

SLOVENIA 2013 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 2011 and 2012 the country held elections considered free and fair. Authorities maintained effective control over the security forces. Security forces did not commit human rights abuses.

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 progress to compensate persons whose status as residents was "erased" after the breakup 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; 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. The Police and Security Directorate and the Special State Prosecutor are responsible for investigating any killings by the government or its agents.

The government has begun to address the problem of extrajudicial killings and mass graves stemming from the period during and immediately after the World War II. Some political and opinion leaders have faulted the government for slow progress identifying victims and clarifying the circumstances of the killings.

b. Disappearance

There were no reports of politically motivated disappearances, abductions, or kidnappings.

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

The constitution and law prohibit such practices. In July the Council of Europe's Committee for the Prevention of Torture (CPT) reported that, during its visit in January/February 2012, it received a "few isolated allegations" of excessive use of force against detainees, such as blows with the butt of a gun by hooded members of police special units after the detainee had been brought under control. The delegation also reportedly heard some accounts of threats of physical mistreatment of detained persons during police questioning. The CPT stressed the infrequency of these reports, however.

Prison and Detention Center Conditions

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

Physical Conditions: The country's prisons remained overcrowded. As of November 25, there were 1,419 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.

During the year three persons died of natural causes in prison or detention facilities.

Administration: Recordkeeping on prisoners was adequate. The prison administration paid special attention to beneficial use of prisoners' time. Authorities offered inmates a variety of work programs, education opportunities,

and other activities. During the year the number of inmates involved in such programs increased. There were various other programs for the treatment of addiction, sexual violence, suicide prevention, and for preparation for release from prison.

The Forensic Psychiatric Unit (in Maribor) received prisoners from both hospitals and detention facilities.

During the year an ombudsman advocated for 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 government investigated and monitored prison and detention center conditions. Prisoners and detainees had access to visitors and were free to observe their religious practices. Authorities allowed prisoners and detainees to submit complaints without censorship and to request investigation of alleged mistreatment. Authorities investigated such accusations and documented the results in a publicly accessible manner.

Independent 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 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 and the Border Police fall under the general police administration at the Ministry of the Interior. The government, the Parliamentary Oversight Commission, the relevant district court, the ombudsman, the Court of Audits, and the Budget Supervision Office oversee the Slovenian Intelligence and Security Agency.

Civilian authorities maintained effective control over police, 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 for such cases 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 of their rights immediately after arrest, and suspects are brought promptly before a judge. The authorities must also advise detainees in writing within six hours (or 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. The law provides for prompt access to immediate family members and recognizes detention under house arrest. Authorities generally allowed detainees prompt access to family members, although the CPT reported authorities allegedly did not allow "a few persons" to have their relatives informed of their situation.

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 trial procedures begin, 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. 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 improve the efficiency of the judiciary, reducing court backlogs and lowering the average processing time from 14.1 months to four months. The government extended the project, originally scheduled to end in 2013, until June 2014.

Trial Procedures

The constitution and law provide for the right to a fair trial, and the judiciary generally enforced this right. Defendants enjoy rights to a presumption of innocence; to be informed promptly and in detail of the charges (with free interpretation as necessary); and to a fair and public trial for all segments of society without undue delay. Defendants had the right to a trial by jury; to legal counsel; to adequate time and facilities to prepare a 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. The NGO Legal Information Center and the government-sponsored Free Legal Aid made free counsel available to indigents.

The judicial system was overburdened and lacked administrative support, at times resulting in delays in the judicial process. In some instances criminal trials lasted 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 violations. 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 they exhaust all avenues for appeal in domestic courts.

Regional Human Rights Courts Decisions

The country is subject to the jurisdiction of the ECHR. The government has not fully complied with the ECHR's June 2012 decision on the "erased." The judgment requires the government to pay each citizen of other Yugoslav republics who lost their Slovenian residency in the 1990s a sum of 20,000 euros (\$27,000) in compensation.

After the country's independence from Yugoslavia in 1991, residents with citizenship from other Yugoslav republics were required to apply if they wished to become Slovenian citizens. Those who did not do so, and who also failed to apply for permanent foreign resident status, were termed "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.

According to the Ministry of the Interior, of the original estimated 25,671 "erased" persons, 6,778 gained citizenship, 2,990 gained permanent residency, and 1,402 had citizenship or residency applications rejected. There was no official data available on the 13,199 persons who had not adjusted their status. NGOs, the independent ombudsman for human rights, and the Ministry of the Interior believed that the majority of this missing element of the "erased" left the country. A few dozen remained in the country and filed applications for permanent residency. In November parliament passed a government scheme to compensate the "erased" 50 euros (\$68) per month, estimated at a total of between 80 million and 130 million euros (between \$108 million and \$176 million). In January the commissioner for human rights of the Council of Europe urged the government to "take all relevant measures" to enable the "erased" persons, especially the children who are still stateless, to gain citizenship.

Property Restitution

Some cases involving the restitution of property seized during World War II and the Communist era remained unresolved, although the Ministry of Justice reported that 99.6 percent of property restitution cases had been 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 1993 close ties between the local government administrative unit and Radenska d.d., a major mineral water producer that 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.

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

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

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. 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. There were no reports that authorities prosecuted any criminal hate speech cases during the year. Police statistics on the incidence of hate speech did not show a significant increase.

Press Freedoms: 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.

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

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. According to statistics from the International Telecommunication Union, 69 percent of the population used the internet in 2011.

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.

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, and the government generally respected these rights. 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.

Safe Country of Origin/Transit: The Dublin III regulation obligates the country, as a member state of the EU, to consider all EU countries to be safe countries of origin and transit. Under the regulation the government may return an asylum seeker entering the country from another EU country to the country of the person's first entry into the EU. Pursuant to a decision by the ECHR, the government does not return asylum seekers to Greece.

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 through periodic, free, and fair elections based on universal suffrage.

Elections and Political Participation

Recent Elections: In November and December 2012 the country held presidential elections won by former prime minister Borut Pahor. In 2011 the country held a parliamentary election. Observers considered all the elections free and fair.

Participation of Women and Minorities: There were 31 women in the 90-seat National Assembly and three women 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 the indigenous Italian and Hungarian minorities the communal right to have one representative each in the National Assembly. Twenty distinct Romani communities, each designated as 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. The government did not implement the law effectively, and officials sometimes engaged in corrupt practices with impunity. According to World Bank indicators, corruption was a problem. Although the criminal justice system increased its efforts to detect, investigate, prosecute, and adjudicate high-level corruption cases, the law lacked proper enforcement mechanisms and resources, according to the Commission for the Prevention of Corruption (CPC).

Corruption: On January 8, the CPC accused then Prime Minister Janez Jansa and the mayor of Ljubljana, Zoran Jankovic, of financial wrongdoing and failure to disclose financial assets. The charges contributed to a series of political events that started with antigovernment demonstrations in Maribor in November 2012 and continued following the Maribor mayor's resignation in December. The corruption accusations catalyzed the collapse of Jansa's government in March. In the aftermath, Jankovic stepped down as head of his political party. After many months, prosecutors have not filed charges against either Jansa or Jankovic in connection with the CPC report.

The trial of five officials, including former Prime Minister Jansa, charged with corruption in connection with a 2006 Defense Ministry contract to purchase military equipment from the Finnish company Patria, ended with the conviction of the former prime minister and three codefendants. The court sentenced Jansa to two years in prison and fined him 30,000 euros (\$40,500). The case was pending appeal at year's end.

During the year the first cases on criminal and civil forfeiture of proceeds from crime in relation to corruption and economic crime cases were brought to court.

The National Investigation Bureau, the Specialized Prosecution Service, and the CPC have responsibilities for combating corruption. The CPC played an active role in educating the public and civil servants about corruption. It is independent of both the executive and the legislative branches. The body claimed to have neither adequate staff nor sufficient funds to fulfill its mandate and assess all cases of suspected corruption. On November 29, the three-member presidency of the CPC resigned.

The CPC's workload continued to increase. By the end of the year, the CPC received 1,237 new reports and claims of corruption, an increase of 15 percent from 2012 and a 20 percent increase from 2011. By the end of the year, the CPC received approximately 900 requests for a legal opinion or guidance regarding possible corruption, integrity, lobbying, and conflict of interest. By the beginning of November, the CPC completed proceedings of 1,237 reports of suspicions of corrupt practices and other violations of the law and undertook appropriate measures, such as filing charges; issuing civil and administrative fines, principled opinions, or findings in concrete cases; and requests for annulment of business transactions, warnings, or recommendations. Such action resulted in 105 civil and administrative penalties against local and state functionaries.

Concerns about implementation of anticorruption legislation led the largest opposition party, the Slovenian Democratic Party, to request the Constitutional Court to examine the constitutionality of the law.

During the year the CPC also focused on the transparent funding of political parties.

Whistleblower Protection: According to Integriteta (Transparency International Slovenia), legislation in this field was adequate, but implementation lagged, and some whistleblowers received inadequate protection. A high level of protection, Integriteta asserted, required the coordination of institutions such as the CPC, inspectors, courts, and law enforcement. According to Integriteta, whistleblowing was not yet a common cultural practice.

Financial Disclosure: Only the highest-level officials in the government, parliament, and judiciary, or approximately 5,000 of the country's 80,000 public employees, are subject to financial disclosure laws. The CPC monitors financial

disclosures of government officials and reports them. The CPC can issue advisory opinions regarding prosecution.

Public Access to Information: 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 operated a web service, SUPERVIZOR, which made public finances more transparent.

During the year the Office of the Government Information Commissioner received 313 complaints of nonresponsiveness of government institutions and 246 complaints that public institutions did not provide information as required by law. Authorities had 20 days to respond to such requests.

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.

Government Human Rights Bodies: The constitution provides for an independent human rights ombudsman to monitor violations of human rights. Individuals may file complaints with the independent ombudsman to seek administrative relief in the case of a human rights violation. The independent ombudsman reports annually on the human rights situation and provides the government with recommendations. On February 23, a new ombudsman, Vlasta Nussdorfer, assumed office after confirmation by the National Assembly.

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, and social status, and the government usually enforced these prohibitions effectively.

Women

Rape and Domestic Violence: Rape, including spousal rape and domestic violence, is 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 reported accusations of rape and prosecuted offenders. In 2012, the most recent year for which data was available, there were 32 reported rapes in the first half of the year and 28 other 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 for aggravated and grievous bodily harm. Violence against women, including spousal abuse, was generally underreported. In the first half of the year, police processed 1,278 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. SOS Helpline and the NGO Kljuc provided support hotlines, and SOS Helpline reported calls and e-mail queries during the year.

According to Drustvo SOS (an NGO which assists victims of domestic violence), the government funded three crisis centers for victims of domestic violence, with space for children and adolescents (another five centers were for runaways). The government worked with NGOs on domestic violence cases, providing shelters and social work centers, and in 2012 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 annual training on domestic violence.

Sexual Harassment: While sexual harassment is a criminal offense, it remained a widespread problem. During the first half of the year, there were a reported five criminal investigations of sexual harassment but no convictions.

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: While women enjoy the same legal status and rights as men under family law, labor law, property law, and inheritance law, they experienced discrimination in some areas. The Office of Equal Opportunities moved to the

Ministry of Labor, Family, and Social Affairs. While the average length of unemployment was the same for men and women, women frequently held lower-paying jobs. The law stipulates equal pay for men and women. Women earned 64 percent of what men did. In comparable positions, however, women earned 95 percent of what men did.

Children

Birth Registration: Citizenship is derived from the parents with certain limitations. A child is granted citizenship at birth provided that at the time of birth the child's mother and father were citizens; one of the child's parents was a citizen and the child was born on the territory of the country; or one of the child's parents was a citizen while the other parent was unknown 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, according to law enforcement authorities, there were 1,278 cases of domestic violence, including parental negligence and child abuse. Law enforcement intensified its work in the field and identified a need for more cooperation with centers for social work around the country.

Forced and Early 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 so during the year. Child marriage occurred within the Romani community, but it was not a widespread problem. As of the beginning of the year, six girls and one boy under the age of 18 were married.

Sexual Exploitation of Children: Statutory rape carries a sentence of six months to five years, and the law 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. The government generally enforced the law.

In the first half of the year, authorities received reports of 99 criminal acts of sexual abuse of a child under the age of 15. Trafficking in persons remained a problem.

The law penalizes the possession, sale, purchase, or propagation of child pornography, and the government enforced the law effectively.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information see country-specific information at http://travel.state.gov/abduction/country/country_5894.html.

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 was 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. The law requires employers to protect workers disabled on the job. If incapacitated, such workers can perform other work corresponding to their abilities, obtain part-time work, and receive occupational rehabilitation and wage compensation. 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. 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, authorities received reports of 17 criminal acts involving the sexual abuse of persons with disabilities.

National/Racial/Ethnic Minorities

The constitution and law provide 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. The Romani community also benefitted from protections under the constitution and law. The constitution provides for the protection of Romani communities. The law on protection of Romani communities assures Romani representation in 20 municipalities around the country.

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. Government officials emphasized that the illegality of settlements remained the biggest obstacle to providing Roma access to adequate housing, water, and sanitation. The ombudsman recommended to the government that it act on an emergency basis to legalize Romani settlements. Organizations monitoring conditions in the Romani community noted the exclusion of Roma from the housing market remained a problem.

Under the law legal residents must own or hold legal claim to the land on which they live before they may obtain access to public services and infrastructure such as water, transportation, and transport facilities. In many cases Roma did not own the land where they lived, making them unable to access water and sanitation. Lacking alternatives for resettlement, Roma were also vulnerable to forced evictions and discrimination and were effectively segregated in some cases.

During the year police conducted training for both police officers and civilians to sensitize them to the problems of working in a multicultural environment. Representatives of the Romani community participated in the program, which helped establish a dialogue between police and individual Roma. The police force 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 non-Romani population.

Official statistics on Romani unemployment and illiteracy were not available. 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.

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.

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 groups consisted almost entirely of Romani students and sometimes criticized the 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 on helping Romani children stay in school.

The government continued the third 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.

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

While the law prohibits discrimination based on sexual orientation, societal discrimination was widespread, and there were cases of violence against LGBT persons.

On March 13, the Constitutional Court ruled the Inheritance Act unconstitutionally discriminates against unregistered same-sex couples.

According to LGBT sources, in 2012 there were five reports of hate speech against LGBT persons during the year.

Other Societal Violence or Discrimination

There were some reports of violence and discrimination against persons with HIV/AIDS. In November the Supreme Court ruled in favor of an unemployed person who claimed employment discrimination due to his HIV status.

Section 7. Worker 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. Under 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. The law provides for the right to strike for most workers without government interference and prohibits retaliation against strikers. The law 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. Most workers organized and exercised their rights to bargain collectively and to strike. Both general collective bargaining agreements and collective bargaining agreements focusing on a specific business segment covered all workers.

The law does not prohibit acts of interference by employers or their organization in trade union activities, nor does it provide for sanctions for such acts. The Committee of Experts on Applications of Conventions and Recommendations repeated its request that the government take the necessary measures to ensure that national legislation contains specific provisions prohibiting acts of interference by employers or their organizations in the establishment, functioning, and administration of workers' organizations, and establish effective and sufficiently dissuasive sanctions against such acts.

There were no significant reports of antiunion discrimination. Although unions have been linked historically to some governments, during the year there were no reports of government interference in union activity.

b. Prohibition of Forced or Compulsory Labor

Although the law prohibits forced or compulsory labor, the government did not effectively enforce the law. There were reports of forced work in the construction sector.

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. The minimum age for employment is 15, but younger rural children often worked during the harvest season and performed farm chores. The law limits hours, mandates rest periods, prohibits working in hazardous locations, and specifies adult supervision for workers under 18.

The government effectively enforced such occupational health and safety standards for children, while urban employers generally respected the age limits.

d. Acceptable Conditions of Work

The national monthly gross minimum wage was approximately 784 euros (approximately \$1,060). The official poverty line is set at 606 euros (\$820) 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), employers often told migrant workers to perform excessive work in violation of legal limits on overtime. AFTUS also noted that foreign

nationals in the country on employment permits were more vulnerable to exploitation involving terms of overtime, wages, rest periods, and annual leave by virtue of their ties to the employer who sponsored their permits.

Migrant laborers from Bosnia and Herzegovina, Serbia, and Montenegro in the construction industry were particularly vulnerable to abuse. Violations included employers' illegally trading foreign workers who were in the country on employment permits. The ILO and AFTUS also raised concerns that some migrant workers, especially seasonal laborers, lived in illegal substandard housing and were segregated from the general population.

The law requires employers to provide social security payments for all workers. The Legal Aid Society continued to report 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.

Slovenia has an adequate labor inspectorate. For labor contracts, from January to October, the inspectorate undertook 8,987 inspections and discovered 7,966 violations. Of these violations, 3,166 involved salary disputes. For occupational health and safety, in the same period, the inspectorate conducted 6,381 inspections and discovered 15,622 violations, primarily involving workplace risks. In both fields the majority of violations took place in construction and bars and restaurants.

The most frequent violation was nonpayment of wages. Special commissions under the Ministry of Health and the Ministry of Labor, Family, Social Affairs and Equal Opportunities set occupational health and safety standards for workers.