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USDOS – US Department of State

Country Report on Human Rights Practices 2017 - Slovenia

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). The country held parliamentary elections in 2014 and presidential elections on October 22, with a runoff election on November 12. 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.

The government continued to address extrajudicial killings and the uncovering of an estimated 581 mass graves from the period during and immediately after World War II. Some political and opinion leaders faulted the government for slow progress in identifying victims and clarifying the circumstances of the killings of those buried in the approximately 70 mass graves in the country.

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.

In a September 30 report on its March 28-April 4 visit to the country, the Council of Europe’s Committee for the Prevention of Torture (CPT) noted receiving a few isolated allegations of excessive use of force by police upon apprehension.

During the year 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.

Prison and Detention Center Conditions

Material conditions were generally acceptable, although there were some reports of inmate mistreatment, prisoner-on-prisoner violence, and overcrowding in some prisons. There were no significant reports regarding prison or detention center conditions that raised human rights concerns.

Physical Conditions: In its September 30 report, the CPT noted the official capacity was exceeded in a number of prisons throughout the country. At Maribor Prison, the CPT reported several isolated allegations of prisoners being slapped, punched, and kicked by prison officers. CPT observers assessed that rare instances of violence among inmates were almost always related to a black market in illicit substances, prescription drugs, and mobile telephones.

Independent monitoring organizations noted authorities confined many prisoners to their cells for long periods with limited opportunities for work or recreation, while space limitations in Dob Prison restricted work options for some inmates.

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, the media, and other independent international bodies, such as the CPT and the International Committee of the Red Cross, to monitor prison conditions. The

ombudsman’s office, together with numerous human rights groups and other NGOs, conducted visits to all prisons during the year. 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 his/her 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 Slovenian 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 Slovenian Intelligence and Security Agency. In June the newly established Government Office for the Care and Integration of Migrants began operations. Under the 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, engaged with NGOs and international organizations to provide services and resettlement options to migrants, 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.

Civilian authorities maintained effective control over the Slovenian Armed Forces, police, and the Slovenian 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. 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 its September 30 report, the CPT expressed concern that persons who were 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 they were appointed, they would meet the detainee only after police questioning, very briefly before the court hearing.”

Pretrial Detention: Although the law provides for the right to a trial without undue delay, NGO and advocacy groups reported court backlogs at times resulted in lengthy trial delays. Once authorities charge a suspect, pretrial detention may last up to four months, 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.

Detainee's Ability to Challenge Lawfulness of Detention before a Court: Persons arrested or detained, regardless of whether on criminal or other grounds, are entitled to challenge in court the legal basis or arbitrary nature of their detention and obtain prompt release and compensation if found to have been unlawfully detained.

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.

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

Some cases involving the restitution of property seized during World War II and the communist era remained unresolved. The World Jewish Restitution Organization (WJRO) continued to engage the government regarding a small number of outstanding claims.

The government has laws and mechanisms in place, but NGOs and advocacy groups reported the government did not make significant progress on resolution of Holocaust-era claims, including for former citizens who were required to renounce Yugoslavian citizenship as a condition for emigrating. The Denationalization Act requires claimants to have Slovenian citizenship and excludes property confiscated before 1945, which is another factor complicating the resolution of Holocaust-era claims. NGOs and advocacy groups expressed concern the government took a restrictive view of the scope and definition of research that would inform the subsequent restitution process for heirless properties, a position at odds with that of the WJRO.

In addition, some remaining non-Jewish confiscated properties appeared to be untouchable because the parties occupying the sites were politically influential and thwarted attempts to reach 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 country’s Supreme Court rejected the family’s claim in 2015, the litigants appealed to the Constitutional Court, and the case remained open.

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, including incitement to intolerance as well as violence. The penalty for hate speech is two years’ imprisonment. Although there were several highly publicized instances of possible hate speech online (e.g., Holocaust denial), there were no reported prosecutions of hate speech during the year and no evidence authorities levied fines. During an April interview on the Nova24 news program *Sreda v Sredo*, Bernard Brscic, who served as state secretary for a former prime minister, described Europe’s 2015-16 immigration crisis as an “invasion of Muslim and Negro hordes” and referred to the “so-called” Holocaust as “a perfidious way for the Jews to create collective guilt...and establish a multicultural dystopia.” The country’s print, broadcast, and online media reported widely on and criticized Brscic’s comments, and the director of the Slovenian Jewish Cultural Center threatened to press charges under the country’s Holocaust denial law. The local prosecutor’s office investigated Brscic’s comments and determined he was expressing an opinion on whether contemporary Germans bore responsibility for the Holocaust and did not deny the Holocaust itself. In July the general state prosecutor ordered an internal investigation, which remained in progress, as to why the local prosecutor’s office dropped the case against Brscic.

Press and Media Freedom: The print and broadcast media and publishers of books and online newspapers and journals are subject to the laws that prohibit hate speech, defamation, and libel.

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 in order to maintain steady employment. Local media, some of which received funding at the municipality level, sometimes reflected the outlook of local political or business leaders.

Journalists and media representatives stated that existing media legislation does not address the problem of excessive concentration of ownership in the media, which limited the diversity of views expressed. Journalist associations also stated that the prevailing interpretation of media regulations narrowed the right to access information in the public interest.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority. According to data from the International Telecommunication Union, 76 percent of individuals in the country used the internet in 2016, the most recent year for which data were available.

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 (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, stateless persons, and other persons of concern. UNHCR closed its Ljubljana office in June and began covering refugee and asylum problems in the country from its office in Budapest.

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 believed to be living abroad with no intention of returning to the country.

Protection of Refugees

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

In March 2016 the country reinstated the Schengen zone border control rules on its border with Croatia, effectively closing the “Balkan route” and stemming the mass migration flow (including via government-sponsored trains) from Croatia to Austria. The only individuals allowed to enter the country were foreigners who fulfilled conditions for entry (such as having a visa or coming from a visa-waiver country), persons who expressed an intention to file an application for international protection in the country, and individuals who were allowed entry on humanitarian grounds as provided in the Schengen Border Code.

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 of the person’s first entry into the EU, although, pursuant to a decision by the ECHR, the government did not return asylum seekers to Greece.

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 Syrians from Turkey. The government provided housing and sufficient resources to meet refugees’ basic needs.

Migrants relocated from Turkey and other countries who were accepted for resettlement received the same integration services as refugees as well as a three-month orientation program to familiarize them with Slovenia. The Ministry of Interior and police provided voluntary repatriation to those who wished to return to their countries of origin.

Temporary Protection: The government also provided temporary protection to individuals who may not qualify as refugees and, as of October 31, had provided such protection to 24 individuals. “Subsidiary protection” applies to third-country nationals or stateless persons who do not qualify for refugee status but cannot return to their countries of origin. The Ministry of Interior did not maintain separate statistics for

refugees and those who qualified for subsidiary protection. During the year to the end of November, the Government Office for Support and Integration of Migrants accepted and housed 1,036 applicants for international protection status. As of late November, there were 438 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: The country held a presidential election on October 22, followed by a November 12 runoff. In the 2014 parliamentary elections, the Party of Miro Cerar (subsequently known as the Modern Center Party) won a plurality of votes, leading to the party leader being named prime minister. The country held presidential elections on October 22, and, on November 12, incumbent president Borut Pahor defeated his runoff opponent to win a second five-year term. Observers considered both the presidential elections and the 2014 parliamentary 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 women and minorities did participate. Five of the nine candidates in the October 22 presidential election were women, and the cabinet included eight women ministers. No members of minority groups were candidates for president or served in the cabinet. The constitution guarantees that the National Assembly always includes 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. The public widely viewed official corruption to be a problem. Although the criminal justice system continued its efforts to investigate, prosecute, and adjudicate high-level corruption cases, the law lacked proper enforcement mechanisms, and the criminal justice system lacked adequate resources. In one instance, the National Assembly issued an interim report following a parliamentary inquiry into corruption in the country's health-care system and referred the matter to law enforcement for further investigation. The inquiry accused Simon Vrhunec and Gregor Pivec, the heads of the Ljubljana and Maribor hospitals, respectively, and other health-care executives of abuse of office, receiving bribes, official misconduct, and fraud in the handling of public funds in the procurement of stents for hospitals.

Corruption: The Commission for the Prevention of Corruption (CPC) focused on the fight against systemic corruption as well as preventive anticorruption measures. In 2016 the Organization for Economic Cooperation and Development Working Group on Bribery noted concerns about the CPC and stressed the commission’s need for independence, adequate funding, and human resources. On September 12, one of the CPC’s deputy presidents resigned due to commission infighting. In her resignation letter, she called for a shakeup of the CPC’s leadership and staff, an external audit, and a more efficient legislative and systemic framework for the commission’s work.

Financial Disclosure: The highest-level officials in the government, the parliament, and the judiciary, or approximately 5,000 of the country’s 80,000 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 can become part of the public record in other procedures (i.e., criminal, tax cases, etc.). 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. In 2016 the government established its first independent equal opportunities ombudsman, whose role was to raise awareness and help prevent all types of discrimination. This ombudsman began operations in January, but the office reported 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 carrying a penalty from six months’ to eight years’ imprisonment. The penalty for rape is one to 10 years in prison. Police actively

investigated accusations of rape and prosecuted offenders. There were 29 reported rapes, one attempted rape, and 23 other reported acts of sexual violence in the first eight months of the year.

The law provides from six months’ to 10 years’ imprisonment for aggravated and grievous bodily harm. When police received reports of spousal abuse or violence, they generally intervened and prosecuted offenders.

There was a network of maternity homes, safe houses, and shelters for women and children who were victims of violence. The total capacity of this network was 450 beds. The police academy offered annual training on domestic violence.

Sexual Harassment: Sexual harassment is a criminal offense carrying a penalty 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, involuntary sterilization, or other coercive population control methods. Estimates on maternal mortality and contraceptive prevalence are available at: www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/ (<http://www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/>).

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

Children

Birth Registration: Citizenship is derived from the parents with certain limitations. A child is granted citizenship at birth, provided that, at the time of birth, the child’s mother and father were citizens, 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 also 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: In the first eight months of the year, according to law enforcement authorities, there were 900 cases of domestic violence and 369 cases of parental negligence and child abuse.

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

Early and Forced Marriage: The minimum age for marriage is 18. Centers for social service can approve marriage of a person under the age of 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. The law sets the minimum age of consent for sexual relations at 15. The government generally enforced the law.

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

As of mid-September, authorities had received reports of 99 criminal acts of sexual abuse of a child under the age of 15 and investigated 76 cases of child sexual exploitation involving pornographic photographs and videos disseminated on the Internet, compared with 77 such investigations in all of 2016. As of mid-September, authorities arrested 87 individuals on charges of internet child abuse or possession and distribution of pornographic images of children, compared with 71 arrests in all of 2016.

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 travel.state.gov/content/childabduction/en/legal/compliance.html (<https://travel.state.gov/content/childabduction/en/legal/compliance.html>).

Anti-Semitism

There were approximately 300 Jews in the country. Jewish community representatives reported some prejudice, ignorance, and false stereotypes of Jews propagated within society, largely through public discourse. There were no reports of anti-Semitic violence or overt discrimination.

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 government generally enforced these provisions. 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 buildings, information, and communications.

National/Racial/Ethnic Minorities

Three officially recognized ethnic minorities live in the country: Roma (estimated at 7,000 to 12,000), Hungarians (approximately 8,000), and Italians (population approximately 4,000).

Discrimination against socially marginalized Roma persisted in some parts of the country. Organizations monitoring conditions in the Romani community noted that Roma continued to face 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. Under the 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.

Organizations monitoring conditions in the Romani community and officials employed in schools with large Romani student populations unofficially reported high illiteracy rates among Roma remained a problem. While education for children is compulsory through grade nine, school attendance and completion rates by Romani children remained low.

Although segregated classrooms are illegal, a number of Roma reported to NGOs that their children attended segregated classes and that school authorities selected them disproportionately to attend classes for students with special needs.

NGOs and community group representatives reported some prejudice, ignorance, and false stereotypes of Roma persisted within society, propagated largely through public discourse.

The government continued to implement a project to provide drinking water (via cisterns) to three Romani settlements, providing a temporary solution to a systemic problem. A government-established commission to safeguard Roma continued to function. The commission included representatives from the Romani community, municipalities, and the government.

In June the Ministry of Labor, Family, Social Affairs, and Equal Opportunities announced a public tender of 1.68 million euros (two million dollars) to establish multipurpose Roma Centers to strengthen the socioeconomic status of Romani community members.

Representatives of the Romani community participated in a program, which improved communication between police and individual Roma.

The government supported a project that trained 12 Romani health coordinators and undertook to cofinance health-care programs for Romani women, children, and youth.

The government supported a financial literacy project, funding 26 Romani educators to work with teachers and parents. According to the ministry, these educators had a positive effect on helping Romani children stay in school.

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

While the law prohibits discrimination based on sexual orientation, societal discrimination was widespread.

The law considers crimes against LGBTI persons to be hate crimes and prohibits incitement to hatred based on sexual orientation. An NGO focused on LGBTI rights reported that 49 percent of LGBTI individuals had experienced violence or discrimination based on their sexual orientation at least once, and approximately 44 percent experienced violence or bullying in schools. 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 gender changes, 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.

By law same-sex couples are eligible to receive social benefits, such as unemployment insurance and survivor pensions, through their partners and the right to paid leave in the event of the partner's death.

On January 1, the government formally established an independent Office of the Advocate of the Principle of Equality, replacing the previous office in the Ministry of Labor, Family, Social Affairs, and Equal Opportunity. The office reported its effectiveness was limited, however, due to insufficient resources and staffing problems.

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.

The law requires unionization of at least 10 percent of workers in a sector before the sector can 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 and employers generally 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, and catering. Resources, inspections, and remediation efforts were adequate. Penalties for violations were sufficiently stringent to deter violations.

There were reports women and children were subjected to sex trafficking and that men, women, and children were subjected to forced labor in the construction sector and in 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 age for employment is 15. The law limits hours, mandates rest periods, prohibits working in hazardous locations, and specifies adult supervision for workers under 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 on the basis of race or ethnic origin, sex, color, religion, age, citizenship, disability, or sexual orientation. The government effectively enforced these laws. Women's earnings were 68 percent those of men; in comparable positions women's earnings were 97 percent those of men. The law specifically prohibits discrimination based on language or HIV-positive status.

There were few formal complaints of discrimination, although there were some reports of employment discrimination based on gender, age, and with respect to migrant workers. Some discrimination occurred against Roma, and there were cases of employers not meeting the standards set by the labor laws regarding benefits and procedures for termination of employment. Penalties for violation range widely, depending on the type and size of the employing organization, and were sufficient to deter violations. Employment discrimination against Roma was not limited to a specific sector. The government was attempting 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 805 euros (\$966). The official poverty line is set at 616 euros (\$739) 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, who faced conditions of exploitation.

The law limits the workweek to 40 hours and provides for minimum annual leave of 20 days and a mandatory rest period of at least one day per week. 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. 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 wood industry, and as exotic dancers.

The law requires employers to protect workers disabled on the job. If incapacitated, such workers can 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, 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 about 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 continued to report 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. 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. Penalties for violations were sufficient to deter violations.

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

ecoi.net summary:

Annual report on human rights in 2017



Country:

Slovenia

Source:

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