

SLOVENIA 2019 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). In June 2018 the country held parliamentary elections. Observers considered the elections free and fair.

The national police maintain internal security. The army is responsible for external security but also has some domestic security responsibilities. Police report to the Ministry of Interior and the army reports to the Ministry of Defense. Civilian authorities maintained effective control over the security forces.

Significant human rights issues included societal violence targeting lesbian, gay, bisexual, transgender, or intersex persons.

The government took steps to investigate, prosecute, and punish officials who committed abuses, whether in the security services or elsewhere in the government, and there were no cases of impunity involving security forces during the year.

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 no reports that government officials employed them.

The human rights ombudsman 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 previous years.

Prison and Detention Center Conditions

Physical conditions were generally acceptable and have recently improved, according to the human rights ombudsman. There were some reports of inmate mistreatment, prisoner-on-prisoner violence, and overcrowding in prisons. Local NGOs stated the government-run asylum center and other intake facilities housing asylum seekers were often overcrowded.

Physical Conditions: Local NGOs reported prison overcrowding remained an issue, and a report published in April by the Council of Europe noted prisons were slightly overcrowded. Although the government hired some additional prison staff, NGOs stated prisons continued to lack 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. Local NGOs assessed elderly, disabled, and sick prisoners were especially vulnerable and required additional care and services.

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 and the Council of Europe's Committee for the Prevention of Torture (CPT), to monitor prison conditions. The human rights ombudsman, 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 his or her detention in court, and the government generally observed these requirements.

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 CPT 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." Such practices were common for persons facing minor offenses, but indigent defendants facing serious criminal charges generally had access to an attorney throughout legal proceedings provided at public expense.

Pretrial Detention: Once authorities charge a suspect, the law provides for up to six months' pretrial detention, depending on the severity of the alleged crime. An investigative judge must certify the charges. After the indictment, 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, to be present at their trial, 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. Compared with recent years, the government made progress in reducing court backlogs. A report published in April by the European Commission noted efficiency of the judiciary and the average processing time of cases remained an issue. A report published in September by the Fraser Institute noted judicial independence and impartiality of the courts worsened from 2016 to 2017.

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 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. Some cases involving the restitution of property seized during the communist era (especially from 1946 to 1958) remained unresolved.

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. 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 2018 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. Research teams commenced the project in September 2018.

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.

In October the Ljubljana Higher Court ordered the state-operated Farmland and Forest Fund to pay approximately 21 million euros (\$23.1 million) to the Ljubljana Archdiocese over protracted denationalization procedures for land the Yugoslav communist regime confiscated following World War II. At year's end the Farmland and Forest Fund had paid the 21-million-euro (\$23.1 million) award to the archdiocese.

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 the 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, typically requiring violence to occur for the prosecution of such incitement.

The Supreme Court set a legal precedent in August in a case of alleged incitement to hatred, violence, and intolerance against Roma. The court ruled that in cases in which an act is committed by means of a threat, abusive language, or insult, with other legal indications of a crime, it does not necessarily need to jeopardize public order and peace to be treated as a crime.

The penal code also prohibits the expression of ideas of racial superiority and denial of the Holocaust.

In October the Union of European Football Associations imposed a 50,000-euro (\$55,000) fine on the Slovenian soccer club Olimpija Ljubljana for alleged racial abuse. During a soccer match in August, Olimpija Ljubljana supporters shouted racial insults at a Beninese national who played on the opposing team. 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. In 2018, *Spletno oko* received a slight increase in potential cases of online hate speech compared to 2017.

Press and Media, Including Online Media: 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.

Courts adjudicated several defamation cases during the year involving offensive comments made about journalists by prominent politicians. In one case, a former mayor was found guilty of targeting a reporter with “extremely sarcastic and demeaning statements...intended to silence her as a journalist” and given a suspended sentence after having been fined in a related criminal suit.

A prior case brought by the same journalist against the leader of a major political party for labeling her a “prostitute” in a 2016 tweet also resulted in a suspended sentence; a retrial ordered by a higher court was pending as of December.

Violence and Harassment: In August 2018 an individual attempted to drive over the camera operator of a crew of the national broadcaster TV Slovenia in Nova Gorica. The assailant did not injure anyone in the attempted attack. The perpetrator fled to Italy, where police arrested him several days later. During a court hearing, the assailant commented he was not opposed to media, but wanted to be left alone. In November local courts sentenced the assailant to a six-month suspended sentence with two years of probation.

Censorship or Content Restrictions: Two high-profile incidents involving attempts by governments in neighboring states to assert pressure on the Slovenian press made headlines and resulted in strong official pushback and public outrage. The first involved a diplomatic note from the Hungarian embassy protesting a cartoon on the cover of a prominent Slovenian political magazine depicting Hungarian Prime Minister Viktor Orban giving a Nazi salute. The second incident involved allegations the Croatian government tried to discourage a commercial television station from reporting on the rumored involvement of Croatian intelligence in a 2015 wiretap scandal related to Permanent Court of Arbitration proceedings on a Slovenia-Croatia border dispute. In both cases the government strongly condemned foreign interference in the local press and asserted that any pressure on media outlets was contrary to fundamental principles of democracy.

While instances of overt political pressure on the press remained isolated, 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 media, which could limit the diversity of views expressed. The announced merger in July of the country's second and third largest daily newspapers (*Dnevnik* and *Vecer*) reflected a broader trend toward consolidation in a saturated and highly competitive media market. Most observers expected minimal immediate impact on media diversity as a result of the merger, given the newspapers' similar editorial stance.

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.

Academic Freedom and Cultural Events

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

b. Freedoms 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.

Local courts lifted a ban imposed in 2017 on a concert by Croatian musician Marko Perkovic. In 2017 authorities cancelled the concert at the request of local police, who assessed the concert could result in violence, hate speech, or other criminal acts. Media outlets reported that Perkovic had previously been accused of expressing extremist nationalist views.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://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.

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 the country. 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.

e. Internally Displaced Persons

Not applicable.

f. Protection of Refugees

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.

NGOs alleged that border authorities continued to reject without due process most individuals seeking asylum and send them back to Croatia. NGOs reported that asylum seekers returned to Croatia have no legal remedies to challenge Slovenian border police decisions.

The Government Office for the Care and Integration of Migrants 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 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.

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.

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. Pursuant to a decision by the ECHR, however, 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. Local NGOs reported asylum seekers in prereception intake facilities faced detention periods of up to two weeks while authorities processed their initial asylum requests.

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 problem.

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 non-EU countries. The government also agreed to resettle 40 Syrian refugees from Turkey. As of December the country had resettled 34 individuals from Turkey. Individuals accepted for resettlement received the same integration services as refugees as well as a three-month orientation program to familiarize themselves with the country.

Of the 567 refugees the country agreed to accept in 2016, 253 lived in the country. In this group, 244 acquired refugee status. In 2018 the government announced it 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.

In January the government approved a plan to accept five asylum seekers who arrived in Malta after having been rescued in the Mediterranean Sea. As of December the country had accepted two of the five asylum seekers.

Individuals granted refugee status are eligible for naturalization once they have fulfilled the necessary legal conditions.

Temporary Protection: The government also provided temporary protection (subsidiary 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.

g. Stateless Persons

Not applicable.

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: In June 2018 the country held parliamentary elections in which the Slovenian Democratic Party won the plurality of votes. The List of Marjan Sarec won the second-largest share of votes and formed a five-party coalition that assumed office in September 2018. 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 included 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 as 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 and a 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, urban planning, health care, and state-owned enterprises. Local NGOs urged the government to adopt measures to protect whistleblowers better.

Media reports alleged that the ruling party's secretary general pressured a supervisory-level official to hire a former member of the European Parliament to head the government's official publishing house. Following these media reports, the prime minister dismissed the secretary general, and the former European Parliament member withdrew his application.

On the initiative of the principal opposition party, the parliament in 2018 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 2018 authorities indicted 15 individuals for alleged involvement in a scheme whereby medical professionals received kickbacks from medical equipment suppliers for purchasing their products. The investigation remained pending.

Civil society groups and NGOs expressed frustration regarding what they described as the ineffectiveness of the Commission for the Prevention of Corruption (CPC). In its 2018 report, the National Assembly's parliamentary justice committee criticized the CPC for alleged inactivity. The CPC asserted that inadequate funding and ineffective legislation complicated its work to combat corruption.

Financial Disclosure: The highest-level officials in the government, the parliament, and the judiciary, representing 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 publicize cases in which these provisions were violated, but they 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.

Local NGO contacts reported increased pressure on NGOs that advocated for refugees and migrants. In May an opposition party president and parliamentarian filed a criminal report against the director of a local NGO, accusing the director of enabling migrants to enter the country illegally and instructing them how to act upon arrival. At a June parliamentary session, Interior Minister Bostjan Poklukar stated the director's actions were not criminal, and the relevant state prosecutor offices confirmed the assessment.

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 human rights ombudsman was effective, adequately resourced, reported to parliament annually on the human rights situation, and provided recommendations to the government. The Office of the Advocate of the Principle of Equality, established in 2017 to raise awareness and help 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 of men and women, 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 for rape is one to 10 years' imprisonment. Police generally investigated accusations of rape, and courts generally tried accused offenders. In January a local court sentenced an individual to 10 months in prison for criminal coercion for allegedly raping an intoxicated woman in 2015 while she was asleep. The penal code defines rape as a perpetrator coercing the victim into sexual intercourse by means of force or serious threats. Local NGOs criticized the sentencing as

excessively light and demanded the government change the penal code's definition of rape to the absence of consent.

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 mostly intervened and prosecuted offenders, but local NGOs reported victims of sexual violence often did not report crimes to police. Local NGOs assessed that police and courts did not effectively intervene in or prosecute cases of alleged domestic abuse.

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 of men and women 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 and prohibits official discrimination in matters such as employment, housing, inheritance, nationality, religious freedom, or access to education or health care. Despite legal provisions for equal pay, inequities persisted. Although women were well represented in parliament and in ministerial and deputy ministerial-level posts, as of December only 22 of the 212 mayors in the country were women.

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 the country, 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 52 cases of child abuse and 353 cases of negligence. The number of reported cases of child abuse was approximately on track with those reported in 2018, whereas the number of reported cases of negligence nearly doubled.

In October 2018 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 the facility recorded a video showing children between the ages of 11 months and four years subjected to force feeding and life-threatening ways to stop them 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 police. In January local courts charged the perpetrator with neglect and cruel treatment of 10 children. The suspect faced up to three years' imprisonment. The court case remained pending.

In October a local court sentenced a former kindergarten teacher to a one-year suspended sentence and three years' probation for three counts of violence against children and barred this individual from future professional work with children. The assailant allegedly abused the children while working as a teacher at the Hrvatini Kindergarten in Koper.

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 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 may approve marriage of a person younger than 18, with the approval of parents or legal guardians. Child marriage occurred in the Romani community, but it was not a widespread problem.

Sexual Exploitation of Children: The possession, sale, purchase, or propagation of child pornography is illegal. The penalty for conviction of violations ranged from six months to eight years in prison. The government enforced the law effectively. The law prohibits sexual violence and abuse of minors and soliciting minors for sexual purposes. Statutory rape carries a prison sentence of three to eight years in prison. The law sets the minimum age of consent for sexual relations at 15. The government generally enforced the law.

In March a local court penalized a general medical practitioner with an 18-month suspended sentence for abuse of power and violation of the sexual integrity of a minor for allegedly demanding a 16-year-old disrobe and touching the victim's breasts and genital areas during an examination for mononucleosis.

In 2018 the hotline *Spletno oko* (Web Eye) received a sharp increase of reports of potential online criminal acts related to the sexual abuse of children compared with 2017.

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/reported-cases.html>.

Anti-Semitism

There are an estimated 300 persons of Jewish descent in the country. There were no reports of anti-Semitic violence or overt discrimination.

In November a leading daily newspaper, *Delo*, published a cartoon on its front page depicting a caricature of an Orthodox Jew in recognizable Hasidic clothing. The caricature had stereotypical over-emphasized physical features and was attacking a beehive labelled "Gaza." Next to the caricature was the Star of David. A representative of the local Jewish community sent a letter of protest to the chief editor of *Delo*. The chief editor responded to the Jewish community representative with a written letter of apology, noting the cartoon contained elements that ran counter to the outlet's editorial policy.

In December 2018 unknown persons damaged a menorah that was displayed outside Ljubljana's Jewish Cultural Center to commemorate Hanukkah. The director of the Jewish Cultural Center did not report the incident to police.

In November 2018 police in Velenje arrested a juvenile for public incitement of hatred and intolerance for hanging 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.

High-level government officials regularly attended the International Day of Commemoration and Dignity of the Victims of the Crime of Genocide, Holocaust Remembrance Day, and other Jewish cultural activities and commemorations. The country is a member of the International Holocaust Remembrance Alliance (IHRA) and supports IHRA's Working Definition of Antisemitism.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities. The law mandates access to buildings and public transportation for persons with disabilities, but modification of public and private structures to improve access continued at a slow pace, and some public transportation stations and buildings--particularly older buildings--were not accessible, especially in rural areas. The law provides social welfare assistance and early-childhood, elementary, secondary, and vocational education programs for children with disabilities. Children with physical, sensory, intellectual, and mental disabilities are entitled to tailored educational programs with additional professional assistance and resources. Depending on their individual needs, some children attended school (through secondary school) with nondisabled peers, while others attended separate schools. 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 access to education, employment, health services, buildings, information, communications,

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

In April the government adopted a proposal to register Slovenian sign language as a constitutionally official language.

The electoral law requires all polling stations to be accessible to persons with disabilities, but the National Electoral Commission estimated that, as of the 2017 presidential election, only 56 percent of polling stations were accessible. In March a local NGO filed a suit at the Constitutional Court alleging the country's existing legislation did not provide for full access to persons with disabilities at polling stations. As of December the case remained pending. In the 2018 parliamentary elections, the National Electoral Commission used mobile ballot boxes to provide equal access to 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

Two national minorities and one ethnic minority--all of which are constitutionally recognized--live in the country: Roma (estimated at 7,000 to 12,000), Hungarians (approximately 8,000), and Italians (approximately 4,000). The approximately 500 to 2,000 ethnic Germans are not recognized as an official minority group, nor are the approximately 200,000 ethnic Albanians, Bosniaks, Croatians, Macedonians, Montenegrins, and Serbs.

Italian and Hungarian minority communities are each guaranteed one member of parliament to represent their community in the (90-member) National Assembly. Members of the Italian and Hungarian minority communities hold a "double voting right" whereby they elect a representative of their respective minority to the parliament, while also voting in the general parliamentary elections.

Romani minority communities are guaranteed one city council representative in each of the 20 municipalities in which Roma are considered indigenous (areas in which there is a sizeable Roma minority). Members of the Romani minority communities in each of these 20 municipalities hold a "double voting right" whereby they elect a representative of their minority to the municipal council, while also voting in the general municipal elections.

As unofficial minority groups, ethnic Germans, Albanians, Bosniaks, Croatians, Macedonians, Montenegrins, and Serbs do not enjoy the national or municipal

political representation held by the Italian, Hungarian, and Romani minorities, but they hold all civil rights and liberties afforded to Slovenian citizens.

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 other legal claims to land, such as legal tenants, may obtain public services and infrastructure, such as water, electricity, and sanitation (see also section 7, *Discrimination with Respect to Employment and Occupation*).

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. In 2018 Silvo Mesojedec, the head of Novo Mesto's Civil Initiative for Roma Issues, said fewer than 1 percent of inhabitants in Zabjak-Brezje (the country's largest illegal Romani settlement with approximately 700 inhabitants) had finished primary school, and local NGOs estimated fewer than 20 percent of Romani children in the southeastern region of Dolenjska completed primary school.

The Center for School and Outdoor Education continued its 2016-22 project on Romani education, financed by the Ministry of Education, Science and Sport and the European Social Fund. The project helped 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. A local NGO estimated that 30 to 40 percent of the students attending special needs schools and classes were Romani children, despite the fact that Roma comprise less than 1 percent of the total population.

In 2018 the government adopted the *National Program of Measures for Roma for 2017-21* to improve living conditions of the Romani community through 41

specific measures, including improving health-care access; reducing poverty; providing antidiscrimination training; and promoting education, employment, and social inclusion. The Office for National Minorities coordinated this program and monitored its implementation. Although the government consulted Romani community representatives in preparing the National Program, NGOs claimed it focused too much on project-based initiatives and did not adequately consider the Romani community's suggestions to address systemic issues, such as a lack of electricity, running water, sanitation, and access to transportation.

Local NGOs called on the government to adopt new measures to improve access to housing, education, and employment for Roma. The human rights ombudsman reported elderly Roma were among the most vulnerable individuals and needed additional care and support services. The average life expectancy of Roma is estimated to be 10 years lower than that of the rest of the population.

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 against the Romani community.

The German-speaking community called on the government to recognize the community as a minority officially in the constitution. The community called on the government to include German as a language of instruction in schools, recognize the minority language in radio and television programming, and provide additional funds to support German-speaking culture.

The ethnic Albanian, Bosniak, Croatian, Macedonian, Montenegrin, and Serbian communities called on the government to recognize their communities officially in the constitution. In July the government established the Government Council for Ethnic Communities of Members of Former Yugoslav Nations in Slovenia as a consultative body to address issues faced by such ethnic groups living in the country.

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 law enforcement authorities, recorded incidents, but they did not track the number of cases of violence against LGBTI persons. Local NGOs asserted that violence against LGBTI persons was prevalent but that victims often did not report such incidents to police.

In November unidentified assailants attacked a popular LGBTI nightclub in Ljubljana. Although no individuals were harmed, the perpetrators threatened personnel and caused several thousand euros of damage to the nightclub's interior before fleeing the scene as police arrived. Police were investigating the incident as a potential hate crime. Prime Minister Marjan Sarec condemned the attack as a "cowardly, pathetic act," while NGOs called for government action to counter what they observed to be a recent increase in crimes targeting the LGBTI community.

In October unidentified assailants assaulted a prominent LGBTI activist in Murska Sobota. The victim sustained serious injuries and reported the attackers yelled homophobic slurs during the assault. The victim reported the incident to police, and the case was under investigation.

Maribor, the country's second-largest city, held the country's first pride parade outside of Ljubljana in June. Following the Maribor Pride Parade, an unknown assailant allegedly threw a rock at a parade participant, who sustained mild injuries. The victim reported the incident to police, and the case was under investigation.

In November an employee working at a popular nightclub in Maribor allegedly yelled homophobic slurs at an LGBTI individual and violently removed the

individual from the nightclub. The victim sustained mild injuries and reported the incident to police. As of December, the case was under investigation.

Local NGOs assessed that transgender persons remained particularly vulnerable to societal discrimination and targeted violence. NGOs reported that in one case, a transgender individual alleged a doctor refused to provide medical services due to the individual's transgender status. As of December the case remained in administrative complaint procedures.

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

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 employees to refrain from organizing or to deunionize, particularly workers 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. Local NGOs assessed that although penalties for violations were sufficient, a shortage of labor inspectors impeded the government's ability to effectively prevent, monitor, and 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.

In August a military disciplinary panel found Gvido Novak, the head of the Trade Union of Soldiers (SVS), guilty of violating military discipline pertaining to Novak's public statements supporting a parliamentary ouster motion against the minister of defense. Between April 12 and May 7, Novak allegedly urged opposition parliamentarians to file a motion to remove the defense minister from office for misusing military intelligence in conjunction with the dismissal of the former commander of Forces Command, whom Novak represented legally in his capacity as head of the SVS. The disciplinary panel formally terminated Novak's employment, but such termination would not be implemented unless Novak committed another breach of discipline within 12 months. According to an armed forces press release, the disciplinary charges pertain to Novak's activities as a military officer and not his trade unionist activities. Local NGOs criticized the government's actions as inappropriate and harmful towards union leaders and members.

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. Local NGOs assessed that while penalties for violations were sufficient, a shortage of inspectors impeded the government's ability to effectively prevent and monitor violations.

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

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits the worst forms of child labor. 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 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 approximately 68 percent those of men, while in comparable positions, women's earnings were approximately 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. Local NGOs assessed this requirement enabled labor exploitation through lower salaries, poor living conditions, and longer working hours. Migrant workers enjoyed the same labor rights as citizens, but they 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.

In October the Office of the Advocate of the Principle of Equality filed a lawsuit against the Slovenian Association of Cycling Commissaries over alleged employment discrimination based on age. Association of Cycling Commissaries bylaws do not permit individuals older than age 70 to work, and the Association automatically dismissed one of its employees upon reaching 70 years of age. The Office of the Advocate of the Principle of Equality filed the lawsuit on behalf of the individual, and the case remained pending.

One NGO 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 problems experienced by Roma (see also section 6, National/Racial/Ethnic Minorities).

e. Acceptable Conditions of Work

The national monthly gross minimum wage exceeded the poverty line. The official poverty line is set at 662 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 generally 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.

The European Trade Union Confederation reported five cases of potential labor exploitation of Slovenian nationals temporarily working in other EU countries to the European Labor Authority. A local trade union confederation expressed concern that Slovenian authorities issued temporary work permits for its nationals to work in other EU countries based on false pretenses and without adequately monitoring the posted employees or checking for potential violations. The trade union confederation urged the government to adopt measures to prevent and combat such violations. Common examples of such exploitation included pay

discrepancies between local and posted Slovenian workers and companies neglecting to pay social security contributions or grant paid holidays and sick leave.

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 number of inspectors was insufficient to monitor potential labor contract, occupation safety, and health violations; the CEACR and NGOs reported 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, the metal industry, construction, and bars and restaurants.

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