

# **SLOVENIA 2018 HUMAN RIGHTS REPORT**

## **EXECUTIVE SUMMARY**

Slovenia is a parliamentary democracy and constitutional republic. Power is shared among a directly elected president (head of state), a prime minister (head of government), and a bicameral parliament composed of the National Assembly (lower house) and the National Council (upper house). On June 3, the country held parliamentary elections. Observers considered the elections free and fair.

Civilian authorities maintained effective control over the security forces.

There were no reports of egregious human rights abuses.

The government took steps to investigate, prosecute, and punish officials who committed abuses, whether in the security services or elsewhere in the government.

### **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

#### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were no reports that the government or its agents committed arbitrary or unlawful killings.

#### **b. Disappearance**

There were no reports of disappearances by or on behalf of government authorities.

#### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The constitution and law prohibit such practices, and there were few reports that government officials employed them.

The Office of the Ombudsman for the Protection of Human Rights made numerous unannounced visits to prisons and police stations with representatives of nongovernmental organizations (NGOs). In most instances, observers noted a marked reduction in complaints of excessive use of force compared with 2017.

## **Prison and Detention Center Conditions**

Physical conditions were generally acceptable and have recently improved, according to the Office of the Ombudsman for the Protection of Human Rights. There were some reports of inmate mistreatment, prisoner-on-prisoner violence, and overcrowding in prisons. There were no reports regarding prison or detention center conditions that raised significant human rights concerns.

The National Preventive Mechanism on Prevention of Torture visited prisons, social-care homes, hospitals, and other facilities. Local NGOs reported overcrowding in social-care homes, especially in closed departments for mentally ill persons. Prison guard trade unions and others stated that prison staffing was inadequate.

Physical Conditions: Local NGOs reported prison overcrowding remained an issue. The government was building a prison for men in Ljubljana and expanding capacity of a prison for women. The National Preventive Mechanism monitoring group stated prisons lacked adequate numbers of guards and other personnel. Local NGOs reported a lack of rehabilitation activities for prisoners, including employment for those who want to work.

Administration: Authorities investigated accusations of inhuman conditions and documented the results in a publicly accessible manner.

Independent Monitoring: The government permitted local and international human rights groups, media, and other independent international bodies, such as the International Committee of the Red Cross, to monitor prison conditions. The Office of the Ombudsman for the Protection of Human Rights, together with numerous human rights groups and other NGOs, conducted visits to all prisons. The government allowed designated NGOs to monitor the treatment of prisoners.

### **d. Arbitrary Arrest or Detention**

The constitution and law prohibit arbitrary arrest and detention and provide for the right of any person to challenge the lawfulness of detention in court, and the government generally observed these requirements.

## **Role of the Police and Security Apparatus**

Police performed the country's basic law-and-order functions, including migration and border control, under the direct supervision of the Ministry of the Interior. The National Investigation Bureau and the Border Police fall under the general police administration in the Interior Ministry. The armed forces are responsible for national defense and are under the supervision of the Ministry of Defense. The government, the Parliamentary Oversight Commission, the relevant district court, the ombudsman, the Court of Audits, and the Budget Supervision Office oversee the Intelligence and Security Agency.

Civilian authorities maintained effective control over the armed forces, police, and the Intelligence and Security Agency, and the government has effective mechanisms to investigate and punish abuse and corruption. There were no reports of impunity involving security forces during the year.

### **Arrest Procedures and Treatment of Detainees**

Police generally made arrests with warrants issued by a prosecutor or judge based on evidence. Authorities may detain suspects for 48 hours before charging them. The law requires authorities to inform suspects of their rights immediately after arrest and to advise detainees in writing within six hours (or within three hours for minor offenses) of the reasons for their arrest. Suspects must have prompt access to a judge to assess whether they qualify for release on bail or should remain incarcerated pending trial. Authorities generally released defendants on bail except in the most serious criminal cases. The law provides for prompt access to immediate family members and recognizes detention under house arrest.

Upon arrest, detainees have the right to contact legal counsel of their choice and the right to counsel during interrogations, and the government protected these rights. While indigent defendants have the right to an attorney provided at public expense, the government did not establish a formal system for providing such legal counsel. The NGO Legal Information Center and the government's Free Legal Aid Office made free counsel available to indigents. In a 2017 report, the Committee for the Prevention of Torture expressed concern that persons unable to pay for a lawyer could not, as a rule, benefit from the right of access to a lawyer from the very outset of their detention. The report noted, "ex officio lawyers would only be appointed if such an appointment was considered 'in the interests of justice' and, if appointed, they would meet detainees only after police questioning, very briefly before the court hearing."

Pretrial Detention: Once authorities charge a suspect, the law provides for up to four months' pretrial detention, depending on the severity of the alleged crime. An investigative judge must certify the charges. After trials begin, judicial authorities may extend the total detention period for up to two years. Authorities must release persons detained more than two years while awaiting trial or pending conclusion of their trial.

### **e. Denial of Fair Public Trial**

The constitution and law provide for an independent judiciary, and the government generally respected judicial independence and impartiality.

### **Trial Procedures**

The constitution and law provide for the right to a fair public trial, and an independent judiciary generally enforced this right. Defendants enjoy rights to a presumption of innocence, to be informed promptly and in detail of the charges, to a fair and public trial without undue delay, and to legal counsel.

Defendants have the right to adequate time and facilities to prepare a defense, to free interpretation as necessary from the moment charged through all appeals, to confront prosecution or plaintiff witnesses and present their own witnesses and evidence, not to be compelled to testify or confess guilt, and to appeal. The law also provides safeguards against self-incrimination. These rights extend to all defendants.

According to NGOs and advocacy groups, the judicial system was overburdened and lacked administrative support, at times resulting in delays in the judicial process. The government made progress in improving the efficiency of the judiciary, reducing the court backlogs, and lowering the average processing time. A report published in March by the European Commission noted a reduction in the backlog of cases and improved efficiency in the judicial system.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

### **Civil Judicial Procedures and Remedies**

The constitution and law provide for an independent and impartial judiciary in civil matters, including damages for, or cessation of, human rights violations. Individuals may appeal court decisions involving alleged government violations of the European Convention on Human Rights to the European Court of Human Rights (ECHR) once they exhaust all avenues of appeal in domestic courts.

### **Property Restitution**

The government has laws whereby all former persons who were citizens of the former Yugoslavia or Allied nations may recover property confiscated by fascist or Nazi occupying forces. Cases involving property confiscated after 1945-46 are subject to restitution procedures under the Criminal Procedure Act. Cases involving property that was nationalized are subject to restitution procedures under the Denationalization Act of 1991. The Denationalization Act requires claimants to have had Yugoslavia citizenship at the time the property was confiscated and excludes, with some exceptions, property confiscated before 1945.

Although some heirs of Holocaust victims may seek restitution of confiscated property through these laws and mechanisms, NGOs and advocacy groups reported the government did not make significant progress on the resolution of Holocaust-era claims. This includes both former citizens who were required to renounce Yugoslavian citizenship as a condition for emigrating and Holocaust survivors from Yugoslavia and their heirs, who did not return and thus never had Yugoslav citizenship. Some cases involving the restitution of property seized during the communist era (especially from 1946 to 1958) remained unresolved. The World Jewish Restitution Organization (WJRO) engaged the government regarding Holocaust survivors and their heirs who were not eligible to file claims based on Slovenian law.

Some Holocaust survivors and their relatives, along with Slovene deportees, reclaimed pre-1945 confiscated property through 1945-1946 restitution legislation. Most Holocaust-era claims are categorized as heirless property for which there is no provision in law for restitution or compensation. In March the WJRO and Ministry of Justice agreed to launch a joint research project to compile a historical record as complete as possible of heirless, formerly Jewish-owned properties in the country. In September research teams commenced the project and intend to complete it in 2019.

Some remaining non-Jewish confiscated properties appeared to be untouchable because the parties occupying the sites were politically influential and thwarted

attempts to reach a negotiated settlement. For example, since 1993, close ties between the local government's administrative unit and Radenska d.d., a major mineral water producer, stymied a foreign family's claims to the Radenci Spa property located on the family's ancestral lands. Although the Supreme Court rejected the family's claim in 2015, the litigants appealed to the Constitutional Court, which returned the case to lower courts, where it remained pending consideration at year's end.

#### **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The constitution and laws prohibit such actions, and there were no reports that the government failed to respect these prohibitions.

### **Section 2. Respect for Civil Liberties, Including:**

#### **a. Freedom of Expression, Including for the Press**

The constitution and law provide for freedom of expression, including for the press, and the government generally respected these rights. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including for the press.

Freedom of Expression: The law prohibits hate speech, which it defines as incitement to hatred, violence, and intolerance based on nationality, race, religion, gender, skin color, social status, political or other beliefs, sexual orientation, and disability in a way that could threaten or disrupt public order. The penalty for conviction of hate speech is up to two years' imprisonment. The penal code also prohibits the expression of ideas of racial superiority and denial of the Holocaust. Due to extensive criteria necessary for the prosecution of hate speech, police or prosecutors investigated only several dozen cases during the year; of the cases prosecuted, there were no reports of convictions.

There were some highly publicized instances of alleged hate speech. For example, the Ministry of Culture reported the weekly publication *Demokracija* to the media inspectorate for its August cover showing a photo of seven black hands groping and touching a white woman with the title, "With Migrants Comes the Culture of Rape." The inspectorate referred the case to police, and as of October it remained pending.

In November Prime Minister Marjan Sarec called on state-owned companies to consider removing advertisements from media sources that spread hateful content. Some NGOs, political parties, and journalist associations hailed Sarec's call as an important step towards combatting hate speech, while others condemned it as inadmissible political pressure on media and corporate autonomy.

The hotline "Spletno oko" ("Web Eye") received several hundred reports concerning potential cases of hate speech, but there were no reported prosecutions or convictions for online hate speech.

Several media outlets have required journalists to observe certain guidelines in their private social media interactions.

Press and Media Freedom: Independent media were active and expressed a wide variety of views without restriction. The print and broadcast media, like online newspapers and journals, as well as book publishers, are subject to the laws prohibiting hate speech, libel, and slander.

Violence and Harassment: Journalist associations expressed concern regarding a number of threats and insults against journalists and urged journalists to report threats to police.

Censorship or Content Restrictions: The Slovenian Association of Journalists and media analysts observed that standards of journalistic integrity suffered because of economic pressure; nonstandard forms of employment, such as freelance or student status; and reduced protections for journalists, leading some to practice self-censorship to maintain steady employment.

Journalists and media representatives stated existing media legislation does not address the problem of excessive concentration of ownership in the media, which limited the diversity of views expressed.

Actions to Expand Freedom of Expression, Including for the Media: Based on a proposal from journalist associations and Transparency International, in January parliament passed an amendment to the Public Information Access Act that protects journalists from liability for administrative costs incurred by third parties in rejected freedom of information access requests.

## **Internet Freedom**

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports the government monitored private online communications without appropriate legal authority. According to the International Telecommunication Union, 79 percent of individuals in the country used the internet in 2017.

### **Academic Freedom and Cultural Events**

There were no government restrictions on academic freedom or cultural events.

### **b. Freedom of Peaceful Assembly and Association**

The constitution and law provide for the freedoms of peaceful assembly and association, and the government generally respected these rights.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

### **d. Freedom of Movement**

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

The government cooperated with the Office of the UN High Commissioner for Refugees, the International Organization for Migration, and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, stateless persons, and other persons of concern.

Citizenship: Based on a 2012 decision by the ECHR, in 2013 the government introduced a system for providing just satisfaction (i.e., restitution for damages) for the “erased” citizens of other former Yugoslav republics denied the right to reside legally in the country in the 1990s. To date, more than 10,300 “erased” individuals have regularized their legal status in Slovenia. An additional 3,000 were presumed deceased, and approximately 12,000 were believed to be living abroad with no intention of returning to the country.

### **Protection of Refugees**

In 2017 the Government Office for the Care and Integration of Migrants began operations. By law this office is responsible for ensuring the country meets its international commitments to provide services and protection to refugees, migrants, and displaced persons by coordinating the efforts of national authorities, NGOs, and other organizations. The office provided material support and accommodation to assist refugees through its asylum center and branches, managed reception and support assistance programs, and engaged with NGOs and international organizations to provide services and resettlement options to migrants. It offered medical services and psychological counseling, oversaw integration services for refugees and immigrants, cooperated with legal representatives of unaccompanied minors, and assisted police in deportation proceedings for those whose asylum claims were denied.

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees.

The local Amnesty International (AI) chapter stated that in early June Slovenian border authorities rejected without due process the asylum applications of at least 51 applicants and sent them back to Croatia. AI detailed its findings based on interviews with 70 individuals in late June near the Bosnia-Croatia border. Among those interviewed, 58 individuals said they reached Slovenia, where 51 individuals (mostly families from Syria, Iran, and Iraq and single men from Algeria, Morocco, Afghanistan, Pakistan, and Egypt) said they intended to seek asylum. These individuals claimed Slovenian border police failed to provide interpreters and denied or ignored their requests for asylum, forcibly returning them to Croatian police, who then deported them to Bosnia and Herzegovina.

On July 19, former ministry of interior state secretary Bostjan Sefic publicly rejected AI's allegations and stated border officials behaved professionally and in accordance with all required national and European legislation with respect to human rights and the right to international protection. Slovenian police also rejected accusations of forcibly returning asylum applicants to Croatian police and explained that the returns involved individuals who abused procedures by announcing an intention to file asylum applications but failed to do so.

Safe Country of Origin/Transit: The Dublin III regulation obligates the country, as a member state of the EU, to consider all EU countries as safe countries of origin and transit. Under the regulation the government may return an asylum seeker entering from another EU country to the country in which the person first entered

the EU; however, pursuant to a decision by the ECHR, the government did not return asylum seekers to Greece.

Freedom of Movement: Local NGOs reported unjustifiable limitations on the movement of asylum seekers residing in government-operated integration houses and asserted that no legal grounds existed for these limitations. The NGO Legal Information Center filed a proceeding against the Government Office for the Support and Integration of Migrants on this issue, which was pending at year's end.

Local NGOs criticized as inappropriate the government's housing of unaccompanied minor asylum seekers alongside adults in the police-managed Foreigners Home in Postojna. Determining the age of unaccompanied asylum seekers remained a challenge.

Employment: Asylum seekers outside of EU resettlement and relocation programs often waited six or more months for their cases to be adjudicated and were barred from working during the initial nine months of this period, although many reportedly worked illegally. Local NGOs criticized this restriction, asserting it made asylum seekers vulnerable to labor exploitation due to their illegal status, lack of knowledge of local labor laws, and language barriers.

Durable Solutions: In 2016 the government approved an EU plan to relocate 567 asylum seekers from Italy and Greece and to resettle 20 refugees from other non-EU countries. The government also agreed to resettle 40 Syrian refugees from Turkey. As of September, the country had resettled 27 individuals from Turkey. Individuals accepted for resettlement received the same integration services as refugees as well as a three-month orientation program to familiarize them with the country.

Of the 567 refugees that the country agreed to accept in 2016 under the EU relocation plan, 253 lived in the country. In this group 244 have acquired refugee status, and most lived in private homes. In August the government announced the country had fully honored its commitments under the EU relocation plan but was unable to resettle all 567 migrants because Greece and Italy did not submit the necessary documentation. The government provided housing and sufficient resources to meet refugees' basic needs.

Temporary Protection: The government also provided temporary protection to individuals who may not qualify as refugees, but the Ministry of Interior did not

maintain separate statistics for refugees and those who qualified for subsidiary protection. In the first eight months of the year, the Government Office for Support and Integration of Migrants accepted and housed 2,222 applicants for international protection status. As of late August, there were 523 persons with international protection status in the country.

### **Section 3. Freedom to Participate in the Political Process**

The constitution and law provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

#### **Elections and Political Participation**

Recent Elections: On June 3, the country held parliamentary elections in which the Slovenian Democratic Party won the plurality of votes. The List of Marjan Sarec won the second most votes and formed a five-party coalition that assumed office on September 13. Observers considered the elections free and fair.

Participation of Women and Minorities: No laws limit the participation of women and members of minorities in the political process, and they did participate. The government's cabinet includes four women ministers. The constitution provides for the National Assembly to include one member each from the Hungarian and Italian minorities.

### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal and civil penalties for corruption, conflicts of interest, and illegal lobbying by officials, and the government generally implemented the law effectively. There were isolated reports of government corruption, and the public viewed official corruption to be a problem.

Corruption: Despite the country's well-developed and comprehensive legal framework for identifying and combating corruption, critics asserted implementation and prosecution efforts remained inadequate. Civil society groups claimed conflicts of interest; failure to report outside activities, bribes, and lack of governmental transparency persisted throughout the country's political and economic spheres, particularly in the fields of energy, construction, and health care.

On the initiative of the principal opposition party, the parliament established several commissions to monitor and combat corruption in the public sector. One commission uncovered evidence suggesting that prices for public procurement of medical equipment far exceeded market prices. No indictments or convictions resulted from these findings. In August authorities indicted 15 individuals for alleged involvement in a scheme whereby medical professionals received kickbacks from medical equipment suppliers for purchasing their products.

Civil society groups and NGOs expressed frustration regarding what they described as the ineffectiveness of the Commission for the Prevention of Corruption (CPC). Responding to a July 4 Council of Europe Group of States against Corruption (GRECO) report outlining gaps in the country's anticorruption efforts, the CPC asserted that inadequate funding complicated implementation of GRECO's recommendations. One of GRECO's central recommendations was for the government to adopt a code of conduct for members of the National Assembly and National Council, including guidance on conflict of interests, gifts, and misuse of information and public resources, along with credible mechanisms for supervision and sanctions. In its July 4 report, GRECO concluded that Slovenia had not fully implemented this recommendation.

Financial Disclosure: The highest-level officials in the government, the parliament, and the judiciary, or approximately 5,000 of the country's 170,000 public employees, are subject to financial disclosure laws. There are administrative sanctions for failing to respect these provisions. The government did not make this information available to the public, but it may become part of the public record in other procedures (e.g., criminal or tax cases). The CPC may issue advisory opinions regarding prosecution.

## **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials generally were cooperative and responsive to their views.

Government Human Rights Bodies: The constitution provides for an independent human rights ombudsman to monitor violations of human rights. Individuals may file complaints with the independent ombudsman to seek administrative relief in the case of a human rights violation by the government. The independent

ombudsman was effective, adequately resourced, reported to parliament annually on the human rights situation, and provided recommendations to the government. The equal opportunities ombudsman's office, which began working in 2017 with the role of raising awareness and helping prevent all types of discrimination, reported that a lack of resources and personnel limited its effectiveness.

## **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

### **Women**

Rape and Domestic Violence: Rape, including spousal rape and domestic violence, is illegal. Sexual violence is a criminal offense and the penalty for conviction is six months' to eight years' imprisonment. The penalty for conviction of rape is one to 10 years' imprisonment. Police actively investigated accusations of rape and courts tried accused offenders.

The law provides from six months' to 10 years' imprisonment for aggravated and grievous bodily harm. Upon receiving reports of spousal abuse or violence, police generally intervened and prosecuted offenders, but local NGOs reported that victims of sexual violence often did not report crimes to police.

There was a network of maternity homes, safe houses, and shelters for women and children who were victims of violence. The police academy offered annual training on domestic violence. Local NGOs reported women lacked equal access to assistance and support services and that free psychosocial assistance from NGOs was unavailable in many parts of the country. NGOs also reported a lack of practical training and educational programs for professionals who are legally bound to offer services to survivors of violence. NGOs highlighted the lack of systematic and continuous prevention programs for domestic violence and rape and reported there were no specialized support programs for Romani women, elderly women, or other vulnerable groups.

Sexual Harassment: Sexual harassment is a criminal offense carrying a penalty if convicted of up to three years' imprisonment. The law prohibits sexual harassment, psychological violence, mistreatment, or unequal treatment in the workplace that causes "another employee's humiliation or fear." Authorities did not prosecute any sexual harassment cases during the year.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: The law provides the same legal status and rights for women and men. Despite legal provisions for equal pay, inequities persisted.

## **Children**

Birth Registration: Citizenship is derived from the parents with certain limitations. A child is granted citizenship at birth if the child's mother and father were citizens, or one of the child's parents was a citizen and the child was born on the territory of the country, or one of the child's parents was a citizen while the other parent was unknown or of unknown citizenship and the child was born in a foreign country. Naturalization is possible. Children of migrants and asylum seekers do not qualify for citizenship if they are born in Slovenia, although their parents may file for asylum or refugee status on their behalf.

Child Abuse: Child abuse is a criminal offense and conviction carries a penalty of up to three years' imprisonment. In the first half of the year, police reported 48 cases of child abuse and 179 cases of negligence. The number of reported cases is roughly on track with 2017 cases. In October authorities closed the Kengurujcki ("Little Kangaroos") child-care facility following allegations of child abuse. After alerting staff to the inappropriate treatment of children, a newly hired employee at "Little Kangaroos" recorded a video showing children ages 11 months to four years subjected to force-feeding and life-threatening ways to prevent toddlers from crying. The video showed a baby with her head and body tightly wrapped in sheets with a mattress on top of her. The employee showed the video to parents, and they jointly reported the case to the police. A police and educational inspectorate investigation was underway.

There were 10 crisis centers for youth, with a combined capacity for 86 children. The government allowed children to stay at these centers until they reached age 21, if they were still in school.

Early and Forced Marriage: The minimum age for marriage is 18. Centers for social service may approve marriage of a person younger than age 18, together with the approval of parents or legal guardians. Child marriage occurred within the Romani community but was not a widespread problem.

Sexual Exploitation of Children: Statutory rape carries a prison sentence of one to eight years in prison. The law sets the minimum age of consent for sexual relations at 15. The government generally enforced the law.

The possession, sale, purchase, or propagation of child pornography is illegal, and the government enforced the law effectively. The penalty for conviction of violations ranged from six months to eight years in prison.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data.html>.

### **Anti-Semitism**

There were approximately 300 Jews in the country. There were no reports of anti-Semitic violence or overt discrimination.

In November, in the city of Velenje, police arrested a juvenile for public incitement of hatred and intolerance for hanging in June of six Nazi-themed posters in public places. The president and prime minister strongly condemned the act, and the case remained pending. The government promoted antibias and tolerance education in primary and secondary schools, and the Holocaust was a mandatory topic in the history curriculum.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **Persons with Disabilities**

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities. The law mandates access to buildings for persons with disabilities, but modification of public and private structures to improve access continued at a slow pace, and some buildings--particularly older buildings--were not accessible. The law provides social welfare assistance and early-childhood, elementary, secondary, and vocational education programs for children with disabilities. It also provides vocational and independent living resources for adults with disabilities. The government continued to implement laws and programs to provide persons with disabilities with access to education, employment, health services, buildings, information, communications, the judicial

system, transportation, and other state services. The government generally enforced these provisions effectively.

Changes to the electoral law require all polling stations to be accessible to persons with disabilities, but the National Electoral Commission estimated that as of the presidential election in fall 2017, only 56 percent of local polling stations were accessible to persons with disabilities. In the June 3 parliamentary elections, the National Electoral Commission used seven mobile ballot boxes to provide for equal access of voters with disabilities. Voters with disabilities who are unable to reach a polling station on election day may also vote by mail.

### **National/Racial/Ethnic Minorities**

Three officially recognized ethnic minorities live in the country: Roma (estimated at 7,000 to 11,000), Hungarians (approximately 8,000), and Italians (approximately 4,000). The approximately 2,000 ethnic Germans are not recognized as an official minority group.

Discrimination against socially marginalized Roma persisted in some parts of the country. Organizations monitoring conditions in the Romani community noted that Roma faced difficulties securing adequate housing in traditional housing markets. Many Roma lived apart from other communities in illegal settlements lacking basic utilities, such as electricity, running water, sanitation, and access to transportation. Government officials emphasized that the illegality of settlements remained the biggest obstacle to providing Roma access to adequate housing, water, and sanitation. By law only owners or persons with another legal claim to land, such as legal tenants, may obtain public services and infrastructure, such as water, electricity, and sanitation.

While visiting the country in April, the UN special rapporteur on minority issues said Roma continued to be the most vulnerable community in Slovenia and called on authorities to address recurrent problems within the Romani community. He noted Romani homes were often built without permits and highlighted difficulties Roma encountered in finding employment and accessing public services.

Organizations monitoring conditions in the Romani community and officials employed in schools with large Romani student populations unofficially reported that high illiteracy rates among Roma persisted. While education for children is compulsory through grade nine, school attendance and completion rates by Romani children remained low. Silvo Mesojedec, head of Novo Mesto's Civil Initiative for

Roma Issues, said less than 1 percent of inhabitants in Zabjak-Brezje (the country's largest illegal Romani settlement with approximately 700 inhabitants) have finished primary school.

The Centre for School and Outdoor Education continued its 2016-22 project on Romani education, which the Ministry of Education, Science and Sport and the European Social Fund financed. The project helps Romani children succeed in the educational system through mentoring and support, including extracurricular activities and preschool education at community multipurpose centers. Although segregated classrooms are illegal, a number of Roma reported to NGOs their children attended segregated classes and that school authorities selected them disproportionately to attend classes for students with special needs.

In May the government adopted the National Program of Measures for Roma for 2017-21 to improve the Romani community through 41 specific measures, such as promoting education, employment, and social inclusion, improving health-care access, reducing poverty, and providing antidiscrimination training. The Office for National Minorities is to coordinate this program and monitor its implementation. NGOs observed that, although government consulted Romani community representatives in preparing the National Program, it focused too much on project-based initiatives and did not adequately adopt the Romani community's suggestions to address systemic issues, such as a lack of electricity, running water, sanitation, and access to transportation.

A government-established commission to safeguard the rights of Roma continued to function. The commission included representatives from the Romani community, municipalities, and the government.

Representatives of the Romani community participated in a program that improved communication between police and individual Roma through discrimination prevention training for police officers working in Romani communities. The government provided medical equipment to health-care facilities and supported programs, workshops, and educational initiatives to provide best practices for health-care professionals working in Romani communities.

The NGO Roma Academic Club organized lectures and workshops for high school and university students on Romani culture and discrimination towards the Romani community.

In March the German-speaking community called on the government to begin the process of officially recognizing the community as a minority in the constitution. They called on the government to address fields of education in German, recognition of the minority language in radio and television programming, and the provision of funds.

### **Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity**

The law prohibits discrimination against lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons in housing, employment, nationality laws, and access to government services. The government enforced such laws effectively, but societal discrimination was widespread.

The law considers crimes against LGBTI persons to be hate crimes and prohibits incitement to hatred based on sexual orientation. The Ministry of Labor, Family, Social Affairs, and Equal Opportunities, as well as NGOs and law enforcement authorities, recorded incidents, but they did not track the number of cases of violence against LGBTI persons.

While the law and implementing regulations establish procedures for legal gender recognition, LGBTI NGOs maintained the provisions are too general; subject to misinterpretation; and insufficiently protect the rights to health, privacy, and physical integrity of transgender persons. For example, NGOs reported only two psychologists were authorized to provide documentation required for individuals to begin the process, which resulted in waiting times up to one year.

### **HIV and AIDS Social Stigma**

NGOs reported HIV-positive individuals often faced stigma and discrimination in access to health care. For example, Activists for the Rights of People Living with HIV and medical experts from the Clinic for Infectious Diseases and Febrile Conditions reported 90 percent of individuals living with HIV experienced discrimination in medical institutions due to their HIV status. In one case, an HIV-positive patient said a dentist refused to provide dental services to him due to his HIV status. This patient filed a suit against the dentist, and the court ruled the dentist did discriminate against him due to his HIV-positive status. Local activists hailed the case as a landmark ruling in legal protections of HIV-positive persons.

### **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law provides for the right of workers to form and join independent unions, bargain collectively, and conduct legal strikes. The law does not prohibit antiunion discrimination or require reinstatement of workers fired for union activity. In 2016, in the first ruling of its kind, a court ruled to protect the right of workers to unionize. NGOs reported that in practice employers have informally pressured unions to refrain from organizing, particularly workers of new companies in the metal industry and transport sector.

The law requires unionization of at least 10 percent of workers in a sector before the sector may engage in collective bargaining. The law restricts the right to strike for police, members of the military, and some other public employees, providing for arbitration instead. Resources, inspections, and remediation efforts were adequate; penalties for violations were sufficient to deter violations. Judicial and administrative procedures were not subject to lengthy delays or appeals.

The government respected freedom of association and the right to bargain collectively.

### **b. Prohibition of Forced or Compulsory Labor**

While the law prohibits all forms of forced or compulsory labor, and the government generally enforced the law, forced labor occurred and was most prevalent in the metal and wood industry, construction, hospitality, and transport sectors. Resources, inspections, and remediation efforts were adequate. Penalties for violations were sufficiently stringent to deter violations.

There were reports men, women, and children were subjected to forced labor in the construction sector and forced begging. A report commissioned by the government found minors and migrant workers were particularly vulnerable to forced labor or trafficking conditions and that fraudulent employment and recruitment of migrant workers occurred.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The minimum legal age of employment is 15. The law limits hours, mandates rest periods, prohibits working in hazardous locations, and specifies adult supervision for workers younger than age 18. While no specific occupations are restricted, hazardous work locations (specified by the law) include those that are underground and underwater and those involving harmful exposure to radiation, toxic or carcinogenic agents, extreme cold, heat, noise, or vibrations. Penalties for labor law violations related to child labor violations range from a fine to one year in prison and were sufficient to deter violations. The government generally enforced child labor and minimum age laws effectively. Nevertheless, children younger than age 15 in rural areas often worked during the harvest season and performed farm chores. Some children were also subjected to sex trafficking and trafficking for forced labor, including forced begging.

#### **d. Discrimination with Respect to Employment and Occupation**

The law establishes a general framework for equal treatment and prohibits discrimination with respect to employment or occupation based on race or ethnic origin, sex, color, religion, age, citizenship, disability, or sexual orientation. The law specifically prohibits discrimination based on language or HIV-positive status. The government effectively enforced these laws. Penalties for violations range widely, depending on the type and size of the employing organization, and were sufficient to deter violations. Women's earnings were 68 percent those of men; in comparable positions women's earnings were 97 percent those of men.

There were few formal complaints of discrimination, although there were some reports of employment discrimination based on gender, age, and nationality. In certain sectors, foreign workers are required to remain employed with their initial employer for a minimum of one year. Some employers lobbied to change this to a minimum of five years, which local NGOs criticized as enabling labor exploitation through lower salaries, poor living conditions, and longer working hours. Migrant workers enjoyed the same labor rights as citizens but faced discrimination. Many migrants worked in the hospitality sector or in physically demanding jobs. Some migrant workers were not aware of local labor laws regarding minimum wage, overtime, health care, and other benefits, a problem compounded by language barriers. An NGO contact estimated only 2 percent of Roma in the southeastern part of the country worked in the formal economy. Employment in informal sectors made Roma vulnerable to labor law violations, particularly in terms of benefits and procedures for termination of employment. Employment discrimination against Roma was not limited to a specific sector. The government

attempted to address issues experienced by Roma (see also section 6, National/Racial/Ethnic Minorities).

### **e. Acceptable Conditions of Work**

The national monthly gross minimum wage was 843 euros (\$970). The official poverty line is set at 636 euros (\$730) per month for single-member households. The Ministry of Labor, Family, Social Affairs, and Equal Opportunities monitors minimum wage compliance and has inspection authority. According to NGOs and advocacy groups, authorities enforced the laws effectively, except in some cases involving migrant workers and asylum seekers, who faced conditions of exploitation. Penalties for violations were sufficient to deter violations.

Collective agreements determined whether workers received premium pay for overtime. The law limits overtime to eight hours per week, 20 hours per month, and 170 hours per year. Special commissions under the Ministry of Health and the Ministry of Labor, Family, Social Affairs, and Equal Opportunities set occupational health and safety standards for workers that are appropriate for the main industries in the country. Workers may remove themselves from situations that endanger health or safety without jeopardy to their employment, and authorities effectively protected employees in this situation. Workers facing hazardous working conditions included professional divers, mountain rescuers, sailors, construction workers, and miners. Workers facing exploitative working conditions included those employed in construction, the transport sector, the wood industry, and exotic dancers.

The law requires employers to protect workers injured on the job. If incapacitated, such workers may perform other work corresponding to their abilities, obtain part-time work, and receive occupational rehabilitation and wage compensation.

The Ministry of Labor, Family, Social Affairs, and Equal Opportunities monitors labor practices and has inspection authority; police are responsible for investigating violations of the law. According to NGOs and advocacy groups, authorities enforced the laws effectively, except in some cases involving migrant workers and asylum seekers, who faced conditions of exploitation. The International Labor Organization's Committee of Experts on the Application of Conventions and Recommendations (CEACR) observed that conflicts between laws governing inspection could lead to uncertainty regarding whether inspectors have a right of access to work sites. The law requires employers to make social security payments for all workers. The Free Legal Aid Society reported that

employers of migrant workers usually did not deduct social security from paychecks, leaving those workers without a future pension or access to social services. The government employed 37 inspectors of labor contracts and 43 for occupational safety and health problems to cover more than 210,000 legal entities in the country. The CEACR and NGOs also observed there was an urgent need to increase the number of inspectors to keep up with the workload. Labor inspectors carried out labor contract and occupational safety and health inspections, found violations, and issued penalties. In both fields the majority of violations took place in the wood-processing industry, metal industry, construction, and bars and restaurants.

There were no major industrial accidents during the year in which workers were injured.