental disorders and serious chronic illnesses and the older people, on rights related to advances in biomedicine, activities focusing on promoting good health and the prevention of addiction and other illnesses, as well as comprehensive health care and combating exclusion.

176. The Mental Health Act³¹ provides for the protection of rights of persons with mental disorders during treatment in a psychiatric intensive care unit, secure ward or supervised care, and defines procedures for involuntary admission before the court.

177. The protection of mental health is one of the axes of the new national healthcare programme, i.e. the Resolution on the National Health Care Plan 2016-2025 'Together for a Healthy Society', which was adopted on 29 March 2016. With regard to mental health of the older people, a particularly vulnerable group in terms of suicidal behaviour, the Ministry of Health adopted in April 2016 a Strategy for coping with dementia in Slovenia by 2020; a relevant action plan is pending. The procedure for the Resolution on the National Mental Health Programme 2018–2028 led by the Ministry of Health was concluded with the adoption of the Programme by the National Assembly in March 2018. It covers six priority areas, the fifth one is suicide prevention.

178. Owing to the constantly increasing need for geriatric services, the Ministry of Health in collaboration with other relevant ministries drafts the legal bases for long-term care and is responsible for providing comprehensive care for the older people, especially those suffering from cognitive disorders.

179. According to data for the 2015–2017 period, maternal death rate was 5.0 per 100,000 live births, while the rate of late maternal death was 5.0 per 100,000. The responsibility for analysing maternal deaths lies with the National Working Group for Analysing Data on Maternal Deaths, which is part of the National Institute of Public Health; a standard protocol is applied to each maternal death. Based on its findings, every three years, the Group publishes a comprehensive report, including recommendations for clinical and public health measures relating to reproductive health, focusing on the importance of socio-economic factors, the detection and treatment of mental disorders, and the need for education and awareness-raising among the general public and medical professionals. Since 2000, inaccessibility to health care has never been the direct cause of maternal death in Slovenia, where accessibility to health care for women of reproductive age is not only formally but also actually universal.

²⁹ Official Gazette of the Republic of Slovenia Nos. 81/2006 – official consolidated text 3 and 102/2007.

³⁰ Official Gazette of the Republic of Slovenia No. 15/2008.

³¹ Official Gazette of the Republic of Slovenia No. 77/2008.

180. The Ministry co-finances programmes for the protection and strengthening of reproductive health and reproductive rights at the national, regional, and local levels. Special attention is given to the most vulnerable women, in particular pregnant women and new mothers. Since post-natal mental disorders and suicide are among the main causes of maternal death in Slovenia, two projects are underway during the 2018–2019 period, aimed at providing additional training for health care experts on early detection of mental problems and disorders in the perinatal period, which will serve as the basis for other planned activities.

181. Under the applicable legislation, Slovenia provides access to health care for the entire population. Access to all levels of health care (primary, secondary, and tertiary), as stipulated by Article 2 of the Health Services Act and comprising services under Article 23 of the Health Care and Health Insurance Act and Article 22 of the Rules on compulsory health insurance, is guaranteed to all people of Slovenia through taking out compulsory health insurance.

182. Pursuant to Article 7 of the Act, funds are allocated in the state budget for the emergency treatment of those not insured or for foreign nationals in need of medical treatment, who cannot cover its costs. Healthcare for migrants and asylum seekers is provided pursuant to the International Protection Act³² (Articles 38, 78, 84, 89, 90, and 94), and the Temporary Protection of Displaced Persons Act (Articles 23, 27, and 38).

(xi) Right to adequate housing

183. Slovenia adopted the Resolution on the National Housing Programme 2015–2025, which defines long-term objectives on the basis of broad public consensus: balanced offer of adequate housing options, easier access to housing, quality and functional housing units, and greater housing mobility in the general population. The Resolution pays special attention to housing issues of young, older, and more vulnerable population groups.

184. For young people looking to resolve their housing issue for the first time, the Resolution foresees: the establishment of housing communities for young people, ensuring affordable housing for rent, shared ownership as well as rent-to-own schemes and housing cooperatives.

185. The Resolution also seeks to address eldercare by providing additional housing options. To this end, a cohousing community project was implemented in 2018 to promote cohousing of the older people as a successful model to improve the quality of life. The Resolution foresees a housing scheme for evicted persons and groups, and a housing scheme for citizens with special needs. It also pays special attention to the existing housing fund. The Resolution encourages promotion and implementation of energy efficient renovation projects of neighbourhoods, tackling energy poverty and facilitating energy efficient renovation of multi apartment buildings. In future, more attention will have to be devoted to functional renovation of residential buildings.

186. Slovenia currently guarantees greater access to adequate housing (including subsidised apartments) to people who are eligible for non-profit rental apartments through a system of non-profit rental apartments and through housing subsidies for a portion of market rents. If municipalities cannot provide a sufficient number of non-profit apartments through subsidised housing, eligible persons may seek a suitable rental apartment on the market, and part of the difference between non-profit rent and market rent is covered by the state and municipalities. Eligible households are entitled to a subsidy amounting to up to 80 % of a non-profit rent. Payments have been increasing, particularly in recent years. According to 2017 data, Slovenian municipalities and the national Housing Fund own 20,500 apartments for non-profit rent and 1,200 apartments for market or cost rent. These apartments represent around 6% of available housing fund in Slovenia. Based on a 2018 survey, municipalities reported the need for around 6,000 new apartments for non-profit rent.

187. Under housing legislation, municipalities are responsible for providing housing units to the homeless. The term does not refer to apartments, but to housing units in special purpose buildings intended as temporary housing. No call for applications or a similar procedure is required to allocate a housing unit, since social status cannot be foreseen in advance and the

³² Official Gazette of the Republic of Slovenia No. 16/17 – official consolidated text.

list of eligible persons must be kept open to help those in need, the homeless, and victims of violence. In this way, a quick response to social and housing distress of individual families can be provided. In 2012, municipalities had approx. 500 such units. According to their estimates, more are needed, particularly in urban settlements. However, the amount of EUR 10 million that was earmarked for this purpose by the Housing Fund, was not fully used by municipalities; therefore, it is currently being considered how to address this issue in cooperation between the state and local communities.

188. The Ministry of Labour, Family, Social Affairs and Equal Opportunities finances several programmes comprehensively dealing with the homeless, including their accommodation and food; 310 housing capacities/or: housing units were financed as part of these programmes in 2018; the number of users was approximately 3,900. In 2018, approx. EUR 1.5 million were allocated for this purpose.

189. The state devotes particular attention to the housing issues of vulnerable groups, such as young people and young families, large families, persons with disabilities, families with a disabled family member, citizens with long work experience who lack appropriate housing, and individuals engaged in activities of special importance to the local community. With a view to providing senior housing, a Real Estate Fund of the Pension and Disability Insurance Institute was created, with more than 3,100 rental apartments at its disposal to resolve the housing issues of the older people.

190. As part of assistance provided to the most vulnerable groups, a pilot project has been in place since 2016 to support and assist forcibly evicted families. The project is carried out under the Ministry of Labour, Family, Social Affairs and Equal Opportunities which, in cooperation with the Ministry of the Environment and Spatial Planning, offers eleven apartments in the following locations: Celje, Mirna na Dolenjskem, Postojna, Vipava, Podgrad, Ilirska Bistrica, and Ljubljana. The pilot project is aimed at drafting systemic solutions to provide assistance and support to forcibly evicted families. An important part of the project focused on preparing the baseline for professional assistance to individuals and families (better information sharing, timely assistance in resolving their issues to prevent eviction, ensuring greater emphasis on social activation coupled with adequate activation programmes, fostering enhanced and more coordinated cooperation between all stakeholders, etc.). The project was completed in 2019.

191. Slovenia is also rich in water resources and access to drinking water has been well regulated. Drinking water supply lies in the responsibility of municipalities that are responsible for its implementation and for the construction of the necessary infrastructure. The Government sets the minimum standards to be provided by municipalities. Thus, settlements with 50 permanent residents or more and the population density of more than five permanent residents per hectare must have a public water supply. Residents in places where public water supply is not available have other possibilities in terms of access to drinking water. According to the 2014 analyses, 88.6% of residents in Slovenia are connected to the public water supply system.

D. Reporting at the National Level

192. The Interministerial Commission on Human Rights is Slovenia's central body for coordinated reporting to international human rights monitoring mechanisms. In the 1993–2012 period, this body was called the Interministerial Working Commission on Human Rights. The Commission was set up in April 2013 by the Government to steer the reporting at the national level to UN treaty bodies, the Universal Periodic Review, and regional organisations, and to supervise the implementation of recommendations. The Commission is mandated to cooperate with representatives of other institutions and the civil society.

193. Its members include the representatives of the Office of the Prime Minister, all ministries, the Government Office for National Minorities, and the Statistical Office of the Republic of Slovenia. In April 2014, the Government extended the membership with two representatives from academia and another two from civil society organisations. The academic representatives are appointed by the Slovenian Rectors' Conference and the civil society representatives by the Centre for Information Service, Co-operation and

Development of NGOs – CNVOS. The Human Rights Ombudsman and the Advocate of the Principle of Equality have an open invitation to participate in the Commission's sessions. A department holding relevant powers has been tasked with drafting reports on the basis of individual international legal instruments; it coordinates the drafting of reports in cooperation with other participating bodies and is responsible for informing and engaging the interested public. Prior to submitting the report to the Government for approval, the relevant body (coordinator) has to present it for approval to the Interministerial Commission on Human Rights.

III. Information on non-discrimination and effective legal remedies

A. General measures aimed at preventing inequality

194. On 21 April 2016, the National Assembly adopted the Protection against Discrimination Act, replacing the Implementation of the Principle of Equal Treatment Act of 2004. The Protection Against Discrimination Act defines the Advocate of the Principle of Equality as an independent state body mandated to protect against discrimination and promote equality. The application of the Protection against Discrimination Act is supervised by the Advocate of the Principle of Equality and the competent area inspection services. According to the Act, state authorities, local communities, self-governing national communities and holders of public authorisations provide the conditions for an equal treatment of all persons; within the scope of their competence, the ministries and government services are responsible for the adoption of relevant normative and policy measures. The Act stipulates that a person who believes that he/she has been or is being discriminated against may request an action seeking an end to discrimination, the payment of compensation due to discrimination or the publication of the ruling in the media. Any exposure to severe forms of discrimination is explicitly stipulated as an element affecting the amount of compensation.

195. Slovenian Police and the Office of the State Prosecutor General closely collaborate in investigating and prosecuting all forms of intolerance; such cooperation enables the exchange of experience and hence the necessary amendments of the legislation, unified prosecution practices, as well as successful investigation of minor and criminal offences. The Anti-Hate Speech Council and the Web Eye project group (Faculty of Social Sciences, University of Ljubljana) are among the examples of good practice. Within the Web Eye project, Slovenian Police (General Police Directorate – Criminal Police Directorate) alone and in cooperation with the Faculty of Social Sciences in Ljubljana deal with various reports pursuant to Article 297 of the Criminal Code. A great deal is expected from the upcoming national RAN platform (Radicalisation Awareness Network) established within the network of EU experts and aimed at transferring established practices from the EU level, coordinated and efficient discovery of new forms, and successful prevention of violent radicalisation leading to extreme violence. The project is successfully under way, the Police being one of the primary actors in the activities aimed at recognising violent radicalisation and hate speech, and the expression of hatred within it.

B. Gender equality and fight against gender-based discrimination

196. In Slovenia, gender equality is a right, a goal, and a horizontal principle permeating all spheres of life of both women and men during all periods of life. The main piece of legislation is the Equal Opportunities for Women and Men Act adopted in 2002 and later amended several times, most recently by the Protection against Discrimination Act in 2016. Slovenia strives to ensure social equality of women and men, also by adopting strategic documents such as the Resolution on the National Programme for Equal Opportunities for Women and Men. The Resolution for the period until 2020 was adopted in 2015; it specifies goals and measures for enforcing the equality of women and men in all key areas. Eight priority areas of action are listed: equal economic independence; coordination of professional and private or family life; knowledge-based society without gender stereotypes; social

inclusion; women's and men's health; balanced representation of women and men at all levels of decision-making; violence against women; and gender equality in foreign policy and development cooperation.

197. The 2015–2020 Resolution on the National Programme for Equal Opportunities for Women and Men stipulates, among others, the following objectives: “Increased share of women in leading and managerial positions”, “Reducing differences in employment rates for women and men”, and “Reducing vertical and horizontal segregation”. To achieve these objectives, Slovenia has foreseen the adoption of measures promoting a balanced representation of women and men in decision-making positions in businesses and the employment of women, as well as the selection of non-traditional gender-related jobs. In Slovenia, the gender gap in average pay is among the lowest in Europe; nevertheless, throughout the life cycle, there are gender differences in behaviour patterns that result in lower salaries and pensions for women. In 2019, the Ministry of Labour, Family, Social Affairs and Equal Opportunities launched the “My Work. My Pension” project, co-financed by the European Union from the Rights, Equality and Citizenship Programme (2014–2020), which will develop the awareness-raising tools aimed at the adoption of informed employment and job decisions by women and men throughout their lives.

198. Following the 2018 elections, women's representation in the National Assembly dropped slightly, as only 24.4% of the elected deputies were female. Slovenia has been striving to allow more women to be elected to important positions, above all by promoting links and cooperation of women at the state (The Club of Women MPs) and local levels (Women Mayors' Network), as well as through strong awareness-raising campaigns. Slovenian electoral law already contains gender quotas. On candidate lists for European and local elections, at least 40% representation of each gender is required. This percentage is slightly lower for the National Assembly elections, namely 35%.

199. The Employment Relationships Act prohibits mobbing and harassment at work. The Health and Safety at Work Act stipulates that in workplaces where there is higher risk of third-party violence, the employer should ensure such a design and equipment of the workplace that reduce the risk of violence and allow assistance to be provided at the workplace under threat. The employer must plan the procedures to be taken in the case of violence and communicate them to employees. The employer must also adopt measures to prevent, eliminate or contain cases of violence, mobbing or harassment, or other forms of psychosocial risk at work that are detrimental to the health of employees. In 2009, the Government adopted the Decree on the Measures to Protect the Dignity of Employees of State Administration aimed at ensuring an appropriate work environment, free of sexual or other harassment or mobbing. The Decree provides for measures to prevent sexual and other harassment or mobbing, including measures for the cases of actually completed sexual or other harassment or mobbing. Each authority has to appoint their own counsellor to provide assistance and information; prior to that, the counsellor must take part in the training.

C. Elimination of discrimination based on sexual orientation

200. On 21 April 2016, the National Assembly of the Republic of Slovenia adopted the Civil Union Act, stipulating for same-sex couples the same legal consequences as for married couples, with the exception of adoption and biomedically-assisted fertilisation procedures. According to the Civil Union Act, the legal consequences for same-sex partners are equal to those granted by law to heterosexual couples (in case of both married couples and those living in extra-marital communities).

201. In 2016–2017, the Ministry of Labour, Family and Social Affairs, the Legebitra Association and the Faculty of Arts of the University of Ljubljana implemented a joint project called Dare to Care about Equality. *Dare to care about equality*). Its objective was to improve the situation of, and attitude towards, LGBT persons at various levels and in different areas of life in Slovenia. By offering essential information about sexual orientation topics, the project is aimed not only at educating and raising awareness, but also at pointing out the differences in the society. Its target groups include lesbians, gays, bisexuals, and transsexuals, as well as the general public that can help actively influence the process of social inclusion

of homosexual persons. The project included the campaign “What do you notice?”, several regional consultations, and a two-day international conference gathering LGBTI focal points from EU Member States and international non-governmental and inter-governmental organisations. All Slovenian households received a leaflet with basic information on sexual orientation and homophobia.

Appendix

Topics relating to the respect of human rights within the simplified reporting procedure

A. Protection of the rights of national and other ethnic communities

1. The Slovenian Constitution provides for individual rights aimed at preserving national, linguistic, and cultural features of members of all ethnic groups, i.e. in Article 14 – Equality before the Law, Article 61 – Expression of National Affiliation, and Article 62 – Right to Use One’s Language and Script.

2. Slovenia has traditionally and historically been settled by (‘autochthonous’) Italian and Hungarian national communities and the Roma ethnic community.

3. The status and special rights of the Italian and Hungarian national communities are stipulated in Articles 64 and 11 of the Constitution. Their organisation and fundamental rights are specified in the Act on Self-Governing National Communities¹, while their status is defined by numerous laws and other regulations, ordinances, and statutes of municipalities in ethnically mixed areas, as well as by several bilateral and multilateral treaties. All regulations governing the implementation of the rights and status of the Italian and Hungarian national communities are adopted in consensus with their representatives. The two national communities are directly represented in the representative bodies of local self-government and in the Slovenian National Assembly, by one deputy each.

4. Article 64 of the Constitution of the Republic of Slovenia stipulates that members of the Italian and Hungarian national communities have the right to education and schooling in their own languages, as well as the right to establish and develop such education and schooling. Minority education is an integral part of the school system in Slovenia and benefits from systemic funding. The education has specific objectives that allow members of national communities to preserve their linguistic and cultural identities, and promote the harmonious coexistence of people living in ethnically mixed areas. The specific features of the education system and the exercise of special rights of the national communities in education are governed by the amended Act Regulating Special Rights of Members of the Italian and Hungarian National Communities in the Field of Education (Official Gazette of the Republic of Slovenia No. 11/2018 of 23 February 2018).

5. The Act provides for bilingual syllabi, catalogues of knowledge standards, and exam catalogues in bilingual areas. The Italian and Hungarian languages must be offered as extracurricular activity at all elementary schools situated outside the ethnically mixed areas if there are five or more pupils, members of a specific national community. The Act also amends the decision-making process in the councils of bilingual educational institutions. With regard to the participation of the self-governing national communities in the adoption of the annual work plan, the Act introduces an increased say of the national community on the organisation of educational content. The self-governing national communities must submit their opinion on the annual work plans of educational institutions and may propose above-standard programmes.

6. Slovenia has been systematically implementing measures for various minority ethnic communities since 1990. The Ministry of Culture ensures respect for cultural rights by making it possible for minority ethnic communities to preserve, develop, and promote their own national, linguistic, and cultural identities. Among its other activities, it publishes annual calls for applications for co-financing media programmes intended to support the media in creating and disseminating programmes relevant to the exercise of the rights of the Italian and Hungarian national communities and the Roma community in Slovenia to public information and to being informed. As part of its public service, RTV Slovenia broadcasts a

¹ Official Gazette of the Republic of Slovenia Nos. 65/1994 and 71/2017 – ZFO-1C.

radio and television channel for the autochthonous Italian and Hungarian national communities, respectively, and radio and television programmes for the Roma community.

7. At the local level, municipalities in ethnically mixed areas have taken an active approach to eliminating the gap between the legislative framework and the actual situation by providing translations of forms and publishing them online. Municipal regulations are also published in the languages of the autochthonous Italian and Hungarian national communities. The ministry responsible for local self-government performs regular expert verifications of municipal regulations relating to bilingualism and organises consultations on implementing bilingualism at the local level. In recent years, when verifying the statute, the rules of procedure, etc., special attention was dedicated to the regulatory framework concerning bilingualism. The organised expert consultations systematically contribute to closing the gap between the regulatory framework and the practical implementation of bilingualism with regard to the functioning of municipal bodies, the publication of regulations in national community languages, the bilingual realisation of municipal web pages, and so on.

8. In 2011, the National Assembly approved the Declaration on the Status of National Communities of Members of Nations of the Former SFRY in the Republic of Slovenia, with particular focus on their right to ethnic self-appointment, self-organization, cultural development, cultivation of language and script, preservation of history, and organised presence in public. Based on the Declaration, in 2011, 2013, 2015, and 2019, the Government established the Council for Issues concerning the Communities of Members of Nations of the Former SFRY in the Republic of Slovenia, a dedicated consultative body mandated to deal with the issues, requests, and proposals of the ethnic communities representing the nations of the former Yugoslavia.

9. The Ministry of Culture is drafting a resolution on the national programme for language policy 2020–2024, which is to define the guidelines on language policy decisions for the upcoming 5-year period. The essential value of this strategic document lies in its comprehensive approach to language policy: it places the Slovene language at the centre of attention as the mother tongue of the majority of Slovenian citizens, while also taking into consideration other languages used in Slovenia, including minority languages. In addition to measures related to the Slovene language, the Resolution will stipulate measures for the Italian, Hungarian, and Romani languages, as well as the languages of other ethnic communities and immigrants.

B. Roma

10. The situation and special rights of members of the Roma community are regulated by Article 65 of the Constitution, the Roma Community in the Republic of Slovenia Act² and certain provisions of other laws. In addition, the situation of the Roma community is regulated comprehensively by a special act, which stipulates that state authorities and authorities of self-governing local communities must ensure the implementation of the special rights of the Roma community; it regulates the organization of the Roma community at the national and local levels, including financing.

11. The National Programme of Measures for Roma for the Period 2017–2021 adopted in May 2017 includes comprehensive measures to prevent discrimination against Roma and improve their situation and social integration. The two key objectives of the National Programme are to improve the situation of Roma community members and promote their social integration. The measures contained in the National Programme 2017–2021 are in line with eight strategic goals, i.e.:

- To improve the educational structure of Roma and the attendance of Roma children at pre-school institutions and to increase the number of Roma children in compulsory education and increase the integration of young people and adults in continuing educational processes in accordance with the lifelong learning principle;

² Official Gazette of the Republic of Slovenia No. 33/2007.

- To increase employment and reduce unemployment of Roma, with an emphasis on the employment activation of the long-term unemployed and on removing the obstacles upon (re-)entering the labour market;
- To prevent and eliminate the exclusion of Roma, particularly women, children and young people, to promote various programmes of social security, namely information and advisory programmes, field work, day centres, programmes of assistance and self-help, and to strengthen the awareness of such programmes;
- To improve the services of health care and bring them closer to Roma, and to improve their awareness of issues relating to health and health care, particularly the health of women and children;
- To improve the housing situation of Roma, speed up the arrangement of settlements with majority Roma population, provide access to public goods, such as access to water and electricity, in accordance with national legal requirements and to encourage the elimination of actual spatial segregation, resulting from the historic settlement of Roma and long-term exclusion from social life;
- To promote preservation and development of cultural, informative and publishing activities of the Roma community and strive to preserve and develop (various forms of) the Romani language as a minority language;
- To increase the awareness of the Roma community and the majority population of the positive effects of integration of Roma in society and of the wealth the Roma cultures bring into the Slovenian society, the importance of non-discrimination, and to enhance the fight against anti-Roma rhetoric, hate speech and stereotypes, and prejudices; and
- To reinforce the dialogue and cooperation with the local communities inhabited by Roma and to establish an active partnership between the local and national levels and the Roma community.

12. Within their competence, the ministries and government services must devote special attention to the Roma community and include it in national programmes covering their respective areas of work. In Slovenia, acts concerning the Roma community are being adopted after consulting with the community. According to the Roma Community in the Republic of Slovenia Act, the Roma Community Council is the umbrella body representing the interests of the Roma community in Slovenia in relation to state authorities. Article 12 of the Act stipulates that national authorities, authorities of self-governing local communities and other authorities must obtain a prior opinion of the Roma Community Council for the purposes of adopting and issuing regulations and other general legal acts relating to the status of the Roma community; likewise, the Roma Community Council may present proposals, initiatives, and opinions in matters of its competence to the National Assembly, the National Council, the Government, authorities of self-governing local communities, and other authorities. Based on the Local Self-Government Act³, the Roma community is represented in municipal councils of 20 local communities with its own elected representatives. In these municipalities, special municipal council working bodies have been established to monitor the situation of the Roma community.

13. The 2004 Strategy for the Education of Roma in the Republic of Slovenia, amended in 2011, contains a number of measures: inclusion of Roma children in pre-school institutions at least two years prior to their enrolment in elementary school; inclusion of a Roma assistant in the work of educational institutions to function as a bridge between the pre-school institution or school on the one hand and the Roma community on the other; introduction of Romani as an optional subject; teaching the Slovene language; introduction of content taken from Roma culture, history, and identity into lessons; prohibition of homogeneous classes (segregation) of Roma children; introduction of individualisation, internal and flexible differentiation and different forms of learning assistance; building confidence in school and the elimination of prejudices; further education and training of qualified professionals. The Union of Roma of Slovenia was involved throughout the drafting of the document; its

³ Official Gazette of the Republic of Slovenia Nos. 94/07 – official consolidated text, 76/08, 79/09, 51/10, 40/12 – ZUJF, 14/15 – ZUUJFO, 11/18 – ZSPDLSL-1, and 30/18.

President also chairs the working group for the drafting of annual action plans for the implementation of the Strategy.

14. In May 2017, the Government of the Republic of Slovenia established an inter-ministerial working group for the preparation of amendments to the Roma Community Act. The working group prepared draft Act amending the Roma Community Act, which at the end of 2017 was coordinated with the Roma community and other interested stakeholders; after its formulation in January 2018 and before being sent into the governmental procedure, the final draft Act was discussed and supported by the Roma Community Council and by the Government Commission for the protection of the Roma Community. On its 170th session on 1 March 2018, the Government adopted the draft Act amending the Roma Community Act and sent it to the National Assembly. The National Assembly did not discuss the draft act in the 2014–2018 term; with the beginning of a new legislature all legislative procedures have been concluded. A new amended Roma Community Act is to be drafted.

15. The principle of integration is implemented in all Slovenian educational institutions (without segregation), which use the methods of individualisation, differentiation in the classroom, flexible grouping, and ability grouping provided for by law for all students equally. Particular attention is devoted to teaching strategies, such as individualised and differentiated instruction on the basis of the planned observation and regular evaluation of progress achieved by individuals. Roma children are not segregated from non-Roma children. Schools attended only by Roma children exist only in Roma settlements (e.g. the Stara Cerkev Primary School, the Željne Affiliated Primary School, which is attended only by Roma children as it is located in a Roma settlement).

16. The state devotes special attention to the education of Roma children, granting special concessions to schools that they attend. The Ministry of Education, Science and Sport, for example, provides additional funding for individual and group activities for Roma schoolchildren. In addition, the Ministry has introduced more favourable standards for classes with Roma children; it provided funding for development and research studies concerning the integration of Roma children, and for the standardisation of the Romani language as a basis for teaching it. The Ministry also provides indirect funding for numerous projects aimed at increasing social and cultural capital (i.e. empowerment) in Roma settlements. Through these activities, the multi-purpose centres, and consequently Roma settlements, can connect with primary schools, preschools, and other local institutions in the local environment. In the multi-purpose centres, Roma children and youth are encouraged to participate in the education process, formulate their job goals, improve their motivation and interest in finishing elementary school or continuing schooling.

17. Slovenia promotes greater inclusion and employment among Roma women. One of the objectives in the Resolution on the National Programme for Equal Opportunities for Women and Men for the 2015–2020 period is to increase the employment of women, particularly young women with tertiary education and other vulnerable and marginalised groups of women by conducting analyses and, if necessary, providing programmes to promote the employment of marginalised groups of women (Roma, persons with disabilities, and immigrant women) within the active employment policy and other programmes.

18. Special attention is devoted to journalism training courses for Roma, so in 2015, the national broadcasting service RTV Slovenia organised a speaking course for four Roma women, one of whom holds a permanent position at Radio Slovenia and is a producer of a radio programme for Roma, while the other three are contractors at TV Slovenia, producing a television programme for Roma. Every year, the Ministry of Culture publishes an open call for cultural projects for the Roma in Slovenia, giving priority to projects that engage Roma children and/or women; they primarily involve creative workshops for children and their parents, round tables, consultations on the integration of women, tutoring for children in the form of workshops, etc.

19. Much has been done to improve Roma housing conditions, particularly regarding access to drinking water and sanitation. As shown by the final report of the Inter-ministerial Working Group tasked to resolve housing problems in Roma settlements, in 2017, 83 Roma settlements in Slovenia had 6,631 inhabitants, all of whom had access to drinking water – 5,398 (81.4%) from the public water supply (for the entire population, this percentage stands

at 88.6%), and 1,201 from alternative water sources (their own water supply, cisterns, reservoirs, public faucets). Some 32.2% of Roma were connected to the public sewage system (compared to 62% of the entire Slovenian population). It is believed that Roma themselves need to contribute to resolving these issues.

20. A new spatial planning and construction legislation entered into force in June 2018, comprising three acts that are intended to improve the spatial planning and comprehensive siting of buildings, as well as facilitate the legalisation of residential buildings erected without the necessary permits. The solutions provided in the legislation primarily concern two categories of buildings: those existing for a long period (20 years or more) and some illegal buildings in respect of which special circumstances (including social) need to be taken into account. This possibility of legalisation will also apply to buildings in settlements where vulnerable social groups such as Roma live.

21. On 17 November 2016, the National Assembly passed a constitutional act enshrining the right to drinking water in the Slovenian Constitution. The constitutional act entered into force on 25 November 2016. Regulations governing the discharge and treatment of urban wastewater in Slovenia are equally applicable to all citizens irrespective of gender, race, skin colour, language, religion, political or other conviction, national or social origin, national minority status, material standing, birth or any other circumstance. All inhabitants have access, under equal conditions, to services of the obligatory public utility service of discharge and treatment of urban wastewater and run-off rainwater.

C. Protection of children's rights

22. Slovenian government devotes special attention to the care for children and families. In December 2017, the Resolution on the Family Policy 2018–2028: “A Society Friendly to All Families” was adopted. The family policy is characterised by a comprehensive and inclusive approach, covering all types of families, taking into account the plurality of family types and ensuing needs, respecting the autonomous character of the family and individuality of its members, protecting children's rights within the family and in the larger context, and underlining the protection and quality of life of families and children. The essential elements of the family policy comprise the coordination of professional and family life, equal opportunities for women and men, establishing a broad spectrum of family programmes and services (a move from transfers to support services aimed at children and families), financial support for childcare and protection for families in specific life situations. The Resolution defines the following key objectives: improving the quality of family life, above all through high quality life of children, guaranteeing security and protection of families and family members, especially children, and creating conditions to support an increased number of newborns.

23. From 2006 to 2017, the “Child Advocate – Voice of the Child” pilot project was carried out, aimed at elaborating a programme model for the child advocate; its substantive and organisational basis should allow for its inclusion in the formal system, thus ensuring its implementation at the national level. In compliance with the Convention on the Rights of the Child, the model was to enable children to actively participate in decision-making processes. In 2017, the Act amending Human Rights Ombudsman Act regulated the area of child advocacy. The Act stipulates that the Ombudsman, in addition to other tasks determined by this Act, is to organise and provide children's advocacy within an internal organisational unit. Children's advocacy shall be carried out by children's advocates, who will form part of a volunteer network ensuring each child equal access to an advocate. The purpose of advocacy is for the advocate to provide professional assistance to a child enabling him or her to express his or her opinion in all procedures and cases the child is involved in and to communicate the child's opinion to the competent authorities and institutions that decide on his or her rights and best interests.⁴

24. Prior to the ratification of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, the Service in the Slovenian

⁴ For more information, please visit: <http://www.pravice-otrok.si/index.php?id=70>.

Armed Forces Act⁵ was amended; Article 7 now stipulates that military service or other jobs in the army cannot be performed by persons under 18 years of age.

25. In the Resolution on the National Social Assistance Programme 2013–2010,⁶ the Ministry of Labour, Family and Social Affairs defined a network of maternity homes and shelters for women and children victims of violence, with the current capacity (2018) of some 440 persons on several locations all over Slovenia. The assistance network for violence prevention is focused on providing safe accommodation and psychosocial support for mothers and their children. The initiative for launching such programmes has to come from the local communities or from organisations within local communities. Most of the programmes that are part of the violence prevention network have been verified, acquiring the status of public social protection programmes.

26. In March 2017, Slovenia adopted the Family Code, which includes the recommendation on measures ensuring highest child protection possible. The Family Code defines the principle of the best interests of the child from the Convention on the Rights of the Child, as well as providing for an effective application of its protection. It improves children's position in family relations and the legal safety of citizens with regard to decision-making in marital and family disputes. The Code introduces the unification of decision-making procedures relating to the measures aimed at protecting the best interests of the child and faster processing of family matters; this is of utmost importance when deciding on measures to protect the best interests of the child, since prolonged procedures cause irreversible negative effects on a child's development. The competence to decide on measures to protect the best interests of children, as well as on adoption, foster placement and guardianship has been transferred to courts. At the same time, the consultative and expert role of social services has been reinforced.

27. Following the adoption of the Family Code in July 2017, the Government has established a Child and Family Council of the Republic of Slovenia. A permanent consultative body of the Government, the Council is composed of representatives of NGOs and expert institutions dealing with children and family, and of the Government. It is tasked with: monitoring and evaluating the situation of children and family, with an emphasis on the exercise of children's rights; preparing proposals for the adoption of laws and strategic documents relating to children and family; discussing legislative proposals and drafting expert evaluations thereon; preparing initiatives for coordinated activities of competent bodies, expert institutions and NGOs; and monitoring the implementation of the adopted legislation and measures relating to children and family. The Council reports annually to the Government of the Republic of Slovenia. Its report includes an assessment of the situation regarding the rights of the child.

28. A new Programme for Children 2019–2023 is in the pipeline, based on the recommendations of the Council of Europe Strategy for the Rights of the Child (2016–2021) and the specific needs recognized in Slovenia with regard to requirements and the quality of life of children.

29. With a view to protecting children from violence and abuse, the Ministry of Education, Science and Sport drafted the Act Amending the Organisation and Financing of Education Act, which was adopted by the National Assembly on 16 June 2016. The amendments include a clearer definition in Article 2(a) of the Act on a safe and stimulating learning environment. The Article stipulates that "in kindergartens, schools and other educational institutions for children and youth with special needs, a safe and stimulating learning environment shall be provided in accordance with the aims provided in the preceding Article, where corporal punishment of children and any other form of violence against and among children and non-equal treatment based on gender, sexual orientation, social and cultural background, religion, racial, ethnic and national affiliation, and specific characteristics in physical and mental development shall be prohibited."

30. In 2001, Slovenia ratified the Worst Forms of Child Labour Convention (ILO, No. 182). Article 15 of the 2016 International Protection Act defined the best interests of the

⁵ Official Gazette of the Republic of Slovenia No. 68/2007.

⁶ Official Gazette of the Republic of Slovenia No. 39/2013.

child; the Act introduced some new provisions regarding, inter alia, the scope of statutory representation of unaccompanied minors in relation to the exercise of reception rights, thus setting high standards for protecting the rights of the child.

31. The amended Criminal Procedure Act of 2019⁷ introduces additional possibilities for the victims of criminal offences, particularly children, thus extending the scope of criminal offences requiring an authorised representative for underage victims. During both pre-trial and trial procedure, underage victims of criminal offences have the possibility to be accompanied by a person of their choice, with the exception of cases where such accompaniment would be contrary to the interests of an effective (pre-)trial procedure or the interests of the victim. Specific requirements are also stipulated relating to the hearing of child victims of criminal offences.

32. On 21 March 2018, the National Assembly of the Republic of Slovenia unanimously adopted the Act ratifying the Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure.

D. Patients' rights

33. With the adoption of the Patients' Rights Act, a comprehensive system of patients' rights has been set up, aimed at providing equal, adequate, high-quality, and safe health care. The Act is based on confidence and respect between a patient and a physician or another health care professional and regulates 14 rights, including the right to access to health care and the provision of adequate preventive health care services, in accordance with the current medical doctrine. By its nature, the right to emergency medical assistance is an absolute right and may not be subject to any condition, especially payment or referral.

34. Patients have the right to equal treatment in medical treatment regardless of their sex, nationality, racial or ethnic origin, religion or belief, disability, sexual orientation or any other personal circumstance.

35. Other rights include the right to the free choice of a physician and healthcare service provider; the right to adequate, high-quality, and safe health care; the right to respect of patients' time; the right to information and cooperation; the right to independently decide on treatment; the right to respect for advance healthcare directives; the right to the prevention and alleviation of suffering; the right to a second opinion; the right to access medical records; the right to the protection of privacy and the protection of personal data; the right to have violations of patients' rights examined; and right to free-of-charge assistance in exercising patients' rights.

36. The right to deal with patients' rights violations guarantees an adequate procedure, which is composed of two stages. The first stage is carried out before the responsible person of the health care provider. In case the dispute fails to be resolved at this stage, a patient can request protection during the second stage in a procedure before the Commission for the Protection of Patients' Rights.

37. Due to their right to free-of-charge assistance in the implementation of patients' rights, patients may, at any time, turn to one of the representatives of patients' rights, who provide counselling, assistance, or, by authority, even represent patients in the exercise of their rights under the above Act.

E. Rights of persons with disabilities

38. To ensure the enjoyment of human rights and fundamental freedoms of persons with disabilities on an equal footing with others, a number of regulations were adopted on education, employment, health care, removal of communication obstacles and environmental barriers, self-organisation of persons with disabilities, and providing financial assistance to

⁷ Official Gazette of the Republic of Slovenia No. 22/19.

meet their special needs. Major programmes, regulations, and measures adopted in recent years include:

- (i) The Vocational Rehabilitation and Employment of Persons with Disabilities Act: regulates the right to rehabilitation, supported employment, incentives for employment in the open labour market, employment in sheltered workshops and job centres, quota system, etc. The Act significantly improved the situation of persons with disabilities in the labour market.
- (ii) Equalisation of Opportunities for Persons with Disabilities Act: a significant additional step towards elimination of discrimination against persons with disabilities. The Act regulates the protection of such persons, particularly by introducing prohibition of discrimination on the basis of disability, and measures to guarantee equal opportunities for persons with disabilities.
- (iii) Article 28 of the Act provides for the establishment of the Council of the Government of the Republic of Slovenia for Disabled Persons as an independent tripartite body composed of representatives of the main organisations of persons with disabilities, expert institutions, and the Government. The Council currently operates as an obligatory consultative forum on issues relating to the policies for the persons with disabilities. In its concluding observations of March 2018, the Committee on the Rights of Persons with Disabilities recalled Article 33 of the Convention imposing on States Parties the obligation, in accordance with their respective legal and administrative systems, to maintain, strengthen, designate or establish within the State Party, a framework, including one or more independent mechanisms, as appropriate, to promote, protect and monitor implementation of the Convention, and noted that Slovenia must respect the Convention and the Paris Principles and restructure the Council of the Government of the Republic of Slovenia for Disabled Persons accordingly. The ministry responsible for the protection of persons with disabilities has already launched the preparatory phase for establishing an independent monitoring mechanism committed to supervising the state institutions tasked with the promotion and protection of human rights according to the Paris Principles, including efforts to secure the necessary funds, taking into consideration the guidelines on the independent monitoring framework and its incorporation in the activities of the Council.
- (iv) A second Action Programme for Persons with Disabilities has been adopted, covering the 2014–2021 period, aimed at promoting, protecting, and guaranteeing the full and equal enjoyment of human rights of persons with disabilities and promoting respect for their dignity.
- (v) In 2018, Slovenia adopted the Social Inclusion of Disabled Persons Act regulating the status and rights of persons with most severe disabilities whose disability occurred before they were 18 years old or during regular schooling by the age of 26. The Act aims to guarantee adult citizens who, due to their disability, cannot ensure their own social security and participation in society, the right to financial compensation, assistance and attendance allowances, supporting services, and social inclusion.
- (vi) Slovenia adopted the long-awaited Personal Assistance Act, which systemically regulates the right to personal assistance and specifies the manner of its implementation to ensure persons with long-standing physical, mental, intellectual or sensory impairments equal opportunities, greater independence, a larger scope of activities, and participation in society on an equal footing. According to the Act, personal assistance means helping users with all tasks and activities they are unable to perform independently due to the type and degree of their disability. Personal assistance also enables a more independent and active life inside and outside of home, and equal participation in society.
- (vii) In 2014, on the basis of the Act Amending the Electronic Communications Act, Slovenia was among the first countries in Europe to enact the provision that telephone operators must enable persons with disabilities to access emergency numbers by using spoken and sign languages and other forms of non-spoken language.

(viii) Gaming proceeds were earmarked for the work of organisations specialising in disability issues and humanitarian organisations.

(ix) Certain rights of persons with disabilities are regulated by a number of regulations governing health care, disability insurance, parental care, education, training, and taxation.

39. Apart from ministries, the development of disability protection in Slovenia heavily relies on professional institutions and organisations of persons with disabilities, who can actively co-shape the policies for the disabled.

40. In 2003, the Federation of Disabled Workers of Slovenia prepared the project “Local communities friendly to people with disabilities” encouraging municipalities to actively respond to the needs of citizens with special needs. By the end of 2018, this distinction has been awarded to 31 municipalities. Municipalities that have been awarded the title had to analyse the situation together with local organisations of persons with disabilities, and then adopt programmes of action. The awarded municipalities must submit to the Federation annual reports on the implementation of the Action Programme.

41. No less than EUR 1.2 billion annually is allocated to rights exercised exclusively by persons with disabilities. It is impossible to give the exact figure on the total amount of funds allocated to persons with disabilities and the implementation of their rights, as a quarter of social transfers and benefits to these persons is available to both persons with disabilities and other beneficiaries. In such cases, the competent services keep no separate records for persons with disabilities.

42. Slovenia engages in an active employment policy for persons with disabilities. In recent years, a number of measures and activities have been taken to provide persons with disabilities with better opportunities; these include rehabilitation measures, financial incentives for employers and people with disabilities, etc. In the future, regular evaluation of policies and measures is planned, with a view to upgrading them.

43. Slovenia invites projects that provide employers with access to training for employing persons with disabilities. Currently, a call for proposals has been issued inviting NGOs to participate in projects related to equal opportunities for, and non-discrimination of, persons with disabilities. To facilitate access to legislation related to people with disabilities, it is being translated into easily readable forms. The call for proposals was issued in the framework of the cohesion policy for the 2018–2022 period.

44. In the past, Slovenia adopted a number of measures for improving access to buildings for persons with disabilities. The latest measure is the (co)financing of vehicle adaptations for persons with reduced mobility.

45. Since the ratification of the Convention, Slovenia has adopted a number of measures and launched numerous projects to challenge stereotypes, prejudice, and harmful practices related to persons with disabilities to ensure their inclusion in the changing society and promote positive reception and higher social awareness:

- Various activities have been carried out to raise awareness and inform the expert and general public of the need to ensure universal access. As part of the ZMOREMO project, accessibility of several public buildings was assessed in 2015. The project was designed to promote equality and prevent discrimination of persons with disabilities, particularly in employment. The project aimed to raise the awareness of the Slovenian society of disability issues and to inform persons with disabilities of their rights.
- The year 2017 saw the conclusion of the EU disability card international project; Slovenia was the most successful member state in terms of its implementation and presented it at this year’s 12th session of the Conference of States Parties to the CRPD. The project will have long-lasting positive effects on the inclusion of persons with disabilities in society in the entire European Union. The EU disability card makes travel at home and abroad easier, and ensures equal access to benefits across borders. In addition, the project raised the awareness of the capabilities, needs, desires, and

way of life of persons with disabilities, including of the fact that persons with disabilities are people who travel and cultivate personal growth just as anybody else.

- In 2017, a new project was launched with a view to improving the mobility of vulnerable groups by means of modern technologies. The project will also raise the quality of life of other vulnerable groups, such as the older people, families with babies in strollers and people with temporary injuries restricting their mobility. The project is titled “Enabling multimodal mobility of persons with various impairments”; it is a multiannual venture and will run through 2022. Its long-term objective is to raise the quality of life of people with various impairments by implementing operative solutions at selected locations in Slovenia to enable accessibility and safe movement in multimodal traffic.
- Preparations for the project “Development and transition of youth with special needs from education to labour market” started in 2017. It targets young people with special needs and their inclusion in transition projects in the 2018–2021 period, for which EUR 4,200,000 have been allocated. Young people with special needs will be followed for the duration of the project and given assistance in entering employment, primarily by helping them develop work skills and competences, learn work procedures and methods, develop quality at work, and acquire work habits and endurance. Young people with special needs will be motivated and encouraged to live actively, equipped for equal participation in the process and empowered for decision-making and taking control of their situation.

46. In the past, Slovenia adopted a number of measures for improving access to buildings for persons with disabilities. The latest measure is the (co)financing of vehicle adaptations for persons with reduced mobility. 2017 saw the entry into force of the amended National Assembly Elections Act, stipulating that all polling stations should be physically accessible to people with disabilities. In addition, the amended Act provides for a possibility of voting by mail.

47. In November 2017, the Republic of Slovenia adopted a new Construction Act, providing for the accessibility and universal design of all buildings in public use as well as residential buildings. The Act stipulates that buildings need to be designed, constructed, and used in such a way as to allow unimpeded access and use for all. Access to buildings, passages, connecting routes, doors, and vertical connections (stairs, ramps, personal elevators and other mechanical lifting devices) must guarantee independent use to people with certain functional impairments, and be equipped with the necessary signalisation and devices for unimpeded movement, communication, and orientation. The Act also provides for certain exceptions, such as mountain huts and similar. Public funds for ensuring the universal design and use of the facilities already constructed may also be provided by the state or local communities if the financial means of the building owner or user are insufficient. The Construction Act provided the legal basis for a new implementing regulation, i. e. the Rules on universal construction, which specify the conditions for the design, construction, and use of facilities, both buildings and external surfaces. The Rules also impose the obligatory use of standards on accessibility and usability of the built environment, tactile paving for the visually impaired, and induction loop systems for people with hearing aids.

48. In the past few years, Slovenia has financed a number of projects aimed at raising the awareness of both expert and lay public with regard to the accessibility of buildings, including manuals for access to public services and participation in the activities taking place in public buildings as well as various lectures and training workshops. In 2016, 2017 and 2018, Slovenia co-financed the promotion of good construction – workshops aimed at familiarising local communities and investors with universal design.

49. As regards copyright law, the Act Amending the Copyright and Related Rights Act, which is currently going through the legislative procedure in the National Assembly, transposes into the Slovenian legal order the provisions of Directive 2017/1564/EU of the European Parliament and of the Council of 13 September 2017 on certain permitted uses of certain works and other subject matter protected by copyright and related rights for the benefit of persons who are blind, visually impaired or otherwise print-disabled and amending Directive 2001/29/EC on the harmonisation of certain aspects of copyright and related rights

in the information society (Official Journal of the European Union L 242 of 20 September 2017, p. 6 (hereinafter: Directive 2017/1564/EU). Directive 2017/1564/EU was adopted after the signing of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled, which established an international framework requiring contracting parties to provide for exceptions or limitations to copyright and related rights for the making and dissemination of copies in accessible formats for persons who are blind, visually impaired or otherwise print-disabled of certain works and other protected subject matter, and for the cross-border exchange of those copies. The main purpose of Directive 2017/1564/EU is to determine mandatory and harmonised exceptions or limitations to copyright and related rights to facilitate access of persons who are blind, visually impaired or otherwise print-disabled to published works. The new provisions facilitate access to books and other printed material for persons who are blind, visually impaired or otherwise print disabled, as these materials are made accessible in formats adapted to their needs, e.g. in Braille, large print, audio books, etc.

F. Rights of older persons

50. Demographic changes in Slovenia⁸ are increasingly affecting its economic and social life, particularly due to the generation born during the demographic boom following the Second World War, who are beginning to retire.

51. Article 14 of the Constitution stipulates that everyone is guaranteed equal human rights and fundamental freedoms irrespective of national origin, race, sex, language, religion, political or other belief, wealth, birth, education, social status, disability or any other personal circumstance. Article 14, paragraph 2, stipulates that all are equal before the law. The 2016 Protection Against Discrimination Act guarantees the protection of every individual against discrimination irrespective of their gender, nationality, race or ethnic origin, language, religion or belief, disability, age, sexual orientation, gender identity and gender expression, social status, economic status, education or any other personal circumstance in various areas of social life, including the enforcement of human rights and fundamental freedoms, the exercise of rights and obligations, and in other legal relationships in political, economic, social, cultural, civil or other fields. The Act also establishes the Advocate of the Principle of Equality as an autonomous state authority mandated to ensure protection against discrimination. Furthermore, the 2017 Active Ageing Strategy devotes two chapters to the prevention of discrimination of older persons and to the protection and enforcement of their rights.

52. In 2017, Slovenia adopted the Active Ageing Strategy aimed at raising the awareness of, and encourage the widest possible circle of stakeholders to, address the challenges posed by population ageing. The Strategy takes into account key issues associated with demographic changes; comprehensive guidelines for the implementation of its development goals are divided into four pillars: labour market and education; independent, healthy and safe living for all generations; participation in society; and creation of an environment conducive to activity throughout the life course. On the basis of the Strategy, the Council for Active Ageing and Intergenerational Cooperation was appointed to coordinate the preparation of action plans.

53. The Resolution on the National Social Assistance Programme 2013–2020 was adopted in 2013. Due to new demographic developments, it is focused on issues of the older people, and its goals have been tailored to the needs of the increasing social and demographic distress of the population. These goals also include increased community care for the older people at the expense of institutional care, which was the main form in the past.

54. The adopted social security documents and legislation, which affect the quality of life of the older people, facilitated a wider range of services and programmes for the older people, the development of new concepts of work with users (particularly persons suffering from dementia), the training of qualified professionals for work with the older people and

⁸ Over the past 20 years, the share of population aged 65 or more has increased from 10.6% to 17.3%.

awareness-raising among family members and the environment. The state carried out a number of activities to prevent violence against the older people and reject age stereotypes.

55. Pension and disability insurance saw substantial changes in 2013 with the entry into force of the new Pension and Disability Insurance Act. The 2012 pension system reform adapted the requirements to obtain old-age and early retirement pension to suit demographic changes and longer life expectancy. The basic retirement requirement is the age of 65 years and a 15-year contribution period; an option was introduced for persons with a longer contribution period to retire at a younger age.

56. Since 1 July 2013, in compliance with the amended Labour Market Regulation Act, all pensioners (except for those receiving partial old-age or early retirement pension, and who are still partly employed) are eligible to perform provisional or occasional work. Such work will help the older people re-enter the labour market and reactivate.

57. Slovenia guarantees extensive protection from discrimination on grounds of age or any other personal circumstance. In accordance with the Constitution and ratified treaties, such discrimination refers to actions and decisions by public authorities which could encroach on any human right or freedom or any other right provided for in national legislation. The Act Implementing the Principle of Equal Treatment extends such protection to include the actions of all subjects in the private sector, e.g. in accessing goods and services intended for the public, including housing, inclusion in associations under civil law, access to cultural goods, sport, recreation, etc. Anyone has the right to protection from discrimination, even legal entities (e.g. NGOs of the older people).

58. As of 1 February 2017, the Act Amending the Social Assistance Payments Act abolished the entry of a restraint on alienation and repayment of received financial social assistance for beneficiaries of income support and social assistance payments who, as individuals or families, own a flat or a house worth up to EUR 120,000. The amending act has thus encouraged a greater number of older people with low pensions to apply for income support, which enhanced their social protection.

59. With a view to providing senior housing, a Real Estate Fund of the Pension and Disability Insurance Institute was created, with more than 3,100 rental apartments at its disposal (2019 data) to resolve the housing issues of the older people.

G. Rights of foreigners, asylum seekers and migrant workers

60. Entry to, and residence in, Slovenia are governed by the Aliens Act,⁹ which, in accordance with European legislation, guarantees fair treatment of foreigners lawfully residing in the country. As far as possible, the rights of foreigners are comparable to those enjoyed by Slovenian citizens. In accordance with the Decree on ways and scope of providing programs of support for integration of third country nationals (Official Gazette of the Republic of Slovenia Nos. 70/12 and 58/16), Slovenia regularly implements basic integration measures aimed at formulating a comprehensive and effective integration policy based on intercultural dialogue (Slovene language courses, learning programmes informing participants of the history, culture, and constitutional order of Slovenia, programmes designed to enhance mutual ties and understanding with Slovenian citizens, programmes informing of ways of integration into the Slovenian society, etc.), which also includes elements of public awareness-raising.

61. As regards asylum policy, Article 48 of the Constitution stipulates that, within the limits of the law, foreign nationals and stateless persons subject to persecution for their commitment to human rights and fundamental freedoms have the right to asylum. Adopted in 2016, the new International Protection Act systemically regulates international protection in Slovenia. The Act was adopted primarily to meet the obligation to transpose the EU law into national legislation, notably the two directives regulating the standards on procedures for granting international protection and on the reception of applicants for international

⁹ Official Gazette of the Republic of Slovenia Nos. 1/18 – official consolidated text, 9/18 – corr. and 62/19 – Constitutional Court Decision.

protection. The Act also specifies procedures for the implementation of the Dublin Regulation and the EURODAC Regulation. The new legislative framework enables fast and efficient processing of applications for international protection. Applicants eligible for protection are thus provided with a good starting point for smooth and successful integration into the Slovenian society on the one hand, and on the other, this legislation provides grounds for efficient return policies with regard to those not eligible for international protection.

62. Vulnerable persons with special needs are afforded special care and treatment. The material reception conditions, medical and psychological counselling and care are adapted to applicants with special needs in the course of their reception. Applicants in need of special guarantees in the procedure are provided with appropriate support in order to allow them to enjoy the rights and comply with the obligations in the procedure for international protection, which means refugee status and subsidiary protection status.

63. Officials conducting international protection procedures are regularly trained. All proposed amendments to relevant legislation on international protection are submitted to the Office of the UN High Commissioner for Refugees for preliminary observations and comments. NGOs are actively engaged in the implementation of the Act and play an important role in providing psycho-social and learning assistance, performing activities for creative leisure pursuits, as well as rendering assistance with integration into the environment. Their role is also significant in preventing and taking appropriate action in cases of sexual violence and in combating trafficking in human beings.

64. Slovenia did not ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; most of the rights contained in the Convention have already been included in the Slovenian legal system and the scope and protection of migrant workers have been adequately regulated at the national level. Slovenia is party to both international covenants on human rights, ILO conventions C97 and C143 and the European Social Charter, which all contain a wide spectrum of protection of migrant workers' rights.

65. By adopting the Protection Against Discrimination Act (21 April 2016), which replaced and updated the Implementation of the Principle of Equal Treatment Act of 2004, Slovenia further strengthened its efforts to fight discrimination, including against foreigners. Measures for detecting criminal offences and their perpetrators are implemented in close cooperation with law enforcement authorities, so good practices develop in parallel. In the case of suspected criminal offences related to discrimination and intolerance, the Police communicates with the District State Prosecutor's Office. The Police adopts and carries out all the necessary measures for preventing, detecting, and investigating criminal and minor offences. The Ministry of the Interior co-funds numerous programmes aimed at assisting third country nationals in their integration into the Slovenian society and promotes tolerance and intercultural dialogue in the wider Slovenian public through numerous awareness-raising campaigns and by marking World Refugee Day.

66. The events organised in Slovenia every year on World Refugee Day (20 June) help promote tolerance towards immigrants and refugees. These events include media awareness-raising campaigns for the wider Slovenian public of topics related to migration and integration as well as social development.

67. In accordance with the Aliens Act, foreigners who are third-country nationals are entitled to programmes for faster integration into the cultural, economic, and social life of Slovenia. The ways and scope of providing these programmes are specified in the Decree on ways and scope of providing programmes of support for integration of third-country nationals.

68. In 2017, to provide assistance to unaccompanied minors, the Office of the Government of the Republic of Slovenia for the Support and Integration of Migrants, in cooperation with competent ministries, prepared a project for providing accommodation to unaccompanied minors in residential halls in order to systemically resolve the problem of their adequate housing and treatment. In 2017, the Ministry of Education, Science and Sport established the accreditation and evaluation procedure to assess the education level of minors unable to produce certificates attesting to their attained education as an entry condition to enrol in secondary education, short-cycle higher education and higher education

programmes. Amendments to the acts governing secondary education (published on 1 December 2017) provide for the possibility of Slovene language learning for students whose mother tongue is not Slovene or who have not completed their basic education in Slovenia, which is prerequisite to successful enrolment in secondary education.

69. In 2018, the Ministry of Education, Science and Sport drafted the document entitled “Draft programme for working with immigrant children in preschool, basic and secondary education” containing proposals for amendments of legislation concerning early Slovene language learning, individual activity plans taking into consideration a student’s prior knowledge and experience, adaptations to assessment and evaluation of knowledge during the school year, normative changes and staff competences for successful integration of immigrant children into educational institutions. The document provides the basis for legislative changes in this field. The Ministry of Education, Science and Sport strives to provide comprehensive and high-quality learning of Slovene as a second language, which is particularly intensive upon a child’s enrolment in an educational institution and in the early months of the first year; in later months of the first year, additional classes can be provided if needed. In the following two years, additional help in language learning is provided on top of the regular Slovene language classes and is also part of regular activities carried out in preschool institutions. In secondary education, early Slovene language learning is already adequately regulated in the legal acts (Rules on Slovenian language courses for secondary school students), while in basic education, legal documents are under preparation. In addition, four syllabi for initial Slovene language learning in preschool institutions and for the three cycles of basic education are under preparation.

70. In 2104, the Ministry of Labour, Family, Social Affairs and Equal Opportunities, on the basis of the International Protection Act, compiled a list of statutory representatives of unaccompanied minors. These individuals are natural persons who meet the conditions set down for guardians in the Marriage and Family Relations Act and have completed the necessary training for statutory representatives. The statutory representative represents an unaccompanied minor in the procedure for granting international protection, in matters of health protection, education, the protection of property rights and benefits, and in relation to the exercise of reception rights, until the decision issued in the procedure for international protection becomes enforceable.

H. The erased (persons whose permanent residence registration was removed from the Register of Permanent Residents following the entry into force of the Aliens Act)

71. The Aliens Act, which was one of the independence laws of Slovenia, defined a foreigner. In respect of citizens of the former SFRY republics who had not applied for Slovenian citizenship under Article 40 of the Citizenship of the Republic of Slovenia Act, it stipulated that its provisions began to apply to them on 26 February 1992 (two months after the expiry of the six-month period during which they could have applied for Slovenian citizenship). To continue living in the Republic of Slovenia, they needed a permanent residence permit. The permanent residence permits of the citizens of the other former SFRY republics, who had been permanent residents in the Republic of Slovenia, were revoked on the date when they fell subject to the provisions of the Aliens Act. The Aliens Act did not provide for different conditions of obtaining a permanent residence permit for citizens of the former SFRY republics, so in order to regulate their status, the 1999 Act Regulating the Legal Status of Citizens of Former SFRY Living in the Republic of Slovenia¹⁰ loosened the conditions for the acquisition of permanent residence permits. The only requirement for obtaining a permanent residence permit was de facto residence in Slovenia since 23 December 1990 or since 25 June 1991.

72. In its decision No. U-I-246/02-28 of 3 April 2003, the Constitutional Court ruled that the provisions of the Act Regulating the Legal Status of Citizens of Former SFRY Living in the Republic of Slovenia providing for a time limit of three months to file an application for

¹⁰ Official Gazette of the Republic of Slovenia Nos. 61/1999 and 54/2000.

a permanent residence permit to be repealed, and that the Act was in non-conformity with the Constitution for the following reasons: it does not recognise the permanent residence of citizens of other republics of the former SFRY removed from the Register of Permanent Residents on 26 February 1992 from that date onwards; it does not regulate the acquisition of a permanent residence permit by citizens of states successors to the former SFRY, for whom the measure of the forcible removal of a foreigner was imposed; and it contains no criteria to establish the legal concept of “de facto residence”.

73. In 2010, to correct the non-compliant provisions and resolve the issue of persons deleted from the Register of Permanent Residents, the Republic of Slovenia passed the Act Amending the Act Regulating the Legal Status of Citizens of Former Yugoslavia Living in the Republic of Slovenia,¹¹ which entered into force on 24 July 2010. The Act was adopted by the National Assembly with a view to finally regulating the legal status of persons deleted from the Register of Permanent Residents. The amending Act also sets out the requirements to be met by a foreign national who was citizen of another republic of the former SFRY on 25 June 1991 and who has not yet obtained a permanent residence permit in the Republic of Slovenia to obtain the permit regardless of the provisions of the Aliens Act. Under this Act, a permanent residence permit may also be obtained by those erased persons who do not reside in the Republic of Slovenia for justifiable reasons. Such reasons for absence, as defined in the Act, include a person leaving Slovenia as a consequence of the erasure, inability to obtain a residence permit, inability to return to Slovenia because of the war in other successor states to the SFRY, forcible removal from the Republic of Slovenia, or refusal of entry into the Republic of Slovenia.

74. In addition to the amending Act regulating the status of persons erased from the Register of Permanent Residents in Slovenia and guaranteeing those who left Slovenia the possibility to obtain permanent residence permits, also retroactively, Slovenia adopted, in 2013, a special act on compensation, namely the Act Regulating the Compensation for Damage Sustained as a Result of Erasure from the Register of Permanent Residents.

75. The Act¹² providing for compensation for damage suffered by persons erased from the Register of Permanent Residents after Slovenia’s independence, remedies the violation of human rights and fundamental freedoms, and executes the judgement of the Grand Chamber of the European Court of Human Rights of 26 June 2012 handed down in the case of *Kurić and Others v. Slovenia*. The Slovenian legal order systemically provides for just satisfaction, i.e. compensation for damages suffered by persons erased from the Register of Permanent Residents. In addition to claiming pecuniary compensation in an administrative procedure, eligible persons can also claim pecuniary compensation in judicial proceedings. The eligible person can freely decide whether to claim compensation in an administrative procedure, judicial proceedings or both. An eligible person believing that the erasure caused damage greater than that granted in an administrative procedure may claim for compensation in court. In addition to pecuniary compensation, the Act Regulating the Compensation provides for other forms of just satisfaction, providing or facilitating access to rights in various other areas where practice has shown that such benefits would be useful or necessary. According to the Act, eligible persons are entitled to the payment of contributions for compulsory health insurance, to inclusive and priority consideration in social assistance programmes, to facilitation in exercising rights to public funds, to state scholarships, to equal treatment as Slovenian citizens in resolving housing problems, to access to the education system, and to participation or priority treatment in integration programmes.

76. In its decision No. U-I-80/16-36, U-I-166/16-28, U-I-173/16-33 of 15 March 2018, the Constitutional Court ruled as unconstitutional Article 12 of the Act Regulating the Compensation for Damage Sustained as a Result of Erasure from the Register of Permanent Residents setting an upper limit to the pecuniary compensation that can be awarded in court proceedings. To implement the above Constitutional Court decision, the National Assembly of the Republic of Slovenia adopted an amended act on 21 December 2018, which entered into force on 30 December 2018.

¹¹ Official Gazette of the Republic of Slovenia No. 50/2010.

¹² Official Gazette of the Republic of Slovenia No. 99/2013.

77. The amended Article 12 lifts the upper limit of pecuniary compensation and newly regulates interest on arrears determined for eligible persons in court proceedings. Eligible persons are entitled to the entire principal for pecuniary and non-pecuniary damages awarded in court proceedings; Article 12 only limits the amount of interest determined for eligible persons in court proceedings, which is limited by the amount of the principal.

I. Domestic violence and violence against women

78. The Domestic Violence Prevention Act¹³ entered into force in March 2008, defining physical, sexual, psychological, and economic violence, including the failure to provide due care for family members. Children, older people, and persons with disabilities enjoy special protection against violence. If the victim of violence is a child, anyone with knowledge of the fact is obliged to report it immediately to the social services, the Police or the state prosecutor's office. The novelty introduced by the Act is the victim's right to have an assistant accompany him/her in all proceedings related to domestic violence and help in seeking solutions. The victim also has the right to a legal representative to defend his/her interests in proceedings. A multidisciplinary team led by the social services draws up an aid plan for a victim in collaboration with other authorities and organisations. The Act provides for free legal assistance for victims of violence. The court can impose certain restrictions in cases of acts of violence, prohibiting the perpetrator from entering the accommodation premises where the victim lives; approaching beyond a specified distance the accommodation where the victim lives; approaching places that the victim regularly frequents; making contact with the victim in any way. At the victim's request, the court may order the perpetrator of violence who lives in a common household with the victim to transfer the accommodation to the victim for exclusive use. Upon a divorce, where a spouse is the victim of violence inflicted by the other spouse, or where violence is inflicted on their children, the victim may request that the other spouse leaves them in exclusive possession of the accommodation in which they both live. In order to protect children, the court assigns the residence to the spouse with whom the children live. All the above restrictions and measures apply for a maximum of six months, with the possibility of an extension for additional six months. Based on this Act, all authorities concerned (the Police, education, health, and social institutions) adopted their own rules on response to domestic violence and provided adequate training for qualified professionals. The amended Domestic Violence Prevention Act adopted in 2016 introduces important improvements in the sphere of domestic violence:

- Broader definition of family members (collateral relative up to four times removed, persons in a partnership, persons whose partnership or union has terminated, new partners or children of family members);
- Explicit wording that domestic violence is prohibited and a broader definition of domestic violence (threat of physical or sexual violence is added; psychological violence includes the use of information and communication technology to induce fear; economic violence includes undue failure to fulfil financial or material obligations to a family member; stalking is added as a new form of violence, etc.);
- Prohibition of corporal punishment of children;
- Broader set of authorities and organisations which have a duty to report violence and special care is provided for persons who due to personal circumstances are not capable of taking care of themselves (duty to report as in the case of children);
- The right of victims to an assistant is extended from procedures under this Act to all proceedings in which the perpetrator of the violence is involved;
- Added clause that authorities and organisations are obliged to protect a professional secret data referring to the accommodation of the victim and the victim's children, and to other measures adopted to protect them;

¹³ Official Gazette of the Republic of Slovenia No. 16/2008.

- Education for professional workers is defined in more detail and mandatory training for judges and prosecutors is foreseen;
- Provision that participation in multidisciplinary teams is obligatory for all persons invited;
- Detailed definition of the police procedure to ensure safety to the victim and the victim's assistant when entering the accommodation premises or other premises the victim lives in or uses, so that they can take their belongings required for their basic needs;
- Broadened list of measures imposed by the court to ensure protection of the victim and more detailed definition of court proceedings.

79. In 2013, the Police Tasks and Powers Act amended the power of the Police to issue a restraining order by adding the possibility of taking into custody a perpetrator who breaches such an order.

80. A special article of the new Criminal Code prohibits domestic violence, which can take various forms, and is directed against a person with whom a perpetrator lives or has lived in a family or other permanent community. The former Penal Code defined the forms and effects of violence in the family in different articles.

81. The National Assembly passed the Resolution on the National Programme on the Prevention of Family Violence 2009–2014.¹⁴ This is a strategic document specifying the objectives, measures, and key institutions responsible for reducing and preventing domestic violence. The document aims to combine the measures of various sectors and thus ensure more effective measures to reduce domestic violence, both in terms of its identification and prevention. The new Resolution on the National Programme on the Prevention of Family Violence 2020–2025 is under preparation, which foresees even more cross-sectoral coordination and cooperation between institutions.

82. In accordance with the Resolution on the National Social Assistance Programme 2013–2020, the number of assistance programmes to victims of violence and programmes involving perpetrators is increasing. These include prevention, information and counselling programmes, telephone counselling, coordination, support, assistance and self-assistance programmes, accommodation, and therapeutic programmes. In 2018, the Ministry of Labour, Family, Social Affairs and Equal Opportunities co-financed 23 programmes providing beds in 8 women's shelters and 15 safe houses, emergency shelters and crisis centres, which altogether provide 451 beds. One of the safe houses has also been adapted to accommodate the needs of persons with disabilities, and one crisis centre has been adapted for the older people. The network of crisis centres and shelters was expanded to regions where such services were previously unavailable, and accommodation facilities for victims of violence are now provided. In addition, the Ministry of Labour, Family, Social Affairs and Equal Opportunities has co-funded 14 counselling services for victims of violence, a programme focusing on the prevention of violence against the older people, a telephone counselling programme for victims of violence, three programmes providing comprehensive treatment, assistance and support to sexual violence victims and a rehabilitation programme for perpetrators of violent acts.

83. Various training courses, particularly for the judiciary, are provided to improve the competence of qualified professionals responsible for violence prevention and to increase their sensitivity, including for dealing with female victims of violence and perpetrators. In addition, training programmes for police officers are provided in cooperation with other institutions and NGOs, including EU experts. Issues such as preventing violence against women and promoting non-violent conflict resolution will continue to be included in education and training courses for teaching professionals. These activities are part of measures envisaged by the Resolution on the National Programme for Equal Opportunities for Women and Men, 2005–2013.

¹⁴ Official Gazette of the Republic of Slovenia No. 41/2009.

84. Slovenia has ratified the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) on 19 December 2014; in Slovenia, the Convention entered into force on 1 June 2015. In April 2016, a Government decision established the Inter-ministerial Working Group for monitoring the implementation of the Istanbul Convention. Holding regular meetings since 2017, the Inter-Ministerial Working Group is tasked with the coordination, implementation, monitoring, and evaluation of policies and measures for preventing and combating all forms of violence covered by the Istanbul Convention. Upon ratifying the Convention in 2015, for a period of 5 years, the Republic of Slovenia made reservations explicitly stated in Article 78, paragraph 2. At the end of 2019, Slovenia decided to extend the reservations as the conditions for lifting them had not yet been met.

85. Slovenia has transposed the changes needed for the effective implementation of the Istanbul Convention into its national law by amending the Domestic Violence Prevention Act, which the National Assembly adopted on 25 October 2016, thereby enacting explicit prohibition of corporal or any other degrading punishment of children. Another important change introduced by the amended Act is a broadened definition of family members and of domestic violence to include a new form of violence, i.e. stalking. In addition, the set of measures available to courts and the Police has been broadened, particularly those for the protection of children. Furthermore, the amended Act prohibits alternative dispute settlement in all proceedings carried out in relation to any form of violence, and provides for the obligation to adopt a resolution on the national programme on the prevention of family violence and violence against women for a period of 6 years. The Resolution must include guidelines for work with sexually abused children. Slovenia has also amended the Criminal Code and the Police Tasks and Powers Act.

86. The Police Tasks and Powers Act contains an amended provision on the prohibition of approaching a specific place or person to improve the protection of domestic violence victims and enable non-governmental and other organisations engaging in the sphere of family violence prevention to prepare victims for procedures before judicial authorities. The extension of a restraining order from ten to fifteen days will provide more time for victims to be informed of available measures, including a possibility to file a proposal for an extension of this measure.

87. The 2019 Act Amending the Criminal Procedure Act (ZKP-N) extends the list of rights and possibilities of injured parties, including the victims of domestic violence, particularly with regard to the rights and measures in criminal procedures and supporting services. The Act also foresees individual threat risk assessments and appropriate measures in criminal procedures. For example, for reasons of their personal safety, injured parties have the right to be informed of the release or escape of the suspect or the charged person from custody at home, custody or prison, if they so request.

88. Four implementing regulations have been adopted, defining at the operational level the actions of various bodies and services when dealing with domestic violence (Rules on cooperation between the police and other authorities in the detection and prevention of domestic violence (2010),¹⁵ Rules on procedures for dealing with domestic violence in the implementation of health activities (2011),¹⁶ Rules on the treatment of domestic violence for educational institutions (2009),¹⁷ Rules on the organisation and work of multidisciplinary teams and regional services and on the activities of social work centres in dealing with domestic violence (2009).¹⁸ In addition, various instructions and guidelines have been issued for the activities to be undertaken by institutions to combat domestic violence.

89. As regards preventing and dealing with domestic violence and violence against women, many awareness-raising campaigns have been carried out in the recent years, targeting both expert and general public. Between 2013 and 2015, a two-year national campaign “Vesna – to Live without Violence” was carried out; its most important goals were to make the public aware of the violence against women and girls, and to raise the awareness

¹⁵ Official Gazette of the Republic of Slovenia No. 25/10.

¹⁶ Official Gazette of the Republic of Slovenia No. 38/11.

¹⁷ Official Gazette of the Republic of Slovenia No. 104/09.

¹⁸ Official Gazette of the Republic of Slovenia Nos. 31/09 and 42/17.

of women who had experienced violence as well as of expert and general public. The project “Click-off! Stop cyber violence against women and girls” was implemented in the 2017–2019 period. Its aim was to upgrade the existing national activities for the prevention of cyber violence by including the gender perspective in teaching and other materials, education modules, recommendations, and measures. Many other projects targeting specific groups were also successfully implemented, such as the project POND (Recognizing and treating victims of domestic violence in health care settings), which was aimed at enforcing the Domestic Violence Prevention Act provisions in healthcare activities and improving the knowledge and competences of health workers dealing with domestic violence victims.

J. Trafficking in human beings

90. The Criminal Code defines trafficking in human beings as a criminal offence. Measures on combating trafficking in human beings in Slovenia are specified in action plans to combat such trafficking which, since 2004, have been drawn up every two years by the Interdepartmental Working Group on the Fight against Trafficking in Human Beings. The Group is composed of representatives of relevant ministries, government services, the Supreme State Prosecutor’s Office, the National Assembly, and NGOs. The action plans define the basic activities for preventing and combating trafficking. These include prevention through information; awareness-raising, expert training and research; detection, investigation, and prosecution of trafficking offences; providing assistance and care to victims; international cooperation and supporting activities, including proposals to amend legislation. The Government of the Republic of Slovenia has recently adopted three such action plans, namely for the periods 2015–2016, 2017–2018, and 2019–2020.

91. The Action Plan provided the basis for the amendments to the Criminal Code in 2015, amending the definition of the criminal offence of trafficking in human beings. Article 113 was amended to include new provisions on the criminality of actions undertaken by users of human trafficking services, and the criminality of withholding, seizing, concealing, damaging or destroying official documents proving the identity of human trafficking victims. Amendments in the newly added Article 132.a define a new criminal offence related to entering into a forced marriage or setting up a similar community. These proposed amendments inter alia improve the protection of people in personal relationships and that of human trafficking victims.

92. In prevention activities, raising the awareness of the general public and at-risk target groups is an established practice; awareness-raising projects focusing on human trafficking are co-funded by the Slovenian Government and implemented by non-governmental and humanitarian organisations. The prevention activities defined in the action plans on trafficking in human beings include expert training programmes for investigators, prosecutors, judges, labour inspectors, and employees of the Financial Administration and Social Work Centres. These regular training programmes are designed to help experts identify forms of trafficking in human beings and its victims. Special attention is also devoted to the training of diplomats and consular agents of the Republic of Slovenia on potential dangers and warning signs of human trafficking. The Ministry of Foreign Affairs participates in the identification of, and reporting on, human trafficking through the network of Slovenian diplomatic and consular posts. The network also regularly takes part in awareness-raising activities in receiving countries.

93. In line with the recommendations of various international control mechanisms, the Anti-Trafficking Service was established within the Ministry of the Interior on 26 November 2018, and the position of national coordinator for combating trafficking in human beings was transferred to the Service. The Police, prosecutor’s offices, and courts continue to strive for the prosecution of traffickers in accordance with criminal procedures.

94. In the Republic of Slovenia, assistance to human trafficking victims is guaranteed under the Act ratifying the Council of Europe Convention on Action against Trafficking in Human Beings. Assistance is provided in the framework of programmes for ensuring care and emergency services to human trafficking victims funded by the Slovenian Government and implemented by non-governmental and humanitarian organisations. Victims are

provided care accommodation with their consent; such care includes appropriate crisis accommodation in a safe place, material assistance, primary healthcare, psycho-social assistance, provision of information and counselling, and translation and interpreting services, where needed. Victims are also informed of their rights and the reflection and recovery period in accordance with the Manual on the Identification of, Assistance to and Protection of, Victims of Trafficking in Human Beings and approved by the Government on 5 May 2016. Police procedures for the identification of victims of trafficking in human beings are carried out in cooperation with NGOs engaging in this field (Ključ Society, Caritas Slovenia). Rehabilitation of victims is ensured in the framework of the reintegration programme launched in January 2019, which is a follow-up programme to those providing care to the victims. Women and children, being a particularly vulnerable category of victims, are accorded special attention by Slovenia.

95. Annual training sessions have been set up for the Social Work Centres' staff in cases where trafficking in human beings has been identified. The training sessions focus on providing assistance to human trafficking victims, particularly minors, and provide tools for identifying human trafficking when working with individuals belonging to socially disadvantaged groups. As the employees of Social Work Centres most frequently encounter this category of persons, the aim of the training sessions is to establish good practices in identifying human trafficking victims and improve the skills of social workers.

K. Human rights education

96. In accordance with the United Nations Declaration on Human Rights Education and Training, the Ministry of Education, Science and Sport ensures that human rights education is accessible and available to all, taking into consideration the particular challenges and obstacles faced by persons belonging to vulnerable or underprivileged groups. Since the launch of the first phase of the World Programme, human rights education has been systematically implemented in Slovenian schools as part of the curriculum. The Ministry of Education, Science and Sport funds (until 2021) the project "Strengthening the social and civic competences of professional workers" aimed at improving the skills of professional workers to ensure more successful integration of immigrant children into the Slovenian education system and enhance professional training in education by providing seven thematic sets. Human rights education and research in this field are carried out at the university level at the Faculty of Law, Universities of Ljubljana and Maribor, at the Faculty of Social Sciences, and the Faculty of Social Work, University of Ljubljana.

97. Slovenia strives for continued implementation of the second phase of the World Programme for Human Rights Education involving civil servants. The Administration Academy operating within the Ministry of Public Administration, which provides mandatory training of public employees for appointment to a title, incorporates human rights and fundamental freedoms in the sessions on constitutional organisation. The Judicial Training Centre as a body within the Ministry of Justice provides training for all judicial personnel as well as initial and advanced professional training courses for state prosecutors, state attorneys, technical assistants, judicial assistants, and other personnel of judicial bodies, including for other stakeholders performing similar work. The Judicial Training Centre programmes regularly include topics related to the protection of human rights and the rule of law. A short-cycle higher education programme for police officers provides an opportunity to deepen the professional knowledge and improve the skills of police officers for carrying out their tasks, also in the sphere of human rights protection in police procedures. Protection of human rights and fundamental freedoms in police procedures is a mandatory topic in regular periodic training programmes for police officers. The Ministry of Defence provides human rights education in the Armed Forces as part of regular training courses and before deployment to military missions abroad.

98. As part of the third phase of the World Programme promoting human rights training for media professionals and journalists, the Ministry of Culture co-funds the annual Naprej/Forward Festival of Quality Media Content organised by the Slovene Association of Journalists, which includes workshops related to various aspects of respect for human rights. In cooperation with NGOs, the media and local communities, the Government Public

Relations and Media Office supports numerous projects promoting human rights education and training.

99. Slovenia also strives to implement the Declaration and the World Programme in its foreign policy. Slovenia is an active member of the Human Rights Education Platform. The Ministry of Foreign Affairs continues to implement the Our Rights project; since 2005, Slovenia has provided education on children's rights for more than 200,000 children, with the teaching materials available in 23 languages. To date, the project has been implemented in numerous countries in Europe, the Caucasus, the Russian Federation, the Middle East, Latin America, and Asia (India). In the field, the project is always carried out together with experienced NGOs. In 2017, 2018, and 2019, participating in the project were children in Morocco, Kosovo, Egypt, Gaza, and Slovenia, and it was also presented in Australia.
