

SLOVENIA 2012 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Slovenia is a parliamentary democracy and constitutional republic. Power is shared among a directly elected president (head of state), a prime minister (head of government), and a bicameral parliament composed of the National Assembly (lower house) and the National Council (upper house). In presidential elections on November 11 and December 2, which observers regarded as free and fair, voters chose former prime minister Borut Pahor as president. The coalition government of Prime Minister Janez Jansa, formed in February after snap parliamentary elections in December 2011, continued in office. Security forces reported to civilian authorities.

The most significant human rights problem was societal discrimination and occasional extremist harassment and violence against the country's Roma, which aggravated their harsh living conditions, limited access to education and employment opportunities, and led to social isolation. Judicial and administrative backlogs and inefficiency resulted in significant delays in trials. While the government made some progress in restoring residency to persons whose status as residents was "erased" after the break-up of the former Yugoslavia, these persons were unable to exercise fully their rights regarding access to housing, health care, employment, and social security.

Other problems reported during the year included prison overcrowding; government corruption; domestic violence against women and children; trafficking in men, women, and girls; and discrimination against lesbian, gay, bisexual, and transgender (LGBT) persons.

The government took steps to prosecute and punish officials who committed abuses, whether in the security services or elsewhere in the government.

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

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of politically motivated disappearances.

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

The constitution and law prohibit such practices, and there were no reports that government officials employed them.

Prison and Detention Center Conditions

Prison conditions generally met international standards, although there were some problems with overcrowding. The government permitted visits by independent human rights observers.

Physical Conditions: In general the country's prisons remained overcrowded. As of November 19, there were 1,412 prisoners in total, most of whom were convicts. The official capacity of the prison system was 1,309. There were approximately 70 female and 10 juvenile prisoners. Authorities incarcerated men and women in separate facilities. Prisoners had access to potable water.

The number of prisons and their capacity in the country did not change during the year.

During the year six persons died in prison or detention facilities (three suicides and three from natural causes).

Administration: An ombudsman serves on behalf of prisoners and detainees in such matters as alternatives to incarceration for nonviolent offenders; the status and circumstances of confinement of juvenile offenders; and improvements in pretrial detention, bail, and recordkeeping procedures. The independent ombudsman carried out these responsibilities during the year. The government investigated and monitored prison and detention center conditions. Prisoners and detainees had reasonable access to visitors and religious observance. Authorities allowed prisoners and detainees to submit complaints to judicial authorities without censorship and to request investigation of credible allegations of inhumane conditions. Authorities investigated such accusations and documented the results in a publicly accessible manner.

Monitoring: The government permitted local and international human rights groups, the media, and international bodies such as the International Committee of the Red Cross and the Council of Europe's Committee for the Prevention of Torture (CPT) to monitor prison conditions independently. Numerous nongovernmental organizations (NGOs) and rights groups undertook visits to all prisons during the year.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention, and the government generally observed these prohibitions.

Role of the Police and Security Apparatus

Police perform the country's basic law and order functions under the direct supervision of the Ministry of the Interior. The National Investigation Bureau falls under the general police administration at the Ministry of Interior. The Border Police is subordinate to the Police Directorate at the Ministry of Interior. The government, the Parliamentary Oversight Commission, the relevant district court, the ombudsman, the Court of Audits, and Budget Supervision Office oversee the Slovene Intelligence and Security Agency.

Civilian authorities maintained effective control over the police, the armed forces, and the government has effective mechanisms to investigate and punish abuse and corruption. There were no reports of impunity involving security forces during the year. The police internal investigation division investigated allegations of police, prosecutorial, and judicial misconduct during the year. There were no arrests or trials by year's end.

Arrest Procedures and Treatment While in Detention

Police generally apprehended those taken into custody with warrants issued by either a prosecutor or judge. Authorities may detain suspects for 48 hours before charging them. Authorities are required to inform suspects, who are brought promptly before the judge, of their rights immediately after arrest. They must also advise detainees in writing within six hours (within three hours for minor offenses) of the reasons for their arrest. Authorities generally released defendants on bail except in the most serious criminal cases. Upon arrest, detainees have the right to contact legal counsel of their choice and the right to counsel when authorities question them. The government provided indigent detainees with free counsel.

Authorities generally allowed detainees prompt access to family members. The law provides for prompt access to immediate family members and recognizes detention under house arrest.

Pretrial Detention: Once authorities charge a suspect, pretrial detention may last for up to four months, depending on the severity of the alleged crime. An investigative judge must certify the charges. After the commencement of trial procedures, authorities may extend the total detention period for up to two years. Authorities must release persons detained more than two years while they await trial or pending conclusion of their trial.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary, and the government generally respected judicial independence in practice. The law provides the right to a trial without undue delay; however, court backlogs at times resulted in lengthy trial delays. The “Lukenda” project, started by the government in 2005 to eliminate the judicial backlog, continued to boost the efficiency of the judiciary, reducing court backlogs and lowering the average processing time from 14.1 months to 6.1 months. The Lukenda project was scheduled to terminate at the end of the year.

Trial Procedures

The constitution and law provide for the right to a public fair trial, and an independent judiciary generally enforced this right. Defendants enjoy rights to: presumption of innocence; to be informed promptly and in detail of the charges (with free interpretation as necessary); to a trial without undue delay; to a trial by jury; to legal counsel; to adequate time and facilities to prepare defense; to access government-held evidence; to confront prosecution witnesses and present their own witnesses and evidence; and to appeal. The law also provides safeguards against self-incrimination. While indigent defendants have the right to an attorney provided at public expense, the government did not establish a formal system to provide legal counsel to the indigent. However, free counsel was available to indigents from the NGO Legal Information Center and the government-sponsored Free Legal Aid.

The judicial system was overburdened and lacked administrative support, resulting in frequent delays in the judicial process. In many instances criminal trials took from two to five years.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

The constitution and law provide for an independent and impartial judiciary in civil matters, including damages for, or cessation of, human rights. As with criminal matters, court backlogs sometimes resulted in lengthy or delayed trials. Individuals may appeal court decisions involving alleged human right violations by the government to the European Court of Human Rights (ECHR) once all avenues for appeal in domestic courts are exhausted.

Regional Human Rights Courts Decisions

The country is subject to the ECHR. The government was in the process of complying with the court's decisions.

After the country's independence from Yugoslavia in 1991, residents with citizenship of other Yugoslav republics were required to apply if they wished to become Slovenian citizens. The records of those who did not do so, and who also failed to apply for permanent foreign resident status, were erased. The lack of identity documents left "erased" persons without rights to residency, education, health care, housing, work permits, or pensions. There was no right of appeal. Of the original estimated 25,671 "erased" persons, 10,943 subsequently adjusted their status, while 1,302 died. There was no official data available on the 13,426 persons who had not adjusted their status, a few dozen of whom lived in the country and filed applications for permanent residence. NGOs, the independent ombudsman for human rights, and the Ministry of the Interior believed the majority of the remainder lived abroad.

Legislation enacted in 2010 retroactively recognizes the residency status of "erased" persons but places the burden of substantiating their status on the claimant, who usually lacked basic documentation. In June the ECHR's Grand Chamber issued a final ruling that upheld an earlier court decision involving six erased persons that the government's deprivation of legal status and subsequent refusal to remedy it constituted a violation of the state's obligations under the European Convention on Human Rights. The six applicants were granted compensation for nonpecuniary damages and in September became the first

“erased” to receive such an award. The ECHR also ordered the government to adopt a compensation scheme within one year that would enable erased persons to receive compensation.

Property Restitution

Cases involving the restitution of property seized during World War II and the Communist era remained unresolved. During the year the Ministry of Justice reported that 99.6 percent of such property restitution cases were settled.

Several of the remaining confiscated properties appeared to be untouchable because the parties occupying the sites were politically influential and thwarted attempts to reach negotiated settlement. For example, since March 1993 close ties between the local government administrative unit and Radenska d.d., a major producer of mineral water in the country, which is between 5 and 25 percent state-owned, stymied a foreign family’s claims to the Radenci Spa property located on the family’s ancestral lands. The administrative unit responsible for hearing the case of another property owned by this family failed to serve notice of the claim on the opposing party for 19 years. During the year the administrative unit of the local court suddenly summarily dismissed the foreign national’s claim without holding a hearing.

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

The constitution and laws prohibit such actions, and the government generally respected these prohibitions in practice.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution and law provide for freedom of speech and press, and the government generally respected these rights. However, the law prohibits hate speech, including incitement to intolerance as well as violence. Reports of political pressures on the media continued during the year.

Freedom of Speech: Individuals could criticize the government publicly or privately without reprisal, and the government did not attempt to impede criticism. The penalty for hate speech is two years’ imprisonment. Although police statistics on the incidence of hate speech did not show a significant increase, NGOs and

government officials maintained there had been a general increase in expressions of intolerance, particularly anti-Semitic and homophobic hate speech.

Freedom of Press: Media outlets were subject to the same laws that prohibit hate speech as well as to laws prohibiting defamation and libel. The independent media were active and generally expressed a variety of views without restriction. The international media operated freely.

In July the government, arguing that it was making changes due to consolidation under financial austerity, dismissed four members of the 11-member board of supervisors of the government-owned RTV Slovenia. The previous government had appointed the four for terms extending to 2014. The NGO Reporters without Borders questioned the legality of the dismissals and described them as “unacceptable political interference in RTV’s operations.”

Libel Laws/National Security: The law provides criminal penalties for defamation that harms a person’s honor or name; there were a few reports of prosecutions for defamation during the year. Criminal laws on defamation and injurious accusation have been used against journalists who publish claims about political figures.

In October the bank Probanka charged the newspaper *Vecer* with criminal disclosure and unauthorized acquisition of trade secrets, alleging that the newspaper’s chief editor and one of its journalists leaked proprietary information of the bank. The newspaper also claimed that the bank demanded 300,000 euros (\$396,000) in compensation.

Internet Freedom

There were no government restrictions on access to the Internet or credible reports that the government monitored e-mail or Internet chat rooms without appropriate legal authority. Individuals and groups could engage in the expression of views via the Internet. According to estimates of the International Telecommunication Union, approximately 72 percent of the population used the Internet in 2011. The independent organization Helpline Spletno Oko (Web Eye) monitored the presence of hate speech and child pornography on the Internet and received on average 62 reports and tips per month.

Academic Freedom and Cultural Events

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

b. Freedom of Peaceful Assembly and Association

The constitution and law provide for freedom of assembly and association, and the government generally respected these rights in practice.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/j/drl/irf/rpt/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation; the government generally respected these rights in practice. The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, asylum seekers, and other persons of concern.

Protection of Refugees

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

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

The constitution and law provide citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections based on universal suffrage.

Elections and Political Participation

Recent Elections: On November 11 and December 2, the country held presidential elections. Former prime minister Borut Pahor from the Social Democratic Party won the election. The elections were reportedly free and fair.

Participation of Women and Minorities: There were 34 women in the 90-seat National Assembly and one woman in the 40-seat National Council. There were two members of minority groups in the National Assembly and one each in the National Council and the cabinet. The constitution provides only the indigenous Italian and Hungarian minorities the communal right to have a representative in the National Assembly. Twenty distinct Romani communities, each designated indigenous at the local level, are entitled to seats on their local municipal councils.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal and civil penalties for corruption, conflicts of interest, and illegal lobbying by officials; however, the government did not implement the law effectively, and officials often engaged in corrupt practices with impunity. The law provides criminal and civil penalties for corruption, conflicts of interest, and illegal lobbying by officials.

During the year the Commission of the Prevention of Corruption (CPC) received 949 reports of suspected corruption (in addition to 128 cases launched on its own volition). By October the CPC resolved 1,214 cases, which resulted in 86 civil penalties issued by the CPC and the dismissal of 12 state and local officials, annulment of 110 public contracts, and referral of 267 criminal reports to criminal prosecution. In addition, for the first time in the country's history, authorities arrested a judge and a prosecutor and charged them in separate incidents for allegedly receiving bribes.

In September police raided the homes of Ljubljana Mayor Zoran Jankovic and his sons in a continuing graft investigation.

The trial of five officials including Prime Minister Jansa continued during the year. The government charged the officials with corruption in connection with a 2006 Defense Ministry contract to purchase military equipment from a Finnish company.

On December 31, the mayor of Maribor, Franc Kangler, resigned from office following protests in the city demanding his resignation over alleged corruption.

Only the highest-level officials in the government, parliament, and judiciary--approximately 5,000 of the country's 80,000 public employees--are subject to financial disclosure laws. In December 2011 the CPC introduced an electronic system to monitor declarations of assets of public officials.

The National Investigation Bureau, the Specialized Prosecution Service, and the CPC all have responsibilities in combating corruption. The anticorruption commission played an active role in educating the public and civil servants about corruption. It is independent of both the executive and the legislative branch. However, the body claimed to have neither adequate staff nor sufficient funds to fulfill its mandate and assess all cases of suspected corruption it received.

The law provides free public access to all government information, and the government provided such access to both citizens and noncitizens, including foreign media. The government may deny public access only to classified information, personal data protected by privacy laws, and other narrowly defined exceptions. The CPC had a Web service called SUPERVIZOR, which made the public spending and income flows fully transparent.

During the year the Office of the Government Information Commissioner received 243 complaints of nonresponsiveness of government institutions and 277 complaints based on the Act to Access Public Information (i.e., public institutions not providing information as required by law).

The NGO Integriteta in partnership with Transparency International found that law enforcement agencies (e.g., the National Investigation Bureau, the National Assembly, the Court of Auditors, and the State Electoral Commission) provided the fastest and most comprehensive responses. Integriteta reported that the office of the independent ombudsman, the CPC, and Supreme Court provided less satisfactory and slower--or even no--responses.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials generally were cooperative and responsive to their views.

UN and Other International Bodies: A delegation of the CPT carried out a periodic visit to the country from January 31 to February 6 but did not publish its report by year's end.

Government Human Rights Bodies: The constitution provides for an independent human rights ombudsman to monitor violations of human rights, especially when perpetrated by persons in positions of public authority. Individuals may file complaints with the independent ombudsman to seek administrative relief in the case of a human rights violation. The independent ombudsman reports annually on the human rights situation and provides the government with recommendations. In a report covering 2011 released in September, the ombudsman stressed the country's need of a national institution for preventing, researching, and dealing with human rights abuses.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution and law prohibit discrimination based on race, gender, disability, language, sexual orientation and/or gender identity, or social status, and the government usually enforced these prohibitions effectively.

Women

Rape and Domestic Violence: Rape, including spousal rape and domestic violence, are illegal. The penalty for rape is one to 10 years in prison. SOS Helpline, an NGO that provided anonymous emergency counseling and services to domestic violence victims, estimated that one in seven women was raped during her lifetime. Victims rarely reported spousal rape to authorities. Police actively investigated reports of rape and prosecuted offenders. There were 32 reported rapes in the first half of the year and 23 reported acts of sexual violence. SOS Helpline estimated that only 5 percent of rape victims sought assistance or counseling.

The law provides for penalties of up to 10 years' imprisonment in the case of aggravated and grievous bodily harm. Violence against women, including spousal abuse, occurred and was generally underreported. In the first half of the year, the police processed 1,011 cases of criminal acts against a spouse or a family member.

SOS Helpline estimated that 25 percent of women had been victims of domestic violence at some point during their lives. The NGOs SOS Helpline and Kljuc provided support hotlines, and SOS Helpline reported 3,038 calls and e-mail queries during the year. The government fully funded eight crisis centers with 68 beds for mothers with children and adolescents, one of these specializing in children six years of age or younger. The government worked with NGOs on domestic violence cases, providing shelters and social work centers, and partially

funded 29 shelters, safe houses, and maternity homes with 410 beds. Shelters, safe houses, and crisis centers specifically for women and children provided 271 beds in 19 locations, and maternity homes provided 139 beds in 10 locations. When police received reports of spousal abuse or violence, they generally intervened and prosecuted offenders. The police academy offered training on domestic violence.

Sexual Harassment: The law prohibits sexual harassment in the workplace as a criminal offense and in all areas of life (prohibited as discrimination); however, it remained a widespread problem. During the first half of the year, 13 criminal investigations of sexual harassment but no convictions were reported.

Reproductive Rights: Couples and individuals have the right to decide freely and responsibly the number, spacing, and timing of their children. They also have the information and means to do so free from discrimination, coercion, and violence.

Discrimination: There is no official discrimination against women in family law, property law, or the judicial system. The Office of Equal Opportunities worked to protect the legal rights of women. While the average length of unemployment was the same for men and women, women frequently held lower-paying jobs. Women's earnings averaged 95 percent of those of men.

Children

Birth Registration: Citizenship is derived from the parents with certain limitations. A child is granted Slovenian citizenship at birth provided that at the time the child's mother and father were Slovenian citizens; one of the child's parents was a Slovenian citizen and the child was born on the territory of the country; or one of the child's parents was a Slovenian citizen while the other parent was unknown and/or of unknown citizenship, and the child was born in a foreign country. Naturalization is also possible. There were no reports of problems with immediate birth registration.

Child Abuse: In the first half of the year, there were 1,011 cases of domestic violence, including parental negligence and child abuse. Police reported an increase in parental negligence and child abuse mainly due to changes in the law and greater expertise on the part of responsible institutions.

Child Marriage: The minimum age for marriage is 18. Centers for social service can approve marriage of a person under the age of 18, together with the approval of parents or legal guardians, but rarely did during the year.

Child marriage occurred within the Romani community, but it was not a widespread problem.

Sexual Exploitation of Children: The law provides children special protection from exploitation and mistreatment, and the government generally enforced the law in practice. Statutory rape carries a sentence of six months to five years and sets the minimum age of consent for sexual relations at 15. If the victim is found to be especially vulnerable, the minimum sentence is three years and the law provides no maximum. If the perpetrator is a teacher, the penalty is from one to eight years in prison.

In the first half of the year, 133 criminal acts of sexual abuse of a child under the age of 15 were reported to authorities. Trafficking in children, mainly teenage girls transiting the country, remained a problem.

The law penalizes the possession, sale, purchase, or propagation of child pornography.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

Anti-Semitism

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

The government promoted antibias and tolerance education in the primary and secondary schools, and the Holocaust is a mandatory topic in the history curriculum.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other government services, and the government generally enforced these provisions in practice. The law mandates access to buildings for persons with disabilities, but modification of public and private structures to improve access continued at a slow pace, and many buildings were not accessible in practice. The government continued to implement laws and programs to provide persons with disabilities with access to buildings, information, and communications. The Ministry of Labor, Family, and Social Affairs has primary responsibility for protecting the rights of persons with disabilities.

In the first half of the year, there were six reported criminal acts of sexual abuse of persons with disabilities.

National/Racial/Ethnic Minorities

The law provides special rights and protections to indigenous Italian and Hungarian minorities, including the right to use their own national symbols and access to bilingual education. Each of these minorities has the right to representation as a community in parliament. Other minorities, including native Roma, lacked comparable special rights and protections.

The government considered ethnic Serbs, Croats, Bosnians, Kosovo Albanians, and Roma from Kosovo and Albania to be “new” minorities, and the special constitutional provisions for indigenous minorities did not apply to them. The new minorities faced varying degrees of governmental and societal discrimination with respect to employment, housing, and education.

An investigation concerning the slogan “Gypsies Raus” (Gypsies Get Out), which appeared as graffiti in the town of Lendava in July 2011, continued.

Many Roma lived apart from other communities in settlements that lacked such basic utilities as electricity, running water, sanitation, and access to transportation. According to Roma Association officials, 68 percent of Romani settlements were illegal. Organizations monitoring conditions in the Romani community noted the exclusion of Roma from the housing market remained a problem. The UN special rapporteur for human rights declared in August 2011 that the country had failed to fulfill the basic human rights of its minority population, specifically failing to provide adequate water and housing to Roma.

Under the law only citizens may obtain access to services and infrastructure such as water, transportation, and transport facilities if they own or hold legal claims over the land on which they live. The most recent Amnesty International report on the Romani situation in 2011 documented violations of the right to adequate housing including the inability to access water and sanitation, denial of access to alternatives for resettlement, and failure to provide both protection from enforced evictions and remedies for acts of discrimination and segregation.

The police reported that during the year they held training sessions for police officers and civilians to sensitize them to problems relevant to working in a multicultural environment. Representatives of the Romani community participated in the training, which served to establish dialog between police and individual Roma. The police trained several officers in the Romani language and prepared a Slovenian-Romani dictionary. During the year police handled several successful mediations in disputes within the Romani community and between Roma and the majority population.

Official statistics on Romani unemployment and illiteracy were not available. However, organizations monitoring conditions in the Romani community and officials employed in schools with large Romani student populations unofficially reported that unemployment among Roma remained at approximately 98 percent and that illiteracy rates among Roma remained at approximately 85 percent. Government officials emphasized that illegality of settlements remained the biggest obstacle to implementing the rights of Roma to adequate housing, water, and sanitation. The ombudsman recommended to the government that it act on an emergency basis to legalize Romani settlements.

While education for children is compulsory through grade nine, school attendance and completion rates by Romani children remained low. Poverty, discrimination, lack of parental and familial permission or support, and language differences continued to be the main barriers to the participation of Romani children in education programs. Official literacy rates were not available, but social services officials suggested unofficially that Romani literacy was approximately 15 percent. Amnesty International reported that in some representative communities 13 of 22 children failed to advance from first to second grade. In Novo Mesto the Development Education Center offered classes to approximately 100 Romani adults who had not finished primary school, linking their attendance to their receipt of social welfare benefits.

Segregated classrooms are illegal, but a number of Roma reported to NGOs that their children attended segregated classes and that school authorities selected them disproportionately to attend classes for students with special needs. A few communities offered additional educational training for students with special needs, creating separate groups to help students experiencing scholastic difficulties, with the goal of eventually returning them to the mainstream. Educators admitted that most of these separated groups consisted almost entirely of Romani students and sometimes criticized this model for continuing de facto segregation. The European Social Fund, working in conjunction with the Ministry of Education, continued funding 26 Romani educators to work with teachers and parents. According to the ministry, these educators had a positive effect in helping Romani children to stay in school.

The government continued the second year of a five-year national action plan of measures to improve educational opportunities, employment, and housing for the Roma. NGOs and community group representatives reported some prejudice, ignorance, and false stereotypes of Roma propagated within society, largely through public discourse. Amnesty International reported that the government provided no funding to implement the plan.

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

The law prohibits discrimination based on sexual orientation; however, societal discrimination was widespread, and cases of violence against LGBT persons occurred. According to NGOs, authorities did not keep statistics that distinguished hate crimes by their targets.

During the year the rate of calls for personal counseling (to address discrimination and harassment of LGBT individuals) remained within the high levels of the previous year. There were five instances of hate crimes against the LGBT population during the year. The rate of calls for personal counseling to address discrimination and harassment of LGBT individuals remained the same as in 2011.

On March 25, in a referendum voters overturned a family law enacted by parliament that, inter alia, permitted gay or lesbian couples to adopt children if one of the partners was a biological parent.

In the weeks leading up to and during the referendum and the June 4 pride parade, there were antigay attacks. Two foreign visitors were among the victims of what

police characterized as hate crimes. At a soccer match held a few days before the pride parade, the Green Dragons fan club displayed a banner calling for a ban on the pride parade and support of the Family Law. The night before the parade the windows of Cafe Open, with clientele primarily of LGBT persons, and parade headquarters, were smashed. The parade itself took place with the support of local government officials, and authorities recorded no instances of violence, although there were reports that bystanders shouted homophobic slurs at participants, and antigay graffiti and stickers appeared in various locations around the city. Organizers reported satisfactory police presence during the parade.

On June 3, the morning after the parade unknown perpetrators sprayed antigay graffiti on the walls of an LGBT bar and surrounding buildings. A court sentenced a 24-year-old male to three months probation for setting up a Facebook group in opposition to the 2010 Gay Pride Parade; the charge was posting hate speech and inciting violence through the media.

On August 2, a court commuted the sentences of all three assailants convicted and sentenced to 18 months in prison for assaulting an individual during the 2009 gay pride parade. The court based the commutation on the on the lack of prior criminal record, age (less than 21) of the perpetrators, and their apologies to the victim.

Other Societal Violence or Discrimination

There were some reports of violence and discrimination against persons with HIV/AIDS.

Section 7. Workers Rights

a. Freedom of Association and the Right to Collective Bargaining

The law allows all workers, including police and military personnel, to form and join labor organizations of their choice without previous authorization or excessive requirements. The law provides for the right to strike without government interference and prohibits retaliation against strikers. However, the law also restricts the right of some public sector employees to strike, primarily police and members of the military services, and provides for arbitration to ensure due process and protection of these workers' rights. According to the law, unions and workers may bargain collectively and conduct their activities without interference. The law requires that 10 percent of the workers in an industry sector be unionized before collective bargaining can be applied to the sector as a whole.

Workers organized and exercised their right to strike in practice, and collective bargaining was practiced freely. Both general collective bargaining agreements and collective bargaining agreements focusing on a specific business segment covered all workers.

There were no significant reports of antiunion discrimination.

b. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor. However, there were reports that such practices occurred.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

c. Prohibition of Child Labor and Minimum Age for Employment

There are laws to protect children from exploitation in the workplace, which the government effectively enforced. The law limits working hours and sets occupational health and safety standards for children, which the government effectively enforced in practice. Urban employers generally respected the age limits.

The minimum age for employment is 15; however, younger rural children often worked during the harvest season and performed farm chores.

d. Acceptable Conditions of Work

The national monthly gross minimum wage was approximately 765 euros (\$1,010). The official poverty line is set at 600 euros (\$792) per month for single-member households.

The law limits the workweek to 40 hours and provides for minimum annual leave of 20 days and a mandatory rest period of at least one day per week. Collective agreements regulated premium pay for overtime and were not standardized. The law limits overtime to eight hours per week, 20 hours per month, and 170 hours per year. The Ministry of Labor, Family, and Social Affairs is responsible for monitoring labor practices and has inspection authority; police are responsible for

investigating violations of the law. Authorities enforced the laws effectively, except in some cases involving migrant workers.

According to a complaint filed by the Association of Free Trade Unions of Slovenia (AFTUS) with the Committee of Experts of the International Labor Organization (ILO), migrant workers often were orally instructed to perform forced and excessive overtime in violation of legal limits on overtime and specified formal methods to request it. AFTUS also noted that foreign nationals in the country on employment permits were more vulnerable to exploitation in terms of overtime, wages, rest periods, and annual leave by virtue of their ties to the employer who provided the permit.

Migrants from Bosnia and Herzegovina, Serbia, and Montenegro working in construction were the most vulnerable group of workers. According to a 2010 ILO report, inspectors found numerous violations of the law with respect to migrant workers, especially in the construction industry, which employed approximately 50 percent of such workers. Violations included the practice of employers' illegally trading foreign workers who were in the country based on employment permits. The ILO and AFTUS also raised concerns that some migrant workers, especially seasonal laborers, lived in substandard housing, segregated from the national population and lacking minimum living standards in violation of the law.

The law requires employers to provide social security payments for all workers. The Legal Aid Society reported that employers of migrant workers usually did not deduct social security from paychecks, leaving unknowing workers without a future pension or access to social services.

In the first nine months of the year, the Labor Inspectorate performed 6,555 inspections of labor relations, 5,415 inspections of safety and health at work, and 203 social inspections. The most frequent violation was nonpayment of wages. Special commissions under the Ministry of Health and the Ministry of Labor, Family and Social Affairs set standards for occupational health and safety for all workers.