



REPUBLIC OF  
SLOVENIA



HUMAN  
RIGHTS  
OMBUDSMAN

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**Submission by the National Human Rights Institution of Slovenia**  
**to the Human Rights Committee on**  
**the list of issues in relation to the fourth periodic report of Slovenia**

**August 2024**

The Human Rights Ombudsman of the Republic of Slovenia (the Ombudsman) has prepared this submission for the consideration of the Human Rights Committee when adopting the List of Issues Prior to Reporting for the Fourth Periodic Report of Slovenia at its 142nd Session.

The Ombudsman is a constitutional body with a mandate to protect and promote human rights in Slovenia and has been granted A status in accordance with the Principles relating to the Status of National Institutions. Its mandate includes monitoring, research, issuing opinions and recommendations to authorities, human rights education, awareness-raising and investigating complaints from anyone who believes that their human rights or fundamental freedoms have been violated by a state authority, local government authority or holder of public authority.<sup>1</sup> The Ombudsman is the only organisation in Slovenia with the internationally recognised status of a national human rights institution, i.e. from January 2021 with status A. The Ombudsman may initiate a procedure to review the constitutionality or legality of regulations and may file a constitutional complaint with the Constitutional Court on an individual case before him. The Ombudsman also acts as the national preventive mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

In this submission, the Ombudsman aims to highlight some of the issues that still require improvement with regard to the rights and freedoms contained in the International Covenant on Civil and Political Rights (ICCPR), focusing on those where the Ombudsman can provide input based on its previous work or other available information,

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<sup>1</sup> When to turn to The Human Rights Ombudsman?, [https://www.varuh-rs.si/fileadmin/user\\_upload/pdf/zlozenke\\_nase/zlozenka\\_praviceANG\\_web.pdf](https://www.varuh-rs.si/fileadmin/user_upload/pdf/zlozenke_nase/zlozenka_praviceANG_web.pdf)

while attempting to comply with the prescribed word limit of 10,000. This submission does not provide an exhaustive list of systemic problems relating to the Covenant. More information about the Ombudsman’s work and findings can be found in the Ombudsman’s annual reports<sup>2</sup> and on the institution’s web page.<sup>3</sup>

## Content

Constitutional and legal framework within which the Covenant is implemented (Article 2).....	3
Non-discrimination, equality between men and women, and prohibition of advocacy of national, racial or religious hatred (Articles 2, 3, 20 and 26) .....	4
Violence against women, including domestic violence (Articles 2, 3, 6, 7 and 26) .....	8
Prohibition of torture and other cruel, inhuman or degrading treatment or punishment (Article 7)	9
Trafficking in persons (Article 8) .....	13
Right to liberty and security of person, treatment of persons deprived of their liberty and right to a fair trial (Articles 9, 10 and 14) .....	14
Treatment of foreigners (Articles 2, 7, 13 and 24) .....	18
Freedom of expression (Article. 19).....	19
Protection of children (Article 24).....	20
The right to vote (Article 25).....	21
Rights of minorities (Articles 26 and 27) .....	22
Dissemination of information relating to the Covenant and the Optional Protocol (Article 2).....	23

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<sup>2</sup> <https://www.varuh-rs.si/en/publications-events/publications-documents/annual-reports-test/>

<sup>3</sup> <https://www.varuh-rs.si/> .

## Constitutional and legal framework within which the Covenant is implemented (Article 2)

The Ombudsman supports the recommendations of the Sub-Committee on Accreditation of the Global Alliance of National Human Rights Institutions (SCA GANHRI) given to the authorities upon being re-accredited with A status in its December 2020 report.<sup>4</sup> While the Public Finance Act was amended in June 2023 based on the Constitutional Court Decision of 10 December 2021 with the aim to guarantee financial autonomy of Ombudsman and three other independent state institutions, so far no legislative developments have been made relating to the formalization of the selection and appointment procedure, with the aim to achieve greater transparency, and the formalization of the Ombudsman's mandate to encourage the state to ratify or accede to international human rights instruments.

The Ombudsman is also dissatisfied with the implementation of his recommendations to the authorities and urges the competent authorities to implement them more quickly.

Slovenia still hasn't established an independent mechanism to promote, protect and monitor the implementation of the Convention on the Rights of Persons with Disabilities (CRPD) in accordance with Article 33(2). The Ombudsman, as an A-Status NHRI, has been recommending for years that the responsible authorities propose legislative changes in this regard and has offered to take on this responsibility on several occasions.

There is also no designated national rapporteur on trafficking in human beings in Slovenia. The Ombudsman proposes the establishment of an independent national rapporteur within the Office of the Human Rights Ombudsman, with additional human and financial resources.

For years, the Ombudsman has been calling for the effective implementation of the declaratory decisions of the Constitutional Court of the Republic of Slovenia within the set deadlines. Several decisions of the Constitutional Court have still not been implemented a decade or more after their adoption.

The Ombudsman notes the high proportion of laws that are adopted in Parliament under the urgent procedure. This also results in short or even extremely short public consultations, including insufficient consultations with NHRIs and other relevant stakeholders, on draft laws by the Government. The Ombudsman recommended that the Government and its Ministries, as the main law-drafting bodies, act transparently and in accordance with the principle of good administration, and adequately involve in the law-

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<sup>4</sup> GANHRI Sub-Committee on Accreditation Report – December 2020, pp. 22-24; available at <https://ganhri.org/accreditation/sca-reports/>.

drafting process those persons and bodies directly affected by proposed laws or regulations

## **Non-discrimination, equality between men and women, and prohibition of advocacy of national, racial or religious hatred (Articles 2, 3, 20 and 26)**

Slovenia has still not adopted **a comprehensive anti-discrimination strategy**.

The development of targeted policies and measures is also hampered by **the lack of data collection disaggregated by protected ground**, including concerning acts of discrimination or acts of violence. While it needs to be recognised that a major legislative development was made at the end of 2022, providing legal basis for collecting (at least some) disaggregated data, in practice there is mainly still a lack of sufficient legal grounds, which would allow for actual gathering of disaggregated data in Slovenia.

After several recommendations by the Ombudsman and other stakeholders, a public debate on the draft law resulted in the adoption of the new Personal Data Protection Act (ZVOP-2, Official Gazette of the Republic of Slovenia No. 163/22) on 15 December 2022, which entered into force on 26 January 2023. Article 6(5) of ZVOP-2 established a legal basis, missing for nearly 30 years in Slovenian law, which now allows (at least in principle) the gathering of disaggregated data based on individual personal circumstances to promote equal treatment and equal opportunities. According to this paragraph, the processing of personal data on national or ethnic affiliation may be specified in the public sector, but only by law and only in exceptional cases where it is necessary for decisions on personal status, rights, incentives, and benefits for the individual to whom the data relates, or to ensure and promote equal treatment, equal opportunities, and the guaranteed special rights of members of national or ethnic communities in the Republic of Slovenia. The law also determines the consent of the individual or the processing of data regarding which the individual freely identifies themselves.

Article 6(5) of ZVOP-2 reads: “(5) By law, the processing of personal data on national or ethnic affiliation in the public sector may be determined only exceptionally, for cases in which this is necessary for a decision on the personal status, rights, incentives and benefits of the individual to whom the personal data refer, or to ensure and promote equal treatment, equal opportunities and guarantee special rights of members of the national or ethnic community in the Republic of Slovenia, whereby the law determines

the consent of the individual to whom the personal data relates, or determines the processing of data regarding which the individual freely defines themselves.”<sup>5</sup>

This provision of ZVOP-2 at least, in principle, represents the realization of the Ombudsman's calls<sup>6</sup> on the government and the National Assembly (Parliament) to prepare and adopt a legal basis, that would allow to gather disaggregated data based on individual personal circumstances with the aim of promoting equal treatment and equal opportunities. However, in 2023 the Ombudsman monitored what changes or measures are still necessary for an effective legal basis for actual gathering of data and what the new regulation means for the possibility of collecting disaggregated data in practice. The Ombudsman observes that mostly sectoral legislation, which would enable actual gathering of disaggregated data in practice, has so far not been drafted or adopted. In practice this means that it is still not possible to gather disaggregated data regarding nationality or ethnicity in Slovenia. There has been, so far, no analyses of the authorities regarding which sectoral laws would need to be amended so that Article 6(5) of ZVOP-2 would become operational. It also needs to be emphasized that the content of the proposed solution in ZVOP-2 is limited to data on nationality and ethnicity. The Ombudsman consequently considers its recommendation No. 6 (2019), in which it recommended that the competent authorities ensure the systematic collection of data by protected personal circumstances in all areas of social life, with the aim of accurately determining the state and trends regarding (in)equality in society, to be unimplemented

In the field of equality between men and women the Resolution on the National Programme for Equal Opportunities for Women and Men 2023–2030 was adopted in September 2023. The Ombudsman perceives the plight of women who bear a large share of care not only for children, but also for sick or elderly parents and relatives. This area should be given more attention in the coming years, as it is a largely overlooked problem in society. Also in the field of employment, despite the great progress achieved in recent decades, gender gaps still exist, especially in business sector, where a representation of women at the leadership position is much smaller than in the public sector, including in politics.

Further, the **effective prosecution of hate speech** remains an issue in Slovenia. The Ombudsman notes that there is in general very little interest in changing existing legal framework or practices in combating hate speech, especially via media and Internet (recommendation No. 3 (2021)). Half a decade ago, the Ombudsman recommended to the authorities that, with regard to the implementation of the norms prohibiting the dissemination of hate speech in the media, they should determine how the public interest

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<sup>5</sup> Unofficial translation provided by the Ombudsman. So far English translation of the new ZVOP-2 has not yet been publicly available.

<sup>6</sup> See for example Ombudsman's recommendations 5(2019) and 6 (2019) from the Ombudsman's Annual Report for 2019, Annual Report for 2021, pp. 221-222 and Annual Report for 2022, pp. 279-280.

is to be protected, what measures are to be taken to remedy irregularities and what sanctions are to be imposed on media outlets that allow hate speech to be published.<sup>7</sup> This recommendation by the Ombudsman has not yet been implemented. The Ombudsman also recommended authorities to prepare appropriate legal bases that will enable effective prevention of hate speech on the Internet and social networks. During the public consultation on the draft of the new Mass Media Act, published on 12 December 2023, the Ministry of Culture received approx. 80 comments of relevant stakeholders during the public debate. The new draft proposal of ZMed-1 published and submitted to inter-ministerial consultations by the Ministry of Culture on 14 May 2024, adequately takes into account the observations made by the Ombudsman on hate speech in the media. However, so far there is still no legislation in place, which would more effectively prevent hate speech in the media.

Further assessment of the issues related to the prosecution of hate speech in Slovenia is based on the analysis published by the Centre for Human Rights of the Ombudsman in 2021. This analysis offers insight into and contributes to understanding the practice as regards the prosecution of criminal offences of public incitement to hatred, violence or intolerance under Article 297 of the Criminal Code (KZ-1) carried out by the Slovenian State Prosecutor's Offices in the period 2008–2018. The analysis of the prosecution of hate speech in Slovenia under Article 297 of the Criminal Code (KZ-1) is based on 145 prosecutorial files.<sup>8</sup> The analyses showed that during the period under review, nearly a quarter, that is, almost 25% (36 out of 145) of cases were concluded with some form of sanction against the perpetrator – either by a conviction of at least one perpetrator (23 cases) or by the completion of a task under the institution of deferred prosecution (14 cases). Prosecutors filed charges in 19% (28) of all cases (only one of which was an indictment, while the rest were indictments by proposal), with 16% (23) of all cases subsequently resulting in a conviction, indicating an 82% success rate in prosecution. This percentage is similar to the average prosecution success rate for adult defendants for all criminal offenses, as reported in the national prosecutor's office reports for the years 2008 to 2018, which show an average of 84% over the ten-year period (this figure, however, pertains only to the outcome of criminal proceedings at the first instance, unlike our analysis, which encompasses decisions at various levels).

The analyses also showed that of the 28 cases in which an indictment proposal was filed (in 26 cases against all, and in two cases against some of the co-perpetrators), 23

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<sup>7</sup> With its recommendation No. 14 (2018) the Ombudsman has proposed that the Ministry of Culture do everything possible within its power to determine the following in relation to the realisation of the provision on the prohibition of spreading hatred in the media (Article 8 of the Mass Media Act): 1. the manner of protecting public interest (inspection and minor offence supervision); 2. measures to eliminate irregularities (e.g. immediate removal of unauthorised content), and 3. sanctions for the media that allow the publication of hate speech.

<sup>8</sup> See the Summary of Analyses in which the conclusions are presented in 15 reasoned key points, pp. 9-10. Available at:

[https://www.varuhr.si/fileadmin/user\\_upload/pdf/Razne\\_publicacije/Sovrazni\\_govor\\_knjizica2.pdf](https://www.varuhr.si/fileadmin/user_upload/pdf/Razne_publicacije/Sovrazni_govor_knjizica2.pdf) and

resulted in a conviction of at least one of the defendants, with 14 of these convictions being based on a penal order. In the remaining five cases, the proceedings concluded without a conviction—either through an acquittal, a dismissal of the charges, or a termination of the proceedings. In all 23 cases where convictions were obtained, the courts imposed suspended sentences of imprisonment ranging from one to six months. The courts adhered to the prosecution's sentencing recommendations in all cases except one, where the court imposed a four-month suspended sentence instead of the five months proposed by the prosecution (the reason for this deviation is unknown, as the judgment was issued without explanation). Pursuant to Article 162 of the Criminal Procedure Act, a public prosecutor may, with the consent of the injured party, suspend criminal prosecution for an offense if the suspect is willing to follow the prosecutor's instructions and fulfil certain tasks aimed at reducing or eliminating the harmful consequences of the offense. Once the suspect completes the agreed-upon tasks, the prosecutor dismisses the charges. In the 14 cases where prosecution against one or more perpetrators was concluded in this manner, the perpetrators agreed with the prosecution to fulfil the following tasks: 7 cases involved the payment of a contribution to a public institution or non-governmental organization in the public interest (in amounts ranging from EUR 100 to EUR 300); 5 cases involved the performance of community service (ranging from 20 to 50 hours); 1 case involved the payment of compensation to the victim for defamation (EUR 1,750); and 1 case involved the payment of a contribution to a non-governmental organization (EUR 265.37) and compensation to the owner of a vandalized building (also EUR 265.37).

While the Ombudsman has no similar statistical data for period after 2018, it is its assessment that the approach of the prosecution as well as the court practise did not significantly change since then.

The year 2023 was marked by **violence against the LGBTIQ+ community**, especially at the Pride parade, first in Ljubljana and then in Maribor. Incidents were also reported in the media in 2024. Currently, people who wish to change the gender marker on their identity documents must obtain a medical certificate. This requirement effectively means that people wishing to change their legal gender must be diagnosed with a mental disorder by a health institution or doctor. The Ombudsman has repeatedly recommended that the authorities adopt legislation on legal recognition of gender markers.

**Persons with disabilities** all too frequently still find themselves facing numerous obstacles in public facilities. The Ombudsman has been continuously warning about the accessibility of public institutions, including schools, municipality buildings, courts, and administrative units for persons with disabilities.

For years, the Ombudsman has been highlighting the importance of **deinstitutionalisation** and the need to guarantee the right to independent living and community integration, as defined in the CRPD. Despite some progress at the

declaratory level, even in 2023, there are hardly any examples of good practice, and at the same time, we are still faced with prejudice and intolerance, as both the state and the municipalities do not do enough to raise awareness and foster an enabling environment, without which no real progress can be expected.

The Ombudsman's main findings in the area of disability and pension insurance can be summarised as non-respect of deadlines for deciding on rights or lengthy procedures, low pensions, incomprehensibility of documents and insufficient explanation of administrative acts, inadequate definition of disability and definition not in line with the CRPD, the inconsistency of the individual regulations in the field of disability insurance, the difficulties of employing and integrating people with disabilities into society, the lack of uniformity of the various bodies (expert and other) which give opinions and make decisions on disability.

In light of the complaints handled and the inconsistencies found in the legislation, the Ombudsman recommended that the authorities unify and harmonise the definition of disability in all legislation with the CRPD, reform the disability assessment system and introduce a single disability assessment body, and amend the provisions of public regulations that discriminate against people with mental health problems in comparison with other people with disabilities who have comparable limitations.

On the **situation of Roma** see below in chapter Rights of minorities (Articles 26 and 27).

### **Violence against women, including domestic violence (Articles 2, 3, 6, 7 and 26)**

According to a survey done by the Statistical Office of the Republic of Slovenia - SURS (with data from 2020), 22% of women and 16% of men experienced physical (including threats) or sexual violence since the age of 15. The survey showed that women experience repeated violence more frequently and that violence against women has more serious consequences. Three-quarters of victims of intimate partner violence are women. Just over 60% of victims speak about their experience with violence, most commonly with someone close to them. However, most violence remains unreported since victims seldom report it to the Police or other institutions. According to SURS, almost a third of ever-working women (31.7%) experienced sexual harassment at work.

The Ombudsman believes that more attention should continuously be paid to effective research and documentation of the extent, causes, consequences, and signs of violence and obtaining reliable, comparative data that would lead to effective policies to prevent and eliminate the consequences of violence and enable the assessment of the effectiveness of the measures. In the context of domestic violence, it is necessary to

explore the extent of violence against all, including children and the elderly and to pay due attention to people with disabilities, migrants and those living in Roma communities, etc.

The Ombudsman repeatedly recommends that the competent authorities should continuously provide training for its professionals (in social work centres, educational institutions, health care, justice, and the Police) to make sure that the victims of violence receive appropriate help.

The Ombudsman would also like to point out that there is no special crisis referral centre in Slovenia for victims of rape or sexual violence which would perform a medical and forensic investigation and provide trauma assistance and counselling to the victims (in line with Article 25 of the Istanbul Convention).

## **Prohibition of torture and other cruel, inhuman or degrading treatment or punishment (Article 7)**

### **The situation of persons in social care institutions and psychiatric hospitals**

Concerning the treatment of persons deprived of their liberty in social care institutions and psychiatric hospitals, the Ombudsman (also as the NPM) deals mainly with issues relating to the Mental Health Act<sup>9</sup> or unresolved systemic problems, such as the placement of persons in secure wards in social care institutions<sup>10</sup> on the basis of a court order, and staff shortages and space problems in social care institutions. For example, one of the institutions visited by the NPM was still accommodating residents in a common room and tried to provide them with as much privacy as possible, while the other, when bed capacity was exceeded, placed beds in a room otherwise used for the implementation of special protective measures.

The NPM, based on regular monitoring and thematic visits in the past, has repeatedly drawn attention to the unacceptable situation caused by overcrowding in the secure wards of (special) social care institutions. The state authorities, in particular the competent ministry, have made several promises to find solutions, to open new wards and to regulate the issue soon – but the NPM noted during 2022 visits to (special) social

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<sup>9</sup> This Act stipulates the system of health and social care in the field of mental health, the providers of these activities and the rights of persons during treatment in a specially supervised ward of a psychiatric hospital, treatment in a secure ward of a social care institution and during supervised treatment.

<sup>10</sup> Pursuant to the Mental Health Act, a social care institution is a general or a special public social care institution or concessionaire which provides services within the public service network, and is focused on the protection, accommodation and life of persons whose acute hospital treatment related to a mental disorder has been concluded or who do not require hospital treatment.

care institutions that there had been no significant improvement. Secure wards are still overcrowded. The courts' decision that admissions should be made to the (special) social care institution when the first place becomes available has, to some extent, shifted the pressure to the places where people are waiting to be admitted. This is often in psychiatric hospitals, sometimes in the home environment or in other institutions. Some people are waiting to be admitted to special social care institutions in an environment that cannot care for them effectively and safely, given their state of health. Despite a court order, some wait so long for admission that the (one-year) detention periods expire before admission.

In view of the above, the NPM (re)recommended the responsible ministry to start (much more quickly) adopting appropriate solutions for the placement of individuals who need to be placed in a secure ward so that the existing secure wards of special social care institutions would no longer be overcrowded. The NPM also recommended that sufficient places in secure wards in social care institutions for minors should be made available so that the courts can place minors in need of protection in institutions that are dedicated to and suitable for this population and with the appropriate staff training, can provide them with the best possible care and protection.

National Preventative Mechanism (NPM) found persistent overcrowding in secure units of special social care institutions which provide institutional care services for adults with mental health problems and intellectual disabilities. Overcrowding and inadequate care environments are leading to ongoing violations of residents' rights. The NPM has urged immediate action to address these chronic issues, emphasizing that the current state represents a severe neglect of residents' rights and well-being. Regarding the situation of people with restricted movement in psychiatric hospitals and social care institutions, the Ombudsman also draws attention to the treatment, care and attitude of medical and other staff towards patients, residents or users, restrictions on visits and other problems, including long waiting lists for admission to an institution where necessary, but also premature institutionalisation. In this context, the Ombudsman specifically calls for the development of community-based care to be strengthened so that institutional care is truly a last resort.

The Ombudsman is aware that involuntary placement and detention in a secure ward of a social care institution constitute an interference with the human rights and fundamental freedoms of the detained person and therefore calls for other forms of treatment of persons with mental disabilities that take place in the community or their home environment, and persistently calls for the strengthening of the activities aimed at strengthening deinstitutionalisation.<sup>11</sup>

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<sup>11</sup> As per the definition of the Ministry of Labour, Family, Social Affairs and Equal Opportunities, deinstitutionalisation is a broader social process, the end objective of which is an established system of community services individually adjusted to users and capable of adapting to changes and new needs.

## **Crisis centres for children and youth**

The crisis centres for children and youth are intended for emergency accommodation and operate under centres for social work. There are nine crisis centres for children and youth aged from 6 to 18 years old and two crisis centres for children aged up to 6 years old in the Republic of Slovenia. The first crisis centre was opened in Ljubljana in 1995, followed by crisis centres in other regions shortly thereafter. They provide short-term (crisis) accommodation for children and youth, while the competent authorities search for a permanent solution for the child or youth during their stay. Following the model of similar programmes abroad, the duration of stay was set at 21 days. In 25 years of the crisis centres' activities, this duration has proven to be adequate. In the beginning of the crisis centres' activities, a key element of crisis accommodation was also the voluntary nature of the stay.

In 2022, the NPM visited for the first time (at that moment) the only crisis centre in Slovenia for children up to the age of six. During the visit, we found that the crisis centre was mostly fully occupied or even overcrowded, and the duration of the stay was longer (as observed in crisis centres for children and youth). We learned that working with children who are staying in a crisis centre for children according to their age or developmental needs, given the complexity of caring for an individual child due to their personality traits, emotional and behavioural distress, and health problems, and given the additional tasks related to the accommodation of the employees' children, is very demanding. Therefore, it was our recommendation that the Ministry of Labour, Family, Social Affairs and Equal Opportunities explores **the need to establish (at least) another crisis centre for children up to six years of age in Slovenia**, followed by realising the establishment of the potential crisis centre for children as soon as possible. In 2023, another crisis centre for the youngest children under the age of six was opened in Slovenia within the Maribor Centre for Social Work.

## **Position of persons in police procedures**

In procedures related to complaints that otherwise relate to various aspects of the work of police officers, the Ombudsman conducts the necessary inquiries with the Ministry of the Interior (MI) and other bodies. We commend the cooperation and responsiveness of the MI and the Police to our interventions in the framework of various inquiries and interventions with criticism, opinions and suggestions. If necessary, we also cooperate with the Specialised Department of the Specialised State Prosecutor's Office, which is responsible for dealing with criminal offences that are committed by officials of certain national authorities.

Issues addressed by the Ombudsman in the field of police procedures include shortcomings in the record of medical documentation regarding facts and circumstances

that are necessary and important for the assessment of compliance between the alleged manner of injury to the injured person and actual determined injuries; training and work of police officers in relation to questioning and obtaining statements from suspects with an emphasis on respect for human rights; and determining the proportionality of the use of coercive means against the crowd at a protest.

### **Findings from visits to the Centre for Foreigners**

Based on two visits, the Ombudsman found that migrants in the Centre for Foreigners were detained in containers with little daylight in mid-2020, without the possibility of daily exits and outdoor movement.<sup>12</sup> According to the authorities, such accommodation was a temporary measure to prevent the spread of COVID-19, which should last between 10 and 14 days. However, the Ombudsman noted that detention in containers could last for more than a month, while the duration of such accommodation was not recorded nor were other checks carried out on how long the individuals were in the containers. In addition, the Ombudsman concluded that the measures taken to protect against the spread of the disease among the detainees in the Centre for Foreigners were inappropriate and contrary to the recommendations of the National Institute of Public Health.

### **Findings regarding conditions in asylum reception centres**

Unfortunately, the problem of overcrowding of facilities for accommodation of applicants for international protection, especially the Asylum Home in Ljubljana, has been going on for a long time (according to the Ombudsman's information at least since the beginning of 2022), and the authorities have been looking for solutions for too long, which the Ombudsman often warns the government about and requests appropriate measures. Overcrowding is evidently a result of an increase in the number of applicants for international protection at Slovenia's borders and the elimination of obstacles to access the asylum procedure. Official police data show an increase in the number of persons who have successfully filed an application for international protection in Slovenia in recent years: 2019 – 4,993, 2020 – 4,008, 2021 – 5,650, 2022 – 31,447 and in the first seven months of 2023 – 25,601.

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<sup>12</sup> [https://www.varuh-rs.si/fileadmin/user\\_upload/pdf/Stalisca\\_in\\_ugotovitve/2020\\_11\\_10\\_-\\_Ombudsman\\_s\\_findings\\_and\\_positions\\_regarding\\_the\\_implementation\\_of\\_detention\\_at\\_the\\_Centre\\_for\\_foreigners.pdf](https://www.varuh-rs.si/fileadmin/user_upload/pdf/Stalisca_in_ugotovitve/2020_11_10_-_Ombudsman_s_findings_and_positions_regarding_the_implementation_of_detention_at_the_Centre_for_foreigners.pdf)

## Trafficking in persons (Article 8)

The Ombudsman has been paying special attention to the issue of human trafficking on its own initiative for several years. After years of recommendations to adopt an amendment to the Crime Victim Compensation Act (ZOZKD), which would determine the right to state compensation also for persons who are not citizens of the Republic of Slovenia and other EU countries, the needed amendment was finally adopted in June 2023<sup>13</sup> and controversial Article 5 was changed in a way, that compensations are not limited to Slovenian and EU citizens but that also (without discrimination) non-EU citizens are entitled to them.

Despite the implementation of the recommendation, the removal of the citizenship requirement, in the Ombudsman's opinion, does not yet eliminate all obstacles to compensation for victims of human trafficking. Slovenia is no exception in that victims of the crime of human trafficking and related offenses find it very difficult and rare, if at all, to obtain compensation. The Ombudsman addressed the Ministry of Justice in 2023 with a question regarding the number of applicants and decisions issued on compensation for victims of human trafficking from 2017 up to and including May 2023. The Ministry responded that from 2017 to May 2023, they had not received any requests for compensation under ZOZKD due to the crime of human trafficking. The Ombudsman anticipates that with the removal of the citizenship requirement, accessibility to compensation for victims of human trafficking will improve, leading to an increase in the number of compensation claims. At this point, the Ombudsman emphasizes again that good information for victims, as well as access to information, legal support, and assistance throughout the entire criminal procedure, are of crucial importance, as are trained advisors who can help victims of human trafficking in claiming compensation.

A special aspect also involves the importance of seizing the assets of human traffickers and using them for compensation for victims. The Ombudsman has therefore focused on the confiscation of the perpetrators' assets and their use for compensating victims, as well as the potential establishment of a so-called compensation fund for victims of human trafficking and related offenses. Regarding compensation for victims of human trafficking, GRETA has already emphasized in its second report the importance of seizing the assets of traffickers and using them for compensating victims. The Ombudsman joins the calls specifically urging Slovenian authorities to make full use of the legislation that provides for the freezing and seizure of assets and to employ international cooperation to ensure that victims of human trafficking receive compensation, ensuring that recoverable assets seized in criminal proceedings are returned to the victim as quickly as possible.

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<sup>13</sup> Official Gazette of the Republic of Slovenia, No. 76/2023.

## Right to liberty and security of person, treatment of persons deprived of their liberty and right to a fair trial (Articles 9, 10 and 14)

In 2023, the Ombudsman received an alarming and significant increase in the number of complaints regarding various forms of violence against **residents of care homes**. In this context, the Ombudsman considers it essential to invest in ensuring the safety, training and education of all, especially those professionals who work with older people. The lack of adequate staffing is also a key issue. Adequate staffing is essential for the proper care of the most vulnerable, and efforts must be made to ensure proper working conditions and decent pay. Regarding the situation of persons with mobility restrictions in psychiatric hospitals and social welfare institutions, the Ombudsman draw attention to living conditions (overcrowding), treatment, care, and attitude of medical and other staff towards patients, residents, or users, to restrictions on visits and other issues, including long waiting times for admission to institutional care, where necessary, but also premature institutionalisation. In this regard, the Ombudsman specifically call for the competent ministries and other institutions to strengthen the development of care so that institutional care will truly be the last resort.

In 2023, the media reported allegations of violent behaviour by staff at the **Psychiatric Clinic** of the University of Ljubljana. The Ombudsman is currently preparing his recommendation on this matter.

The Ombudsman also considers it essential to strengthen the basic and further training for employees in the **prison system**, therefore, even in the process of drafting of the new Enforcement of Criminal Sanctions Act, the Ombudsman welcomed the decision to establish a penology academy, which will provide professional education and training for employees in the prison system, and it will also house a research centre and all proposed changes and additions aimed at improving the position of judicial officers and other employees in the prison system, including the proposed amendment to the law with a legal basis for regulating the provision of professional psychological assistance and support for institutional workers and also their immediate family members.

Overcrowding in prisons remains one of the primary issues in penal enforcement. The average incarceration rate in Slovenia increased by 23% between January 2021 and January 2022. The situation worsened further in 2023. An extreme and intolerable example is the Ljubljana prison, where the Ombudsman recorded an occupancy rate of 209% on January 10, 2024. The overcrowding problem is exacerbated by a critical shortage of judicial police officers. The consequences of overcrowding manifest in various ways, impacting the maintenance of order and discipline, the treatment of inmates, and the implementation of their rights. This leads to degrading and inhumane conditions for the inmates and inadequate working conditions and burdens for the staff. Due to overcrowding and the shortage of judicial police officers, institutions were forced

to cancel escorts to courts and health facilities outside the institution in 1,416 cases in 2023. These cancellations result in prolonged court proceedings and violations of the right to a trial within a reasonable time, as well as the right to medical care. The Ombudsman considers the situation in Slovenian prisons to be alarming and notes a lack of measures to increase or supplement the use of alternative measures that could replace detention and imprisonment.

An additional problem is the large share of foreigners in our ZPKZ, which is growing rapidly. Because of language barriers, working with them is particularly challenging, and their coexistence with other incarcerated persons is also difficult. Comprehensible communication with incarcerated persons is of decisive importance for the effective enforcement of the rights of incarcerated persons, which is why the Ombudsman has already recommended to URSIKS that it examine the possibilities of organising courses or lessons in Slovenian or another world language in ZPKZ (also) for detainees who do not understand Slovenian.

With regard to the position of persons in the psychiatry forensic unit, we draw attention to the still unresolved issue of the preparation and publication of the list of providers of the security measure of mandatory psychiatric treatment at liberty for the entire country, as well as to the unfulfilled recommendation that the government should consider the findings of the working group as soon as possible for the establishment of a specialised unit for the treatment of persons with the most severe forms of mental health disorders and make further decisions regarding its establishment.

### **Situation regarding persons serving sentences of imprisonment and detention in prisons (ZPKZ) and educational measure of transfer to a reform school at the Radeče Reform School**

The Ombudsman verifies the complaints of detainees and convicted persons (in some cases by direct visits) with the competent authorities, in particular the Prison Administration of the Republic of Slovenia (URSIKS), the ZPKZ or the Ministry of Justice (MJ), as well as the courts. We commend this cooperation, as the authorities we turn to have responded to our requests on a regular basis.

Unfortunately, we must conclude that the situation in the field of prisons remains similar to in recent years, when we warned about the overcrowding of (at least some) prisons<sup>14</sup>,

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<sup>14</sup> For example, the Dob pri Mirni ZPKZ reported that, in view of the number of convicted prisoners serving their prison sentences and the spatial capacity of the institution, it was not possible to ensure the standard set out in Article 17 of the Rules on the Execution of Prison Sentences in the so-called old wards (wards 2, 3, and 4). The provision of Article 42(2) of the ZIKS-1, according to which dormitories shall have a maximum of eight beds, cannot be met in these wards.

also due to a significant increase in the number of foreigners (whose treatment brings additional problems<sup>15</sup>). Most convicts have to serve their sentences in multi-bed rooms, and it is understandable that not everyone who wants to be accommodated in a single room or a room with only a few people, can do so. In the opinion of the Ombudsman, it is important that both URSIKS and individual institutions strive to take into account as much as possible the aspects of the European Prison Rules when transferring or accommodating convicted persons between and within institutions (taking into account other legal provisions and given material possibilities), which do not arise only from the required living space<sup>16</sup> per individual, but also from their abundance in terms of living conditions and thus the well-being of imprisoned persons. In a long run, there is an expected solution for some of these problems through the construction of new accommodation facilities in Ljubljana or by renovating the ZPKZ at Ig (which is necessary due to the poor conditions there), although as we constantly emphasise, the problem of congestion cannot be solved only by the construction of new prisons.° We also reiterate the position of vulnerable groups in the ZPKZ. For some time, the Ombudsman has been striving for a better position of imprisoned persons who, due to age, illness or disability, need additional assistance in meeting basic living needs in the form of care or social care during their imprisonment, in order to ensure respect for their personality and dignity. When serving a prison sentence, it is necessary to ensure their proper placement and decent imprisonment, otherwise it may be inhuman or degrading treatment and thus a violation of Article 3 of the Convention for the Protection of Human Rights and Fundamental Freedoms.

The problem of understaffing in all areas of work, especially in the areas of professional work with prisoners and security (according to the available data of more than 100 judicial police officers), also remains in our prison system.

Given the increased number of detainees, the NPM recommended that the possibilities be considered or the necessary measures be taken to enable all detainees, in addition

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<sup>15</sup> See, for example: The Ombudsman supports solutions to eliminate communication problems with foreign-speaking patients in prisons (varuh-rs.si).

<sup>16</sup> Article 17 of the Rules on the Execution of Prison Sentences (the Rules): "(1) The surface area standard in a single room shall be 9 m<sup>2</sup>. (2) The surface area standard in a multi-bed room shall be 7 m<sup>2</sup> per convict. (3) There shall be at least 2 m of space between the walls of the room and the ceiling height shall be at least 2.5 m. The room referred to in paragraphs 1 and 2 of this Article shall also have a sanitary space of at least 1.5 m<sup>2</sup>. (4) The establishment shall comply with the standards referred to in paragraphs 1, 2 and 3, of this Article in new buildings and in the calculation of the establishment's space capacity, and shall endeavour to comply with these standards also in the case of adaptations of existing buildings."

According to the recommended minimum standards of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) - (Living space per prisoner in prison establishments: CPT standards, CPT/Inf (2015) 44)), the living area for a single occupancy room is 6 m<sup>2</sup>. In the case of a room intended for several persons to live in at the same time, 4 m<sup>2</sup> are provided for each additional person (i.e., 10 m<sup>2</sup> for two persons and 14 m<sup>2</sup> for three persons; this does not include the area for toilets).

to a two-hour walk, to be able to spend time outside the living quarters for at least a part of the day or to organise activities outside the living quarters. At the same time, we also pointed out the recommendation of the CPT that detainees should also be out of their cells for at least eight hours a day and involved in various useful activities, such as work, education, sports, or other appropriate activities.

During the visits, the NPM also recommended taking into account the repeated warning of the medical expert that the method of distributing treatment to imprisoned persons by judicial police officers is medically disputed and that attempts should be made to ensure that the therapy is actually fully distributed to imprisoned persons by medical staff. In this regard, the URSIKS General Office announced that they are aware that it would be more appropriate for the distribution of treatment to be performed by medical staff, which is unfortunately not possible due to personnel problems and the organisation of work in prison clinics.

### **The right to a fair trial**

Regarding the right to a fair trial the Ombudsman notes that there have been no changes or additions to the applicable legal regulation (including the necessary changes and additions to the tax legislation) to make pro bono legal assistance more accessible. Already with recommendation no. 55 (2022), the Ombudsman encouraged the competent executive authorities to ensure the necessary financial, personnel, and spatial conditions for the functioning of the courts. This recommendation remains unimplemented. In one of the cases under consideration, in 2023 the Ombudsman used the option of filing a request for constitutionality assessment under the Constitutional Court Act, as it considers the regulation of Article 169 of the Criminal Procedure Act (ZKP), which does not provide for a response to the state prosecutor's appeal against the decision of the extrajudicial senate, which rejected the request for an investigation, unconstitutional. In the Ombudsman's opinion, in such cases, the person into whom the prosecutor requested an investigation should be given the opportunity to express their views on the appeal filed even before the decision of the High Court.

The Ombudsman also recalls that, for more than 15 years, the envisaged Juvenile Justice Act (e.g. to reduce the length of detention, to introduce mandatory legal representation from the moment of police custody, etc.) has still not been proposed and adopted, even though this was already foreseen for in the then new Criminal Code in 2008.

In 2023, the Constitutional Court of the Republic of Slovenia specifically highlighted the material aspect of judicial independence in decision no. U-I-772/21 dated 01/06/2023, which concluded that the regulation of judges' salaries is inconsistent with the constitutional principle of judicial independence. The Constitutional Court of the Republic of Slovenia set a six-month deadline for the legislator to eliminate the identified

unconstitutionality, taking into account that the legislator and the government have been familiar with the issue in question for a long time. Nevertheless, this decision of the Constitutional Court was not implemented within the specified time, which is worrying.

In 2023, the Ombudsman approached the European Court of Human Rights as a third party in the case of X and others against Slovenia with a proposal for intervention, and our intervention was approved. It highlighted the issue regarding the breach of the right to a natural judge and recommended that when (re)allocating court cases, courts should consistently take into account in advance certain criteria in accordance with the provisions of the Courts Act and the Rules of Courts, as the Constitution protects the right to judicial protection, which also includes the right to a natural or legal judge. The digitalization of the judiciary, which is progressing slowly, could also play an important role in the allocation of cases.

### **Treatment of foreigners (Articles 2, 7, 13 and 24)**

The Ombudsman found serious delays in the processing of applications by third-country nationals for residence permits. The lengthy procedures for obtaining residence permits in Slovenia affect both foreigners already living in the country and those wishing to immigrate. This includes migrants applying for work permits and those applying for family reunification permits. The administrative bodies often cite systemic problems, such as a high volume of applications and insufficient staff, as the main causes of delays. The Ombudsman has found that these reasons are no longer acceptable after a reasonable period of time for organisational or staffing adjustments has elapsed.

The Asylum Home in Ljubljana - Slovenia's main asylum reception centre - was severely overcrowded in 2022 (up to 700 people in a facility designed for 230). The Ombudsman found that the overcrowded conditions did not meet the required minimum material reception standards. In September 2023, the Ombudsman again concluded that overcrowding at the reception centre for asylum seekers in Ljubljana violated individuals' rights to personal dignity, privacy, and security.

The Ombudsman also notes that migrants apprehended at the border are returned to Croatia and other neighbouring countries by the Slovenian authorities without a written decision, and thus have no access to legal remedies to challenge their return or transfer.

According to national legislation (Foreigners Act), unaccompanied minors and families with children should primarily be accommodated in appropriate facilities for children. However, in practice, families with children and some unaccompanied minors are detained in the Postojna Centre for Foreigners, which is a closed facility. The Ombudsman's recommendation that adequate alternative accommodation should be

provided for families with children and that detention of minors should only be used as a last resort, remains unimplemented.

Also, while visiting the Centre for Foreigners in 2022, the NPM again recommended that an interpreter be involved in conversations with foreigners, despite the fact that they speak or (partially) understand English, if necessary, as this ensures that the foreigner has a better understanding of the meaning of the procedures in which he or she is involved.

### **Foreigner's Act provisions breaching principle of non-refoulement**

In early 2017, Slovenia adopted amendments to the Foreigners Act which allowed for a future restriction on the right to asylum. According to the new provisions, the National Assembly (Parliament) could vote on suspending access to asylum procedure in case migration posed “a threat to public order and internal safety in the Republic of Slovenia”. The provisions were later declared unconstitutional and annulled by the Constitutional Court in a procedure initiated by the Ombudsman.<sup>17</sup>

In 2021, further amendments to the Foreigners Act introduced a similar option in case of “a complex migration emergency” (Articles 10.a and 10.b).<sup>18</sup> If a complex emergency is declared under deteriorating migration-related conditions, the National Assembly can suspend the implementation of the International Protection Act and restrict the access to asylum in Slovenia. If this took place, police officers would be able to reject all intentions from migrants to submit applications for international protection, except in specified cases (individual circumstances or systemic shortcomings that could put the individual under risk of torture, inhumane and degrading treatment in the country to which they are being returned, health reasons or being an unaccompanied minor). Possible appeal against such rejection would not suspend the execution of the decision. The passage of the legislation in parliament was marked by warnings and criticism from human rights advocates that the criteria for declaring a “complex crisis” had not been clearly defined, that the police cannot be asked to decide who to allow or reject access to an asylum procedure based on their protection needs, that no restrictions can be put on prohibition of torture and that the amendment is therefore unconstitutional in much same way as the annulled amendment from 2017.

## **Freedom of expression (Article. 19)**

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<sup>17</sup> Decision U-I-59/17 of 18 September 2019, available in Slovenian at: <https://www.us-rs.si/odlocba-ustavnega-sodisca-st-u-i-59-17-z-dne-18-9-2019/>.

<sup>18</sup> Amendments available in Slovenian at: [www.uradni-list.si/glasilo-uradni-list-rs/vsebina/2021-01-1153/zakon-o-spremembah-in-dopolnitvah-zakona-o-tujcih-ztuj-2f](http://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/2021-01-1153/zakon-o-spremembah-in-dopolnitvah-zakona-o-tujcih-ztuj-2f).

The Ombudsman notes that no steps have been taken to ensure that defamation is not punishable by imprisonment.

The Ombudsman points to the impermissible **precariousness of the journalistic profession**, which limits the freedom of journalists and reduces the quality of their work. Care for journalists is also care for the right to freedom of expression, so the state should find appropriate normative solutions to limit the precariousness of journalistic work.

See also the submission **on hate speech** above in chapter Non-discrimination, equality between men and women, and prohibition of advocacy of national, racial or religious hatred (Articles 2, 3, 20 and 26).

## Protection of children (Article 24)

The Ombudsman has persistently and, over many years, raised concerns over the general shortage of experts in clinical psychology of children and adolescents, psychiatry and child psychiatry in Slovenia causing long waiting times in the field of psychological and psychiatric treatment of children.

Urgent systemic action is needed in institutional care for children with severe mental health disorders. The Ombudsman considers that children and adolescents should be placed only in secure units which are designed for children and adolescents in terms of staff, space, services and programmes, and not for adults, as is the case with secure units in specialist social care institutions, where they are placed. Primarily the Ombudsman persistently calls for deinstitutionalisation.

Another problem is the length of court proceedings, which have a much more negative impact on children and their development than lengthy proceedings have on the parties in general. The lack of forensic experts, in particular clinical psychologists and paediatric psychiatrists, is a critical factor in proceedings involving decisions about the child and his or her rights.

In 2020, the Ombudsman recommended that the competent ministry introduce family assistance in families caring for children with special needs under 18, aiming to reduce the institutionalisation of children with special needs and to realise the rights of children with special needs to family life. Unfortunately, this recommendation has not yet been implemented.

The Ombudsman highlighted the issue of accessibility of secondary schools in its 2019 Annual Report and made two recommendations, which remain unfulfilled. The Inspectorate of Education and Sport of the Republic of Slovenia promised regular inspections of kindergartens, primary and secondary schools, and access to education

for persons with disabilities. When at the end of 2022, the Ombudsman checked to see how this promise had been implemented, it found that the Inspectorate had not kept it, citing staff shortages and a higher number of emergency initiatives, and an increase in the number of different types of violence in the school environment as the reasons.

To prioritise the rights and welfare of children in the overhaul of the Slovenian school system, the Ombudsman, along with eleven other organisations active in the field of children's rights, issued a joint statement regarding the planned renewal of the school system for the next decade.<sup>19</sup> This statement included ten recommendations for improving the school system in the country. These recommendations encompass, inter alia, a proposal to include more education on human rights and tolerance in schools, to implement inclusive education at all levels of the schooling system, to incorporate more instruction on the use of the internet and modern technologies, particularly highlighting the dangers they pose to children, as well as integrating more physical education into the curriculum.

## The right to vote (Article 25)

In the field of the right to vote and to be elected the Ombudsman discussed the exercise of the right to vote in relation to the number of polling stations, since after 2011 there was a visible decrease in the number of polling stations in some electoral districts (Jesenice, Idrija, and Šmarje pri Jelšah). During the highlighted ten-year period, when the number of polling stations decreased, no one contacted the Ombudsman claiming that due to the abolition or consolidation of polling stations, it was difficult or even impossible for them to vote in the elections. In accordance with the current regulation, district election commissions or municipal election commissions have the authority to determine polling stations. The current regulation does not specify any special conditions and criteria for determining polling stations that would affect the number of polling stations. We note that none of the Final Reports of the OSCE/ODIHR Election Evaluation Mission (in 2011, 2017, 2018, or 2022) identify any problems regarding the potential (too) small number of polling stations or the (too) large distance of polling stations from voters' residences. The importance of the accessibility of polling stations for persons with disabilities is highlighted. The OSCE/ODIHR also does not have a clearly defined maximum acceptable distance between the polling station and the voter's residence. The EU Agency for Fundamental Rights (FRA) sums up the warnings of (Slovenian) disability organisations that it is unacceptable when the distance between the polling station and the voter's residence is 10 or more kilometres.

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<sup>19</sup> See: [https://www.varuh-rs.si/fileadmin/user\\_upload/CENTER\\_-\\_NVO\\_otroci\\_-\\_prenova\\_solstva\\_izjava/skupna\\_izjava\\_prenova\\_solstva\\_c.pdf](https://www.varuh-rs.si/fileadmin/user_upload/CENTER_-_NVO_otroci_-_prenova_solstva_izjava/skupna_izjava_prenova_solstva_c.pdf).

## Rights of minorities (Articles 26 and 27)

In this area, by far the most initiatives were once again related to the **Roma community** or its members. The determination of all relevant circumstances remains a difficult task. On various occasions, the Ombudsman emphasises that access to drinking water is of vital importance for every person, because water is used to fulfil basic needs, such as drinking, washing, laundering clothes, preparing food, personal hygiene, and cleaning the home. Access to drinking water is a human right that derives from the national legal order (Articles 34 and 70a of the Constitution) and also from the international legal order, which defines that adequate access to drinking water must be guaranteed to everyone, regardless of the legal status of the land on which they live. The Ombudsman recommends that the government encourage municipalities with Roma settlements to include strategies, goals, and measures for strengthening housing policy for members of the Roma community in their detailed regional programmes and measures.

While the systemisation for the position of Roma assistant in schools began to be implemented on 1 September 2021, it should be pointed out that the employment contract for Roma assistants (still) states that they are companions for physically challenged persons – and not Roma assistants.

**Social exclusion of Roma remains widespread**, particularly in south-eastern Slovenia. Many Roma in this region live in segregated settlements without security of tenure, some even without basic services such as adequate safe drinking water, sanitation and electricity. The Ombudsman has consistently called for access to adequate housing for Roma to be ensured.

A 2022 Institute for Ethnic Studies report found only 21.3% of Roma pupils complete all nine grades of primary school, with the south-eastern region averaging just 12.3%. A 2018 National Institute of Public Health study revealed Roma men have an average life expectancy nearly 20 years less than the general Slovenian population. Premature mortality among Roma is 69%, compared to the national average of 19%, and the child mortality rate for Roma aged one to five is seven times higher. Roma women are 16 times more likely to be hospitalized for pregnancy and childbirth, and Roma face higher hospitalization rates for various diseases. However, the absence of data on the actual situation and social circumstances of members of the Roma community is likely one of the main reasons for insufficient progress concerning their standards of living and protection of their human rights

Further, the distinction between "autochthonous" and "non-autochthonous" Roma persists despite recommendations to eliminate it. The Act on Local Self-Government mandates Roma representation in municipal councils only in areas with "autochthonous"

Roma populations, excluding urban areas like Ljubljana and Maribor, and some other municipalities with Roma population.

In the field of minority rights the **absence of data disaggregated** by ethnic origin and religious affiliation makes it difficult to monitor the impact of the measures taken to protect minorities and assesses their needs in the absence of data disaggregated (see the submission on the lack of sufficient legal grounds to collect disaggregated data above).

Regarding the **rights of Italian and Hungarian national minority** in Slovenia, in 2023, an amendment to the Act on the Rights of Members of National Communities (ZPIMVI-B) was adopted, introducing a new article (Article 11.a), which now allows children with special needs who have permanent or temporary residence outside the ethnically mixed area to be enrolled in schools with Italian and Hungarian as the language of instruction or bilingual schools that provide adapted and special educational programs, in accordance with the law governing the education of children with special needs.

## **Dissemination of information relating to the Covenant and the Optional Protocol (Article 2)**

The Ombudsman is not aware of any specific activity of the authorities regarding the dissemination of information relating to the Covenant and the Optional Protocol, other than the publication of both documents on the Ministry's of Foreign and European Affairs webpage.

However, the Ombudsman is fully aware that for the effective protection of human rights, it is crucial to have knowledge of various complaint mechanisms and remedies. Therefore, it organized, on May 10, 2023, in collaboration with the Faculty of Law at the University of Ljubljana and the Centre for Civil and Political Rights (CCPR-Centre) from Geneva, a workshop on the participation of civil society organizations in the implementation of state obligations under United Nations human rights treaties, with a specific focus on the Covenant. The workshop aimed to enhance understanding and awareness of the procedures for reviewing the implementation of international human rights standards within the UN treaty bodies. The workshop was led by Professor Vasilka Sancin from the Faculty of Law at the University of Ljubljana, who is also a former Vice-Chair of the UN Human Rights Committee, and the main speaker was Mr. Patrick Mutzenberg, Director of the CCPR-Centre. Staff from the Ombudsman's Centre for Human Rights shared their experiences in engaging with international bodies. The workshop was attended mostly by representatives of various non-governmental organizations. On this occasion, the Ombudsman also hosted Mr. Mutzenberg for a

bilateral meeting. In the Ombudsman's view, the authorities could do more to promote the Covenant and its Optional Protocol.