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U.S. Department of State

Slovenia Country Report on Human Rights Practices for 1996

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SLOVENIA

Slovenia is a parliamentary democracy and constitutional republic which declared its independence from the Socialist Federal Republic of Yugoslavia in 1991. Power is shared between a directly elected President, a Prime Minister, and a bicameral legislature. The third multiparty general elections since independence held in November represent a further consolidation of a vigorous, open, and democratic system. Constitutional provisions for an independent judiciary are respected by the Government in practice.

The police are under the effective civilian control of the Ministry of the Interior. By law, the armed forces do not exercise civil police functions.

The country has made steady progress toward developing a market economy. Privatization continues, and trade has been reoriented to the West. Manufacturing accounts for most employment; machinery and other manufactured products are the major exports. Unemployment remained a concern. Inflation continued to decline; real growth slowed to 3.5 percent in 1995 and was expected to decline to 3 percent in 1996. The currency is stable, fully convertible, and backed by substantial reserves. The economy provides citizens with a good standard of living.

The Government fully respected the human rights of its citizens, and the law and judiciary provide adequate means of dealing with individual instances of abuse. An Ombudsman deals with human rights problems, including citizenship cases. About 12 percent of the population is composed of minorities, most of whom are nationals of the former Yugoslavia. The Hungarian and Italian ethnic communities (under 1 percent) enjoy constitutionally provided representation in the National Assembly. Minorities are generally treated fairly in practice.

RESPECT FOR HUMAN RIGHTS

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

a. Political and Other Extrajudicial Killing

There were no reports of political or other extrajudicial killings.

b. Disappearance

There were no reports of politically motivated disappearances.

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

The Constitution prohibits torture and inhuman treatment as well as "humiliating punishment or

treatment," and there were no reports of such treatment.

Prison conditions meet minimum international standards and were not the subject of complaint by any human rights organization.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest, deprivation of liberty, and the use of exile. The detaining authority must advise the detainee in writing within 24 hours, in his own language, of the reasons for his arrest. The law also provides safeguards against self-incrimination.

The Constitution also spells out the rights of detainees and limits on the Government's power to hold them (3 months maximum, with right of appeal). These rights and limitations are fully respected in practice.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the Government respects this provision in practice.

The judicial system comprises local and district courts, with the Supreme Court as the highest court. Judges, elected by the State Assembly (parliament) on the nomination of the Judicial Council, are constitutionally independent and serve indefinitely, subject to an age limit. The Judicial Council is composed of six sitting judges elected by their peers and five presidential nominees elected by the State Assembly. The nine-member Constitutional Court rules on the constitutionality of legislation.

The Constitution provides in great detail for the right to a fair trial, including provisions for: Equality before the law, presumption of innocence, due process, open court proceedings, guarantees of appeal, and a prohibition against double jeopardy. These rights are respected in practice, although the judicial system is so burdened that justice is frequently a protracted process.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution provides protection for privacy, "personal data rights," and the inviolability of the home, mail, and other means of communication. These rights and protections are respected in practice.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of thought, speech, public association, the press, and other forms of public communication and expression. Lingering self-censorship and some indirect political pressures continue to influence the media.

The press is now a vigorous institution emerging from its more restricted past. The media span the political spectrum. The major media do not represent a broad range of ethnic interests, although there is an Italian-language television channel as well as a newspaper available to the ethnic Italian minority who live on the Adriatic Coast. Hungarian radio programming is common in the northeast where there are about 10,000 ethnic Hungarians. Bosnian refugees and the Albanian community

have newsletters in their own languages.

Six major daily and several weekly newspapers are published. The major print media are supported through private investment and advertising, although the national broadcaster, RTV Slovenia, enjoys government subsidies, as do cultural publications and book publishing. There are five television channels, two of them independent private stations. Numerous foreign broadcasts are available via satellite and cable. All major towns have radio stations and cable television. Numerous business and academic journals and publications are available. Foreign newspapers, magazines, and journals are widely available.

In theory and practice, the media enjoy full freedom in their journalistic pursuits. However, for over 40 years Slovenia was ruled by an authoritarian Communist political system, and reporting about domestic politics may be influenced to some degree by self-censorship and indirect political pressures.

In December a journalist from the Maribor daily, *Vecer*, came under direct pressure from the Government when the Defense Ministry accused him of revealing state secrets as a result of his reporting on ministry procurement practices. The Interior Ministry searched his home and confiscated documents. While these measures were undertaken with strict observance of the law, they may have a chilling effect on press coverage of sensitive government issues.

The election law requires the media to offer free space and time to political parties at election time. During the recent general election, television stations offered viewers a host of public-interest and debate programs featuring party figures and opinion-makers from the entire political spectrum.

The Constitution provides for autonomy and freedom for universities and other institutions of higher education. There are two universities, each with numerous affiliated research and study institutions. Academic freedom is respected, and centers of higher education are lively and intellectually stimulating.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for the rights of peaceful assembly, association, and participation in public meetings, and the Government respects these rights in practice. These rights can be restricted only in circumstances involving national security, public safety, or protection against infectious diseases, and then only by act of the National Assembly.

c. Freedom of Religion

The Constitution explicitly provides for the unfettered profession of religious and other beliefs in private and in public, and the Government respects these rights in practice. No person can be compelled to admit his religious or other beliefs. There is no state religion. About 70 percent of the population adheres to the Roman Catholic faith, and 2.5 percent to the Orthodox. There are also Protestant congregations, especially in the eastern part of the country. Clergy, missionaries--some from abroad--churches, and religious groups operate without hindrance.

The appropriate role for religious instruction in the schools continues to be an issue of debate. The Constitution states that parents are entitled "to give their children a moral and religious upbringing...." Before 1945 religion was much more prominent in the schools, but now only those schools supported by religious bodies teach religion.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides that each person has the right to freedom of movement, to choice of place of residence, to leave the country freely, and to return. Limitations on these rights may be made only by statute and only where necessary in criminal cases, to control infectious disease, or in wartime. In practice, citizens travel widely and often.

The Constitution provides for a right of political asylum for foreigners and stateless persons "who are persecuted for their stand on human rights and fundamental freedoms." The Government cooperates with the office of the United Nations High Commissioner for Refugees and other humanitarian organization in assisting refugees. It also provides first asylum and extended it to approximately 2,500 refugees (primarily from Bosnia) in 1996. There were no reports of forced expulsion of those having a valid claim to refugee status. Since 1991 Slovenia has taken in refugees from the fighting in Croatia and especially Bosnia-Herzegovina, and has dealt with them humanely. There are some 16,000 in the country, about 10,500 of them registered.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens have the right to change their government, voting by secret ballot on the basis of universal suffrage. Of the 31 parties legally registered, 23 contested seats in the National Assembly in the November elections, which were conducted peacefully, without allegations of fraud. Slovenia has a mixed parliamentary and presidential system. The President proposes a candidate to the legislature for confirmation as Prime Minister, after consultations with the leaders of the political parties in the National Assembly.

The Constitution stipulates that the Italian and Hungarian ethnic communities are each entitled to at least one representative in the Assembly, regardless of their population.

There are no restrictions on the participation of women or minorities in politics. The Prime Minister's office has an active agency for monitoring and promoting participation by women in public life.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Independent human rights monitoring groups promote respect for human rights and freedoms and freely investigate complaints about violations. The Government places no obstacles in the way of investigations by international or local human rights groups. The United Nations Human Rights Commission (UNHRC) in 1994 deleted Slovenia from the group of Yugoslav successor states monitored by the UNHRC for human rights abuses.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution provides for equality before the law, and that is observed in practice. The population (excluding refugees) is approximately 2 million, of which 1,727,018 are Slovenes and the remainder persons of 23 other nationalities. There are 54,212 Croats, 47,911 Serbs, 26,842 Muslims, 8,503 Hungarians, and 3,064 Italians.

The Constitution provides special rights for the "autochthonous Italian and Hungarian ethnic communities", including the right to use their own national symbols, enjoy bilingual education, and other privileges. It also provides for special status and rights for the small Romani communities, which are observed in practice.

Women

In general, the level of personal crime and violence is relatively low. The problem of spousal abuse and violence against women exists, and police are not reluctant to intervene in such cases. Crimes of abuse against women are dealt with in accordance with the Penal Code; there is no special legislation on crimes against women.

Equal rights for women are a matter of state policy. There is no official discrimination against women or minorities in housing, jobs, education, or other walks of life. Marriage, under the Constitution, is based on the equality of both spouses. The Constitution stipulates that the State shall protect the family, motherhood, and fatherhood.

In rural areas, women, even those employed outside the home, bear a disproportionate share of household work and family care because of a generally conservative social tradition. However, women are frequently encountered in business and in government executive departments.

Equal pay for equal work for men and women is the norm. Slovenia has gradually but steadily increased employment, although the unemployment rate is 13 percent. In such conditions, men and women both suffer from the loss of work. Both sexes have the same average period of unemployment. Women, however, still are found more often in lower paying jobs.

Children

The Constitution stipulates that children "enjoy human rights and fundamental freedoms consistent with their age and level of maturity." Moreover, they are guaranteed special protection from exploitation and maltreatment.

The Government demonstrates its commitment to children's welfare through its system of public education and health care. There is no societal pattern of abuse against children.

People with Disabilities

The disabled are not discriminated against, and the Government has taken steps to facilitate access to social and economic opportunities. In practice, modifications of public private structures to ease access by the handicapped continue slowly but steadily.

Section 6 Worker Rights

a. The Right of Association

The Constitution stipulates that trade unions, their operation, and their membership shall be free, and provides for the right to strike. Virtually all workers, except for the police and military, are eligible to form and join labor organizations. In 1993 the National Assembly for the first time passed legislation restricting strikes by some public sector employees. However, in the wake of government budget-cutting, some public sector professionals (judges, doctors, and educators) have become increasingly active on the labor front.

Labor has two main groupings, with constituent branches throughout the country. A third, much smaller, regional labor union operates on the Adriatic coast. Unions are formally and actually independent of Government and political parties, but individual union members hold positions in the legislature. The Constitution provides that the State shall be responsible for "the creation of opportunities for employment and for work."

There are no restrictions on joining or forming federations and affiliating with like-minded

international union organizations.

b. The Right to Organize and Bargain Collectively

The economy is in transition from the former Communist system, which included some private ownership of enterprises along with state-controlled and "socially-owned" enterprises. In the transition to a fully market-based economy, the collective bargaining process is undergoing change. Formerly, the old Yugoslav Government had a dominant role in setting the minimum wage and conditions of work. The Government still exercises this role, to an extent, although in the private sector wages and working conditions are agreed annually in a general collective agreement between the "social partners," the labor unions and the Chamber of Economy. There are no reports of antiunion discrimination.

Export processing zones have been established in Koper, Maribor, and Nova Gorica. Worker rights are the same in these zones as in the rest of the country.

c. Prohibition of Forced or Compulsory Labor

There is no forced labor.

d. Minimum Age for Employment of Children

The minimum age for employment is 16 years. Children must remain in school until age 15. During the harvest or for other farm work, younger children do work. In general, urban employers respect the age limits.

e. Acceptable Conditions of Work

The minimum wage is approximately \$408 (Sit 55,061) per month, which provides a decent standard of living for a worker and family. The workweek is 40 hours. In general, businesses provide acceptable conditions of work for their employees. Occupational health and safety standards are set and enforced by special commissions controlled by the Ministries of Health and Labor. Workers have the right to remove themselves from unsafe conditions without jeopardizing their continued employment.

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