

European Union Agency for Fundamental Rights, selection of relevant and recent passages from published reports related to Slovenia

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References to Slovenia marked with **bold**

Contents

Data Explorers and Tools	3
Violence against women survey data explorer	3
EU LGBT Survey data explorer	3
Indicators on the right to political participation of people with disabilities	3
Mapping victims' right and support in the EU	3
Mapping child protection systems in the EU	3
Annual Reports	4
Fundamental Rights Report 2018	4
1. Shifting perceptions: towards a rights-based approach to ageing	4
2. EU Charter of Fundamental Rights and its use by the Member States	4
3. Equality and non-discrimination.....	4
4. Racism, xenophobia and related intolerances	4
5. Roma integration.....	4
6. Asylum, visas, migration, borders and integration.....	5
7. Information society, privacy and data protection.....	5
8. Rights of the child	5
9. Access to justice including the rights of crime victims	5
10. Developments in the implementation of the Convention on the Rights of Persons with Disabilities	5
Fundamental Rights Report 2017	6
1. EU Charter of Fundamental Rights and its use by Member States	6
2. Equality and non-discrimination.....	6
3. Racism, xenophobia and related intolerance	7
4. Roma integration.....	7

5. Asylum, visas, migration, borders and integration.....	8
6. Information society, privacy and data protection.....	8
7. Rights of the child	8
8. Access to justice including rights of crime victims	8
9. Developments in the implementation of the Convention on the Rights of Persons with Disabilities	8
Fundamental Rights Report 2016	9
1. Asylum and migration into the EU in 2015.....	9
2. EU Charter of Fundamental Rights and its use by Member States.....	10
3. Equality and non-discrimination	10
4. Racism, xenophobia and related intolerance.....	11
5. Roma integration	11
6. Information society, privacy and data protection	11
7. Rights of the child.....	12
8. Access to justice including rights of crime victims.....	12
9. Developments in the implementation of the Convention on the Rights of Persons with Disabilities	12
Thematic Reports.....	12
Challenges facing civil society organisations working on human rights in the EU (January 2018).....	12
Second European Union Minorities and Discrimination Survey - Main results (December 2017).....	14
Together in the EU - Promoting the participation of migrants and their descendants (March 2017)	16
Rights of suspected and accused persons across the EU: translation, interpretation and information (November 2016)	17
Combating child poverty: an issue of fundamental rights (October 2018)	20
Hate crime recording and data collection practice across the EU (June 2018)	20

Data Explorers and Tools

Violence against women survey data explorer

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/survey-data-explorer-violence-against-women-survey>

EU LGBT Survey data explorer

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/survey-data-explorer-lgbt-survey-2012>

Indicators on the right to political participation of people with disabilities

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/comparative-data/political-participation>

Mapping victims' right and support in the EU

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/comparative-data/victims-support-services>

Mapping child protection systems in the EU

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/comparative-data/child-protection>

Annual Reports

Fundamental Rights Report 2018

<http://fra.europa.eu/en/publication/2018/fundamental-rights-report-2018>

1. Shifting perceptions: towards a rights-based approach to ageing

No mention of Slovenia here.

2. EU Charter of Fundamental Rights and its use by the Member States

No mention of Slovenia here.

3. Equality and non-discrimination

“Several EU Member States aligned the civil status of same-sex couples to that of married couples (Austria, Finland, Germany, Ireland, Malta), although sometimes with limitations regarding adoption or assisted procreation (**Slovenia**).” (p. 57)

“Civil unions became equivalent to marriage in **Slovenia** in February, including for same-sex couples, except as regards adoption and medically assisted procreation.” (p. 58)

4. Racism, xenophobia and related intolerances

No mention of Slovenia here.

5. Roma integration

“At policy level, the renewed National Traveller and Roma Inclusion Strategy in Ireland and the National Programme of Measures for Roma of the Government of the Republic of **Slovenia** highlight the fight against discrimination as a key priority.” (p. 101)

“**Slovenia** adopted a National Programme of Action for Roma for 2017–2021, to promote early childhood education and prioritise the strengthening of language skills through learning supports.” (p. 103)

“Furthermore, Hungary, Poland, Portugal, **Slovenia** and Spain implemented measures to provide learning support or financial support for young Roma in the form of scholarships, grants and apprenticeships.” (p. 103)

“Bulgaria, the Czech Republic, Hungary, Latvia, Romania and **Slovenia** continued, expanded or introduced programmes using Roma mediators and teaching assistants.” (p. 103)

“Some Member States developed policies aimed at sensitising and training teachers about ethnic or cultural minorities – for example, in Ireland, Lithuania, Portugal, Slovakia and **Slovenia**.” (p. 103)

“Other court decisions [concerning informal encampments] were more positive. For example, in **Slovenia**, an administrative court ruled that Roma should enjoy special protection in housing even when living in illegally constructed buildings, as enshrined in Article 8 of the European Convention on Human Rights. This judgment was also approved by the Constitutional Court.” (p. 107)

“Member States also adopted policy initiatives and measures to combat the exclusion of Roma from the national healthcare systems. In its new National Programme of Measures for Roma, **Slovenia** plans to carry out research and evaluation on any potential structural, institutional or individual barriers to accessing healthcare.” (p. 109)

“Some Member States developed policies to make healthcare systems more inclusive. Such measures target both the general population and Roma, and seek to promote the active engagement of Roma as both healthcare providers and receivers. For example, Hungary, Ireland, **Slovenia** and Sweden developed policies to provide diversity training for health-service providers, and Bulgaria developed programmes to train Roma medical professionals.” (p. 109)

“Several Member States opted to develop, monitor and evaluate qualitative indicators. [...] Similarly, in **Slovenia**, a network of coordinators has the task of evaluating the implementation of measures in the National Programme of Measures for Roma for 2017–2021.” (p. 110)

6. Asylum, visas, migration, borders and integration

No mention of Slovenia here.

7. Information society, privacy and data protection

No mention of Slovenia here.

8. Rights of the child

“The Revised European Social Charter, a treaty of the Council of Europe, provides for the right to housing, and addresses adequate standard of housing, reduction in homelessness and affordability of housing. However, only Finland, France, Greece, the Netherlands, Portugal, **Slovenia** and Sweden accepted the right to housing (Article 31) when ratifying the Revised European Social Charter.” (p. 180)

“The best interests of the child is an important element in decisions taken by the CJEU, [...]. It is also important in national case law. For example, in **Slovenia**, an administrative court rejected the Ministry of the Interior’s decision to return a Somali woman and her child to Italy, the Member State through which they entered the EU; it held that assessing the best interests of the child required the authority to make a more detailed and deliberate investigation of the conditions in the Member State to which it proposed to return them.” (p. 185)

9. Access to justice including the rights of crime victims

“A few Member States adopted new legislation to introduce collective redress mechanisms in line with the recommendation. In **Slovenia**, a new law that aims to implement the recommendation entered into force in 2017. The Class Action Act for the first time introduced a wide mechanism for collective action, the provisions of which by and large mirror the common principles of Recommendation 2013/396/EU.” (p. 205)

10. Developments in the implementation of the Convention on the Rights of Persons with Disabilities

“Reforms in 2017 demonstrate these challenges. Following a trend that has seen personal assistance more widely available in the EU, **Slovenia** adopted a law regulating personal assistance. The law targets persons aged between 18 and 65 years who require at least 30 hours of personal assistance per week, and will enter into force in January 2019. However, the law does not enable beneficiaries to receive the funding for personal assistance directly, which could raise questions about its compatibility with the requirements set out by the CRPD Committee.” (p. 228)

“The **Slovenian** Association of Disabled Workers runs a project to encourage municipalities to respond to the needs of their citizens with disabilities. It awards the title of “a municipality tailored to the needs of people with disabilities” to municipalities that analyse the situation of

their residents with disabilities together with local disability organisations and adopt appropriate action programmes. The association, together with the disability organisations, then monitors the implementation of these activities. By the end of 2017, 30 municipalities had received this distinction.” (p 229)

Fundamental Rights Report 2017

<https://fra.europa.eu/en/publication/2017/fundamental-rights-report-2017>

1. EU Charter of Fundamental Rights and its use by Member States

“In **Slovenia**, a court ruled that Article 6 of the Charter (right to liberty and security) in combination with Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers (the Reception Conditions Directive) provides an individual right. The directive was supposed to be incorporated into Slovenian law by 20 July 2015. However, that was delayed. Despite this delay and in line with the case law of the CJEU, the directive could be directly applied in Slovenian law. The case concerned a citizen of Tunisia, who first entered Slovenia on 4 February 2016. He was intercepted by the police and was not carrying any identity documents. During the procedure, he applied for international protection. The authorities decided to limit the applicant’s freedom of movement to the premises of the Aliens Centre for a maximum period of three months, with a possible extension for an additional month. The decision was based on provisions of the International Protection Act (*Zakon o mednarodni zaščiti*), which the court of appeal found to be partly not in line with the Reception Conditions Directive. The court revoked the decision and issued an interim decision to release the applicant from detention immediately after receipt of the judgment.” (p. 44)

Direct Quote: “*“The Administrative Court took as a starting point [...] the possibility of a direct effect of a provision of a Founding Treaty, which establishes a subjective right for an individual. This principle was reaffirmed in subsequent judgments a while before the establishment of subjective justiciable rights from the Charter. The right enshrined in Article 26 (2) and Article 9 (3), second subparagraph of the Reception Conditions Directive in connection with Article 6 of the Charter is without a doubt this kind of a subjective right and in the given part [...] it can be exercised without any implementation measures.” Slovenia, Administrative Court, Case I U 246/2016, 18 February 2016, para. 40”* (p. 44)

“In **Slovenia**, the revised Schengen Borders Code and an EU regulation for the establishment of an entry/exit system raised serious Charter-related concerns on the part of the Information Commissioner, who called for the proportionality of measures to be ensured, for restrictions on the purpose of the use of information gathered and for appropriate time limits for the retention of personal information.” (p. 48)

“In 2016, ACTIONES [Active Charter Training through Interaction of National Experiences] facilitated a series of transnational training workshops. The Judicial Academy (Croatia), the Superior School for Magistracy (Italy), the National Institute for Magistracy (Romania), the Judicial Training Centre (**Slovenia**) and the Judicial School (Spain) hosted such workshops, each with a specific focus (consumer protection, migration and asylum, non-discrimination, effective judicial protection).” (p. 52)

2. Equality and non-discrimination

“The Protection against Discrimination Act adopted in **Slovenia** in May includes sexual orientation, gender identity and gender expression as protected characteristics.” (p. 64)

“Throughout the year, a number of EU Member States did take steps to advance LGBTI equality. These involved the status of same-sex partnerships (Czech Republic, Greece, Italy, Portugal, **Slovenia**); the de-pathologisation of sexual orientation, gender identity and gender expression (Denmark, Malta); and putting a stop to unnecessary surgical interventions on intersex children (Finland).” (p. 67)

“The **Slovenian** Partner Relationship Act will make same-sex registered partnerships largely equivalent to marriage as of February 2017. Significant differences remain, however; same-sex partners will still not be allowed to adopt children or be entitled to assisted reproduction.” (p. 67)

“In May 2016, **Slovenia** adopted its Act on Protection against Discrimination, subsuming multiple discrimination under a new concept of ‘severe forms of discrimination’. By the end of 2016, nine EU Member States explicitly covered multiple discrimination in national legislation: Austria, Bulgaria, Croatia, Germany, Greece, Italy, Romania, **Slovenia** and Sweden.” (p. 69)

3. Racism, xenophobia and related intolerance

“Holding workshops on hate speech and migration

A project, run by the Peace Institute–Institute for Contemporary Social and Political Studies in **Slovenia**, educates young people about hate speech against migrants through workshops at schools. Students first analyse particular cases of hate speech and discuss its effects and potential responses to it. The second part entails a discussion with a person with a migrant background. The main objective is for students to be able to recognise hate speech and set it in the context of migration, human rights and intercultural dialogue. The project is financed by the state budget.” (p. 80)

“The European Commission also closely monitors the setting up of equality bodies in EU Member States. Pursuant to Article 13 (2) of the Racial Equality Directive, these bodies should be able to provide independent assistance to victims of discrimination. In that respect, the Commission in 2014 initiated infringement proceedings against **Slovenia** for failing to set up an independent equality body able to provide efficient assistance to such victims. In response, the Slovenian parliament adopted the Protection against Discrimination Act, establishing an independent body – the Office of the Government of the Republic of **Slovenia** for Principle of Equality – without, however, providing the new body with appropriate financial means to perform its function. Following adoption of the new law, the Commission discontinued its infringement proceedings against **Slovenia** in July 2016.” (pp. 86-87)

4. Roma integration

“Promising practices combating early marriage are in place in some Member States. [...] Similar projects addressing early marriage were implemented in Belgium, Bulgaria, Greece, **Slovenia** and Spain through a multi-country ‘Early Marriage Prevention Network’ project.” (p. 106)

“A number of Member States set up national platforms for Roma inclusion to mobilise stakeholders to coordinate action. These national platforms are supported by the Commission and were established in **Austria, Belgium, Bulgaria, Croatia, Cyprus, the Czech Republic, Finland, Greece, Hungary, Latvia, Lithuania, Romania, Slovakia, Slovenia** and **Spain**, while **Estonia** established a Roma integration council (*Romade lõimumise nõukoda*).” (p. 114)

5. Asylum, visas, migration, borders and integration

“Outside the reception centres and in countries that do not have any, the maximum duration of this introductory period before the children join normal classes in area schools ranges from 12 to 36 months. In Austria, Denmark, Poland, **Slovenia** and Sweden, the maximum period is 24 months.” (p. 137)

“Bulgaria, Croatia, Cyprus, Estonia, Finland, Latvia, Italy, Poland, Portugal, Romania, **Slovenia**, Sweden and the United Kingdom provide mainly language support to newcomer pupils who are already in mainstream education and standard classes.” (p. 137)

6. Information society, privacy and data protection

“Of the 12 Member States that received financial support from the Commission in 2015 to establish national PNR [Passenger Name Record] systems, only Bulgaria, Latvia and **Slovenia** have proceeded to do so.” (p. 160)

7. Rights of the child

“The highest proportions of children at risk of poverty or social exclusion range from 34.4 % in Spain up to 46.8 % in Romania, with Bulgaria, Greece and Hungary in between. In Denmark, Finland, the Netherlands, **Slovenia** and Sweden, meanwhile, fewer than 17 % of children are at risk.” (p. 175)

“In about one third of the countries, only minor changes can be observed between the situations in 2005 and 2015, increasing or decreasing by at most one percentage point. This is the case in Belgium, Denmark, Finland, Germany, Ireland, Luxembourg, Portugal, **Slovenia**, Sweden and the United Kingdom.” (p. 176)

“However, receiving no child-related CSR [country-specific recommendation] may lead a country to touch only briefly upon child-related initiatives in its NRP [National Reform Programme]. In **Slovenia**, for example, current and new initiatives mentioned are restricted to promoting the Slovenian language among families with low socio-economic status and migrant backgrounds and social inclusion for vulnerable groups, as well as “establishing a concept for ensuring quality on the level of kindergartens and schools”. Since these were not part of the CSRs, there may not be any direct follow up on their execution.”

“In February 2016, about 90–95 % of unaccompanied children in Hungarian reception centres went missing, as did 80 % of those in **Slovenia**.” (p. 183)

8. Access to justice including rights of crime victims

“On closer inspection, the pertinent provisions enacted by Member States reveal significant differences. [...] In **Slovenia**, the criminal court can extend the barring order from two to 10 days, and for another 60 days at the victim’s request.” (p. 210)

9. Developments in the implementation of the Convention on the Rights of Persons with Disabilities

“Promoting equal access for travellers with disabilities

The European Commission launched a pilot project implementing an EU Disability Card in eight EU Member States: Belgium, Cyprus, Estonia, Finland, Italy, Malta, Romania and **Slovenia**. The project aims to ensure mutual recognition of disability status between EU Member States, helping to increase access to certain benefits in the areas of culture, leisure, sport and transport for people with disabilities travelling to other EU countries.

For example, in **Slovenia**, the EU Disability Card project will run for 18 months from February 2016. After this point, all administrative units in Slovenia will begin to issue the card. The Ministry of Labour, Family, Social Affairs and Equal Opportunities is contributing

20 % of the funds, with the remaining costs met by EU Structural and Investment Funds.” (p. 225)

“Involving DPOs is essential for successful monitoring. [...] Less encouragingly, the **Slovenian** monitoring framework – the Council for Persons with Disabilities of the Republic of Slovenia (*Svet za invalide Republike Slovenije*) – a third of whose members are representatives of DPOs, continues to operate without resources to employ any full-time staff.” (p. 234)

Fundamental Rights Report 2016

<http://fra.europa.eu/en/publication/2016/fundamental-rights-report-2016>

1. Asylum and migration into the EU in 2015

“National governments reacted to the new situation in various ways. Some Member States announced or implemented restrictive asylum and family reunification laws. Hungary and **Slovenia** erected fences on borders with countries outside the Schengen area, and Bulgaria extended the existing fence along Turkey’s borders.” (p. 9)

“EU Member States took several measures to ensure that those who cross their borders are registered and move onwards in an organised manner. Along the main route in Croatia, **Slovenia**, Hungary, Austria, Germany and Sweden, they set up transit or distribution facilities from which people moved onwards to the neighbouring Member State or to a reception facility by bus or train. Efforts were made to channel the movement across borders through specific border crossing points and to equip these to handle the flow and register new arrivals. To ensure that all new arrivals are effectively registered, uncontrolled movements through the borders had to be prevented. To do this, in the second half of the year, eight Schengen states [including **Slovenia**] made use of the option to reintroduce temporary intra-Schengen border controls, as illustrated in Table 1. Previously, this measure was primarily used in connection with large sporting events or high-level meetings. In 2015, it became a tool to better control and manage refugee movements across Europe.” (p. 13)

“The installation of fences at the EU’s external land borders to curb irregular migration and limit irregular movements to other EU Member States continued in 2015. [...] **Slovenia** followed by extending the razor wire to most of its land border with Croatia, except Istria.” (p. 16)

“The increased number of arrivals put a significant strain on domestic asylum systems in countries of first arrival (mainly Greece and Italy), transit countries (Croatia, Hungary, **Slovenia** and to some extent Austria) and countries of destination (Austria, Germany and Sweden, as well as to a lesser extent other Member States).” (p. 17)

“In October 2015, FRA started to publish regular overviews of migration-related fundamental rights issues in Austria, Bulgaria, Croatia, Germany, Greece, Hungary, Italy, **Slovenia** and Sweden. Initially issued every week, the regular overviews continue on a monthly basis since December 2015.” (p. 18)

“In October, thousands of migrants walked from Croatia to **Slovenia** through difficult terrain in the cold and rain, as they were not allowed to cross the border-crossing point, adding further health and protection risks to the journey. Another several thousand people had to wait for admission to Austria out in the open overnight at the border with **Slovenia**.” (p. 18)

“Overcrowding in reception facilities was also common in other Member States. In **Slovenia**, for example, the Brežice registration centre – which can normally accommodate up to 450 people – registered 1,500 to 4,300 people daily during October.” (p. 19)

“Families were separated during chaotic transit or border crossings, particularly when entering **Slovenia** at the border with Croatia, following registration at the Opatovac camp, or at the Bapska Serbian–Croatian border crossing while entering buses. A tent was set up as an “inquiry service for missing and lost persons” in the Šentilj accommodation centre at the **Slovenian** exit point to the Austrian border, and the Red Cross Slovenia (*Rdeči Križ Slovenije*) was given the task of organising family reunifications at the border and at reception and accommodation centres.” (p. 21)

“Setting up child and family protection centres along the migration route UNHCR and UNICEF are setting up 20 special support centres – to be known as “Blue Dots” – for children and families along Europe’s most frequently used migration routes in Greece, the former Yugoslav Republic of Macedonia, Serbia, Croatia and **Slovenia**. The hubs aim to support vulnerable families on the move, especially the many unaccompanied children at risk of sickness, trauma, violence, exploitation and trafficking.” (p. 21)

“In **Slovenia**, a non-governmental organisation was appointed to carry out monitoring, which became operational in October.” (p. 27)

2. EU Charter of Fundamental Rights and its use by Member States

“In a sample of 33 impact assessments examined in 2015, two policy areas were especially prominent: criminal law and data protection. Two thirds of the impact assessments examined involved these two areas. Just as in previous years, impact assessments referred to the Charter alongside other international human rights references, making it difficult to track the impact of such references. There are, however, cases where impact assessments affected the initial proposals. In **Slovenia**, the Information Commissioner acknowledged, in the context of discussing the Court Register of Legal Entities Act, that strengthening public scrutiny of public spending is a legitimate aim. However, he stressed that the act had to be aligned with the right to private life and family life (Article 7) and the protection of personal data (Article 8). These concerns were partly addressed in the final proposal by reducing the amount of publicly accessible data.” (pp. 48-49)

“Some major planning documents do, however, refer to the Charter. [...] Another example is **Slovenia**, where the proposed Healthcare Plan 2015–2025 also refers to the Charter.” (p. 51)

“Teachers are important multipliers because they can raise awareness of the Charter among the general population. To this effect, in **Slovenia**, for instance, a course for education workers addressed teaching about privacy rights and personal data protection in primary and middle schools.” (p. 51)

3. Equality and non-discrimination

“Some recommendations encouraged governments to address the impact of an ageing population on the labour market. Recommendations included keeping older people in work for longer periods by increasing the age of retirement (Austria, Bulgaria, Croatia); increasing the participation of older workers in the labour market (Luxembourg, Romania, **Slovenia**); [...]” (p. 62)

“AAI [Active Ageing Index] outcomes show that more than half of the Member States should increase the rate of employment of older men and women if they are to foster social

inclusion: Austria, Bulgaria, Croatia, the Czech Republic, Finland, Greece, Hungary, Ireland, Italy, Luxembourg, Malta, Poland, Slovakia, **Slovenia** and Spain.” (p. 62)

“Concerning the gender pay gap, which has been covered in previous FRA Annual reports, the latest available estimates from Eurostat show that women in the EU on average earn 16 % less than men per hour worked (see Figure 2.3). The largest gap is found in Estonia, where women’s gross hourly earnings are on average 30 % below those of men, and the smallest gap is observed in **Slovenia**, where the gross hourly earnings of women are on average 3 % below those of men.” (p. 66)

4. Racism, xenophobia and related intolerance

“The European Commission also very closely monitors the setting up of equality bodies in EU Member States. Pursuant to Article 13(2) of the Racial Equality Directive, these bodies should be able to provide independent assistance to victims of discrimination. In that respect, the Commission has launched infringement proceedings against **Slovenia** for failing to set up an independent equality body able to provide efficient assistance to victims of discrimination and against Belgium for failing to set up at all political levels an equality body competent for gender matters.” (p. 85)

5. Roma integration

“The Commission’s 2015 report on the implementation of the EU Framework for NRISs recognised the key competences of local-level actors to address challenges – for example, in housing and education – but noted that “the involvement of local authorities in implementation varies widely.” The report also noted progress in drawing up, revising and planning local-level action plans in Member States, such as Bulgaria, the Czech Republic, Greece, Hungary, Ireland, Italy, Poland, Romania, **Slovenia**, Spain and Sweden.” (p. 102)

“Hungary’s NRIS [national Roma integrations strategies] obliges municipalities to have in place a “Local Equal Opportunity Programme” (*Helyi Esélyegyenlőségi Program*, HEP). This programme has a broader focus on vulnerable people and social groups, such as Roma, women, people living in extreme poverty, persons with disabilities, children, and the elderly. Croatia and **Slovenia** have the same requirement in their NRISs, but only for localities with Roma populations.” (p. 104)

“Local action plans usually concern the four core thematic areas of the EU Framework on NRISs: education, employment, health and housing. Additionally, local action plans sometimes set out non-discrimination measures – for example, in Bulgaria, Italy, Romania, and **Slovenia**.” (p. 106)

“In **Slovenia**, the boundaries of Roma settlements and their legalisation must be worked out in municipal spatial plans. Nine municipalities made drafts in 2015, two municipalities were at the proposal phase, and 21 municipalities where Roma live have already accepted municipal spatial plans.” (p. 106)

6. Information society, privacy and data protection

Fostering exchanges between a law enforcement agency and data protection authority while assessing new privacy-invasive practices

In **Slovenia**, when the police started the test phase of the national scheme for collecting and processing PNR [passenger name record data] information, the Criminal Police Directorate collaborated with the Slovenian DPA (the Information Commissioner) and for the first time decided to make use of guidelines drafted by the entity (*Privacy Impact Assessment guidelines for the introduction of new police powers*). Such a prior assessment of the impact

of new police powers on privacy and protection of personal data represents a notable shift towards more transparency in the use of police powers.” (p. 128)

7. Rights of the child

“The ESCR [European Committee of Social Rights] found a violation of Article 17 of the European Social Charter in Ireland, **Slovenia**, Belgium, the Czech Republic and France – but not in Italy – for not explicitly prohibiting all forms of corporal punishments.” (p. 143)

8. Access to justice including rights of crime victims

“Notifying victims of their rights in Slovenia and the United Kingdom

A new **Slovenian** website offers an online form that enables victims who report a crime to the police to get status updates regarding the report. It also provides victims with a brochure about procedural rights and victim support. The application requires victims to fill in a form about their crime report. They then receive automated responses about its status – for example, if it has been registered in the system, if an investigation is under way, or if the report is in the hands of a prosecutor.” (p. 169)

“Meanwhile, the influence of the Istanbul Convention grew, with numerous countries adopting measures in line with its goals of preventing violence against women, enhancing victim protection and prosecuting perpetrators. Finland, the Netherlands, Poland and **Slovenia** ratified the convention, bringing the total number of EU Member States that have ratified it to 12.” (p. 172)

9. Developments in the implementation of the Convention on the Rights of Persons with Disabilities

“Monitoring mechanisms should also have sufficient financial and human resources to carry out their functions, as highlighted in the conclusions of FRA’s 2014 Annual report. In practice, however, these resources are often lacking. For example, the job of the Secretary of the Council for Persons with Disabilities, the **Slovenian** Article 33(2) body, is performed as an additional task by an official working full time at the Ministry of Labour, Family, Social Affairs and Equal Opportunities. An initiative to set aside further resources to carry out this task has received widespread support – including from the President, the President of the National Assembly, and most ministries – but the allocation of further resources will be determined only during the next budget period.” (p. 193)

Thematic Reports

Challenges facing civil society organisations working on human rights in the EU (January 2018)

<http://fra.europa.eu/en/publication/2018/challenges-facing-civil-society-orgs-human-rights-eu>

“There have also been legislative developments in this area to help facilitate the work of CSOs. In **Slovenia**, the law exempts activities aimed at promoting democracy, human rights and the rule of law from registration and reporting requirements on lobbying.” (p. 23)

“Germany, Greece, Italy, Malta, Poland, Portugal and **Slovenia** have laws criminalising the insult and/or defamation of heads of state. Austria, Croatia, Germany, Italy, Poland, Portugal, **Slovenia** and Spain have criminal laws prohibiting insults of the state.” (p. 24)

“Cyprus, Denmark, Estonia, Germany, Greece, the Netherlands, Poland, Portugal, **Slovenia** and Sweden criminalise defamation of foreign heads of state. Croatia, Denmark and Slovenia prohibit the insult of foreign states.” (p. 24)

“Tracking government funding

In **Slovenia**, an umbrella NGO – the Centre for information service, co-operation and development of NGOs (CNVOS) – provides useful analysis on the overall amount of government funding and its distribution. According to CNVOS, such funding obtained by NGOs grew until 2011, when there was a slight decline compared to the previous year. Since 2012, the amount of these funds has been decreasing.” (p. 30)

“In **Slovenia**, although only 20 % of NGOs have obtained the status of operating in the public interest, in 2015, these NGOs received 76.78 % of the total amount of all government funds allocated to NGOs by ministries (€ 55.84 million from the total of € 79.5 million). At the municipal level, their share was slightly lower, as they received 70.94 % of all municipal public funds allocated to NGOs (€ 70.50 million from € 99.46 million).” (p. 31)

“At the same time, human rights CSOs report problems with securing funding for advocacy and litigation. For instance, in **Slovenia**, there are no public tenders for human rights advocacy, only for service provision or networking. Strategic litigation, which is crucial to achieve positive changes in the field of human rights, has to date never been funded. In Slovenia, funding is available for human rights through EU projects. However, the lack of opportunities to obtain the required 20 % government co-funding for EU funded projects – which usually covers 80 % of the project costs – creates a large obstacle for advocacy work.” (p. 32)

“Systematic monitoring of the inclusion of CSOs in the decision-making processes very rarely occurs. In **Slovenia**, CNVOS advocacy experts have been monitoring the openness of governmental institutions towards the public and CSOs in policymaking since 2006. Through ‘The Mirror to the Government’ project, experts count the number of cases where different state bodies have breached consultation deadlines that are set in the government’s rules of procedure, along with how severely each case was breached. Between its adoption in 2009 and 1 March 2017, the Resolution on Legislative Regulation (*Resolucija o normativni dejavnosti*) was breached 709 times.” (p. 41)

“Encouraging public participation

The **Slovenian** Ministry of Public Administration, in cooperation with CNVOS, held several training sessions for public officials and issued guidelines for public participation (in Slovene) as well as a tailored-made manual for public officials (in Slovene) on how to go about public participation.” (p. 42)

“Creating one-stop-shops for information on public consultations

A number of EU Member States, including Bulgaria, Finland, Greece, Malta, Romania and **Slovenia**, as well as the European Commission, have created special websites as one-stop-shops for information on upcoming and ongoing consultations. However, the use of such websites is not always consistent among ministries or local authorities.” (p. 43)

“At times, NGOs have not been consulted at all. For example, in **Slovenia**, the National Assembly adopted an amendment to the Aliens Act (*Zakon o tujcih*) in an emergency legislative procedure. This means no time was provided for the necessary public consultation phase, and CSOs were not involved in the preparation phase that took place in working bodies.” (p. 43)

“Apart from seven EU Member States (Austria, Belgium, Cyprus, Hungary, Poland, Portugal and **Slovenia**), all other Member States participate in the OGP [Open Government Partnership]. The OGP monitors the implementation of the commitments that participating countries have subscribed to, as well as the process of implementation and the extent to which civil society was involved.” (p. 45)

“There are other examples of CSO representatives participating in advisory bodies or working bodies in which legislation is prepared. These include Portugal (on gender equality); **Slovenia** (in relation to the Volunteering Act and the Environmental Act); Italy (on gender-based violence); and Malta (on LGBTIQ), where an advisory body to the ministry was established, providing input on legislation, policies and other measures relevant to LGBTIQ rights.” (p. 45)

Second European Union Minorities and Discrimination Survey - Main results (December 2017)

<http://fra.europa.eu/en/publication/2017/eumidis-ii-main-results>

“**Countries/regions of origin of immigrants and descendants of immigrants** include Turkey, North Africa, Sub-Saharan Africa, and South Asia (in Cyprus, Asia); in **Slovenia** and Poland, individuals who immigrated to the EU in the past 10 years were included regardless of country of origin.” (p. 11)

“By contrast, respondents with Asian background in Cyprus primarily refer to ethnic origin or immigrant background, which every fifth respondent (20 %) there indicates as the most common ground of discrimination. This is also the most relevant ground for recent immigrants (RIMGR) in Poland and **Slovenia** (17 % and 16 %, respectively).” (p. 28)

“The discrimination rates indicated by recent immigrants in Poland are twice as high as those indicated in **Slovenia** (15 % and 7 %, respectively). However, it should be noted that recent immigrants in Poland and Slovenia constitute a highly heterogeneous group in terms of their countries of origin (see Table 8 in Annex II). There are no substantial differences between the discrimination rates noted by women and men in this target group.” (p. 32)

“Meanwhile, respondents in Belgium, Greece, Hungary, Poland, Portugal, **Slovenia** and Spain tend to report less often than the average.” (p. 44)

“On average, most EU-MIDIS II respondents (71 %) were not aware of any organisations that offer support or advice to discrimination victims in their country of residence (Figure 17). This could explain the low reporting rates. However, results vary widely across aggregate target groups and countries – between 96 % of recent immigrants in **Slovenia** and 54 % of respondents with Sub-Saharan African background in Sweden being unaware of such organisations. Among respondents with North African background in Spain, recent immigrants in **Slovenia**, and respondents with South Asian background in Italy, almost none knew of such a support service or organisation.” (p. 50)

“In other countries, the proportion of respondents who know the equality bodies is low – for example, in Spain (6 %), Malta (9 %), **Slovenia** (10 %), Luxembourg (12 %), and Italy (14 %).” (p. 52)

“The lowest rate [of respondents who are aware of someone in their circle of family or friends being insulted or called names because of their ethnic or immigrant background in the 12 months before the survey] was found among respondents from the Russian minority in the three Baltic States and recent immigrants in **Slovenia** – in each case under 10 %.” (p. 68)

“Among those stopped, the majority of recent immigrants in **Slovenia** (94 %) and Poland (85 %), as well as respondents with Russian minority background in Lithuania (91 %) and Latvia (74 %), indicated that they were treated respectfully during the most recent police stop.” (p. 75)

“The highest levels of trust in the police are observed among respondents with Sub-Saharan African background in Finland, Malta and Germany; with Turkish background in Germany, Austria and Denmark; with South Asian background in the United Kingdom; and recent immigrants in **Slovenia** (with averages ranging from 6.9 to 8.2).” (p. 75)

“Among recent immigrants in **Slovenia**, one in five have family outside the country (21 %).” (p. 76)

“Across all first-generation respondents surveyed in EU-MIDIS II, three in four have secure residence (74 %). Differences across target groups and Member States are again observed (Figure 32). As expected, the rate is lower among recent immigrants, although a higher share of this group holds a long-term residence permit or national citizenship in **Slovenia** (69 %) than in Poland (38 %).” (p. 83)

“Low percentages of nationals are found among recent immigrants in **Slovenia**, immigrants from South Asia in Greece, and immigrants from Sub-Saharan Africa in Malta.” (p. 84)

“Among recent immigrants in **Slovenia**, one in five has family outside the country (21 %).” (p. 86)

“The largest difference in employment rate from the general population was observed for Roma (by up to 40 percentage points in Croatia and Spain). Respondents with Sub-Saharan African background in Portugal (77 %), with North African background in Italy (70 %), with Asian background in Cyprus (83 %), and with South Asian background in Greece (82 %) and Italy (67 %), as well as recent immigrants in Poland (83 %) and **Slovenia** (76 %), indicate engaging in paid work at higher rates than the employment rate reported for the general population in these countries.” (p. 96)

“Respondents with Sub-Saharan African background, as well as recent immigrants in Poland and **Slovenia**, reported the highest paid work rates for the group aged 45 to 54.” (p. 98)

“The correlation between language proficiency and engagement in paid work is weakest for recent immigrants in Poland and **Slovenia**. For this group in these two countries, similarly high paid work rates were observed regardless of language proficiency — with values around the same as the general population’s employment rate in the two countries.” (p. 99)

“In all of these countries, the average trust level is below 5 for politicians, and is lowest in **Slovenia** at 1.9.” (p. 99)

“Recent immigrants in Poland and **Slovenia** indicate considerably higher levels of trust.” (p. 100)

“Among the general population, a much larger proportion of respondents said that they did not have any close friends with a different ethnic background. For example, in Sweden, France, **Slovenia**, the United Kingdom, Belgium, Denmark, Spain, the Netherlands, Austria, Germany, and Finland, between 30 % and 59 % of the total population indicate not having any such close friends.” (p. 107)

Together in the EU - Promoting the participation of migrants and their descendants (March 2017)

<http://fra.europa.eu/en/publication/2017/migrant-participation>

“FRA’s research found that, of the 19 EU Member States with an active national integration strategy or action plan, 15 conducted some type of periodic assessment or review by 2015 (Austria, Bulgaria, Croatia, the Czech Republic, Estonia, Finland, Germany, Latvia, Lithuania, Luxembourg, the Netherlands, Portugal, Romania, Slovakia and **Slovenia**).” (p. 35)

“FRA’s research found that the educational policies or strategies for primary and/ or secondary education of 17 Member States include references to cultural diversity, as a guiding principle or as part of curricular subjects. These Member States are: Austria, Belgium, the Czech Republic, Estonia, Finland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Portugal, Slovakia, **Slovenia**, Sweden and the United Kingdom.” (p. 41)

“In several Member States, trade unions have well-established policies to reach out and support migrant workers – for example, in Austria, Belgium, Denmark, Germany, Italy, Luxembourg, Poland, Portugal, Spain, Sweden, **Slovenia** and the United Kingdom.” (p. 47)

“FRA’s research indicates that activities to encourage trade union membership of third-country nationals vary, ranging from reduced membership rates to translating information material, deploying intercultural mediators and training staff to deal with a diverse migrant workforce. For example, in Austria, the Netherlands, Portugal and **Slovenia**, the research identified systematic efforts to support and reach out to immigrants.” (pp. 47-48)

“In Austria, Belgium, Bulgaria, Germany, Denmark, France, Luxembourg, Poland, Romania, **Slovenia** and Sweden, this language support [that Member States provide funding for, for language-learning programmes] is provided as part of special integration programmes.” (p. 51)

“Belgium, Bulgaria, Finland, France, Hungary, Luxembourg, Poland, Romania, Slovakia, **Slovenia** and Spain require language tests or proof of language proficiency (mostly at B1 level) only for acquiring citizenship.” (p. 51)

“At local level, 12 countries provide access to voting rights for third-country nationals (Belgium, Denmark, Estonia, Finland, Hungary, Ireland, Lithuania, Luxembourg, the Netherlands, Slovakia, **Slovenia** and Sweden).” (p. 56)

“National consultative bodies including immigrant representatives exist in 10 EU Member States, but several pilot projects for consultation with immigrant representatives were identified – for example, in the Czech Republic, Hungary, Poland and **Slovenia**.” (p. 56)

“The second group (Hungary, Lithuania, the Netherlands, Slovakia, **Slovenia** and Sweden) does not provide voting or candidacy rights to third-country nationals at national level and has not put in place a national consultative body. However, third-country nationals are allowed to vote in local elections and – with the exception of Hungary – stand as candidates for election, although three of these countries (Lithuania, Slovakia and **Slovenia**) do not allow third-country nationals to formally join political parties.” (p. 56)

“Many of these immigrant consultative bodies were established in the EU as far back as the 1980s, while several related pilot projects are emerging in countries such as the Czech Republic, Hungary, Poland and **Slovenia**.” (p. 57)

Rights of suspected and accused persons across the EU: translation, interpretation and information (November 2016)

<http://fra.europa.eu/en/publication/2016/rights-suspected-and-accused-persons-across-eu-translation-interpretation-and>

“In **Slovenia**, certain rules apply when someone is detained for more than six hours. Authorities must appoint a court interpreter within 48 hours to provide the suspect with oral translations of all documents related to the decision on detention and relevant for a possible appeal of this decision, and to help the detained person communicate with their legal counsel.” (p. 35)

“At least four of the 22 Member States that list essential documents in their legislation – Croatia, the Czech Republic, Portugal and **Slovenia** – appear to go further than the directive by listing additional documents as essential. For example, the list of documents that must be translated in Slovenia seems to be wider than what is set out in the directive. Legislation transposing the directive made very clear which documents must be translated, including: charges or indictments; summons; all decisions on the deprivation of liberty; judgements; and court decisions on the exclusion of evidence, on the rejection of motions to include certain evidence, and on the disqualification of judges. The practice as to which documents have to be translated after the introduction of the legislation transposing the directive was not yet completely established at the time of research, but FRA’s evidence indicates that judges tend to order translations of more documents than before – although it seems that this policy greatly depends on the individual judges.” (pp. 36-37)

“Article 2(2) of Directive 2010/64/EU also requires interpretation to be available for communications between suspects or accused persons and their legal counsel “in direct connection with any questioning or hearing during the proceedings or with the lodging of an appeal or other procedural applications”, where this is necessary for the purpose of safeguarding the fairness of the proceedings. [...] The adoption of Directive 2010/64/EU prompted many Member States to explicitly regulate this issue. Examples include Greece, Poland, and **Slovenia**.” (p. 41)

“In cases involving detained individuals in **Slovenia**, court interpreters used by the police may also assist with communications between the suspect and the legal counsel, but the applicable legislation stipulates that they are bound by confidentiality rules.” (p. 44)

“Although Directive 2010/64/EU does not require Member States to establish a register, Figure 4 shows that 17 Member States bound by the directive have provided for one in their laws: Austria, Bulgaria, Cyprus, Croatia, the Czech Republic, Estonia, Finland, France, Germany, Greece, Luxembourg, the Netherlands, Poland, Romania, Slovakia, **Slovenia**, and Sweden.” (p. 45)

“With the directive using quite general language, registers have taken different forms in Member States. For example, 11 Member States have one central register. In six Member States, this is maintained by the Ministry of Justice (the Czech Republic, Luxembourg, Poland, Romania, Slovakia, and **Slovenia**).” (p. 45)

“In eight of the Member States (Austria, the Czech Republic, Greece, Croatia, the Netherlands, Romania, Slovakia, and **Slovenia**) that have a register, the legislation explicitly obliges criminal justice professionals to use it when choosing a legal interpreter or translator for each individual case.” (p. 47)

“Eight Member States (Austria, Croatia, Finland, Poland, Romania, Slovakia, **Slovenia**, and Sweden) require interpreters and translators to pass a specialised exam before registration.” (pp. 48-49)

“Another requirement includes a minimum level of education. In nine Member States, interpreters and translators are required to attain a certificate of higher education, either in their home country or another country (Croatia, the Czech Republic, Estonia, Finland, Greece, the Netherlands, Poland, Romania, and **Slovenia**).” (p. 49)

“Finally, some Member States also require a minimum number of years of professional experience in the field before an individual can be registered (for instance, Austria, the Czech Republic, France, Slovakia, and **Slovenia**).” (p. 50)

“Some practitioners in Croatia, Poland, and **Slovenia** indicated that, in the absence of a court interpreter for a particular language, authorities ask for recommendations from linguistic departments of universities.” (p. 51)

“FRA’s findings reveal that alternative means of securing suitable LITs [legal interpreters and translators] are not accompanied by the same level of official and harmonised quality safeguards present in relation to official LIT registers. Yet some Member State practices or rules are worth highlighting as they provide for certain types of safeguards in some cases – for example, in Cyprus, Finland, Poland, Slovakia and **Slovenia**.” (p. 51)

“According to the relevant law in **Slovenia**, the courts may use unregistered interpreters or translators, or even native speakers of required rare languages. In such situations, these interpreters and translators are required to swear before the court that they will translate the questions put to the defendant, and their answers, with precision.” (p. 51)

“Findings show that some Member States – for example, Bulgaria, Greece, Luxembourg, **Slovenia** and the United Kingdom – introduced specific procedures in their laws when transposing Directive 2010/64/EU. [...] Legislation in Luxembourg contains specific provisions about the possibility to complain about the absence, or quality, of interpretation and translation. The same applies in **Slovenia** – explicit provisions allow persons to complain about interpretation and translation with regard to both decisions refusing it and its quality.” (p. 56)

“Some Member States in the first group have laws that refer in a general manner to the obligation to provide information about rights to every person subject to questioning with regard to whom there are strong or plausible reasons to suspect that they have committed or attempted to commit an offence. These include Croatia, France, Luxembourg, the Netherlands, **Slovenia**, and the United Kingdom (England & Wales and Northern Ireland).” (p. 64)

“Some Member States’ laws strictly follow – i.e. do not go beyond – the directive’s minimum list of rights about which information is to be provided. These include Greece, Lithuania, Malta, the Netherlands, and **Slovenia**.” (p. 65)

“Many laws include a very general obligation to provide information on the accusation to all suspects and accused before the initial questioning. These include Austria, Belgium, Croatia,

Estonia, Finland, France, Greece, Luxembourg, the Netherlands, **Slovenia**, and the United Kingdom (England & Wales and Northern Ireland).” (pp. 67-68)

“As for the concrete details about the accusation provided, most laws require authorities to provide to individuals, at the pre-trial phase, information on the act, date and place of commission of the act of which they are suspected. [...] In **Slovenia**, only a general reference to the events is often provided in practice.” (p. 68)

“The letters of rights used in 10 Member States (Austria, Croatia, Denmark, Hungary, Ireland, Luxembourg, Portugal, Slovakia, **Slovenia** and Spain) do not include all of these rights [set out in the directive]. Five Member States (Belgium, Cyprus, Finland, Italy, and Sweden), England & Wales and Northern Ireland, as well as three Member States that do not fully cover all rights listed in the directive – Ireland, Portugal and **Slovenia** – include additional rights not included in the directive.” (pp. 72-74)

“As for additional rights covered in some Member States’ letters of rights, these include, for example, the rights to challenge one’s treatment and/or detention conditions in Cyprus, Finland, Ireland, **Slovenia**, Sweden and the United Kingdom (England and Wales and Northern Ireland). In **Slovenia**, detainees are advised on their right to eight hours of uninterrupted rest, to meals and to permanent access to drinking water [...] In Finland, detainees receive a general introduction to their rights, and in **Slovenia** and Ireland, the basic human right to dignity is underlined.” (p. 74)

“In **Slovenia**, unless a judge orders an investigative act – such as interrogating a witness – to be performed prior to the opening of a judicial investigation, suspects who are not detained generally cannot access case materials during the initial police phase, i.e. until the public prosecutor files the request to open a judicial investigation.” (p. 78)

“The competent authorities in a number of Member States can refuse access on the basis of other important public interests, such as national security. This is the case, for example, in Malta or **Slovenia**.” (p. 81)

“Similarly, in **Slovenia**, a suspect can access materials relating to detention in order to challenge it if the detention exceeds 6 hours. Even then, however, access can be refused if it could pose a serious threat to the life or rights of another person, affect the course of proceedings or investigations, or for specific reasons of defence or state security.” (p. 83)

“In **Slovenia**, when a decision to refuse access is taken by the police as part of the decision on detention, it can be appealed to the competent district court.” (p. 84)

“During the course of judicial proceedings in **Slovenia**, a court can decide to refuse to reveal the identity of protected witnesses and classified information under the Secret Data Act. The investigating judge can further refuse access to evidence previously excluded from the court file as inadmissible.” (p. 85)

“Decisions refusing access to personal data or classified information are subject to review and may be overturned by courts in some jurisdictions. For example, this is the case in Finland when courts decide to limit access to contact information of witnesses and plaintiffs, and in **Slovenia** when courts decide to withhold the identity of protected witnesses or classified information.” (p. 86)

“Some countries do not require signatures to confirm receipt of the Letter of Rights; these include Germany (although such signature is often requested in practice), Luxembourg, the Netherlands, and **Slovenia**. In practice, concerns have been raised in at least one country

about the ways in which signatures are obtained from persons deprived of their liberty.” (p. 88)

Combating child poverty: an issue of fundamental rights (October 2018)

<https://fra.europa.eu/en/publication/2018/child-poverty>

“The lowest percentages of children at risk of poverty or social exclusion in 2016 were registered in Denmark (13.8 %), Finland (14.7 %) and **Slovenia** (14.9 %).” (p. 15)

“Family-related benefits are crucial, as they ensure that families have sufficient income for children to grow up in a safe and healthy environment with their basic needs covered. Some Member States [namely Croatia, the Czech Republic, Finland, Greece, Hungary, Ireland, Latvia, Portugal, Romania, **Slovenia** and Spain] have not increased benefits in line with living costs in recent years.” (p. 33)

Hate crime recording and data collection practice across the EU (June 2018)

<https://fra.europa.eu/en/publication/2018/hate-crime-recording>

“Slovenia

Legal framework

In **Slovenia** there is no general aggravating circumstance for committing criminal offences with a bias motivation. However, under Article 49, paragraph 2 of the **Slovenian** Criminal Code (CC), courts have to take into consideration aggravating and mitigating circumstances in the determination of penalties. The motivation for the offence is explicitly included in the list of circumstances to consider.

Article 116 of the CC sets out a specific aggravating circumstance for the offence of murder, if it is committed on grounds of a violation of the right to equal status.

Article 131 of the CC on the violation of the right to equal status criminalises the act of depriving another person or restraining the exercise of any human right or freedom recognised by the international community or laid down by the Constitution or statute, or granting another person a special privilege or advantage, on account of national origin, race, skin colour, religion, ethnic roots, gender, language, political or other beliefs, sexual orientation, financial situation, birth, genetic heritage, education, social position or any other circumstance.

Article 297, paragraph 1 of the CC sets out the criminal offence of publicly inciting or stirring up hatred, violence or intolerance based on national origin, race, religion or ethnicity, gender, skin colour, origin, property situation, education, social position, political or other belief, disability, sexual orientation, or any other personal circumstance, when this is done in a manner that can jeopardise or disturb public order and peace, or by the use of threat, scolding or insult. In the same manner, Article 297, paragraph 2 criminalises the public dissemination of ideas on the supremacy of one race over another, providing any kind of aid for racist activity or denying, diminishing the significance of, approving, mocking, or advocating genocide, the holocaust, crimes against humanity, war crimes, aggression, or other criminal offences against humanity, as they are defined in the legal order of the Republic of **Slovenia**.

Recording hate crime

In **Slovenia**, police officers use a generic crime reporting form. The reporting form enables recording of legal prequalification of the crime, for example Article 297 or 131. The police does not have specific crime codes in the computer system for flagging hate crimes and there is no hate crime recording instruction available to officers.

Data collection and publication

There is no specific data collection or statistics regarding hate crimes. The Registry Division of the Supreme Court (*Evidenčni oddelek*) anonymises court judgments and publishes them daily on their website <http://www.sodnapraksa.si/>. Before publication, every judgment is processed so that it indicates the area to which it relates.

Cooperation with civil society organisations

There is no structured and systematic cooperation between law enforcement agencies and civil society organisations related specifically to recording and collecting data on hate crime at the time this report was published.” (all on pp. 81-82)

“IGO observations and recommendations

<p>Observations & Recommendations by UN, with regard to recording and collecting data on hate crime, 2013-2017</p>	<p>n/a</p>
<p>Observations & Recommendations by ECRI, in relation to recording and collecting data on hate crime, 2013-2017 Fourth report on Slovenia, 2014</p>	<p>16. In its third report, ECRI recommended that the authorities take steps to monitor the incidence of racially motivated offences and racist incidents in Slovenia and the response of the criminal justice system (the police, the prosecuting authorities and the courts) to any such acts. It also encouraged the authorities to collect readily available and accurate data on the application of the criminal, civil and administrative law provisions in force against racism and racial discrimination, covering the number and nature of the complaints filed, the investigations carried out and their results, charges brought, as well as decisions rendered and/or redress or compensation awarded.</p> <p>18. ECRI recommends that the specific motive is recorded in relation to the criminal offences involving violation of equality or public incitement to hatred, violence or intolerance.</p>
<p>Observation by OSCE/ ODIHR in relation to recording and collecting data on hate crime, 2016 OSCE/ODIHR hate crime reporting Slovenia –</p>	<p>Slovenia has not periodically reported reliable information and statistics on hate crimes to ODIHR.</p>

“(p. 81)