



European network of legal experts in gender equality and non-discrimination

NEWS REPORT

Country:	Slovenia
Title:	Equality Body Annual Report
Date:	31 May 2017
Expert:	Neža Kogovšek Šalamon
<u>Context</u>	
Issue at stake:	The new Advocate of the Principle of Equality issues its first annual report
Ground of discrimination:	All grounds
Source:	National equality body, policy development
Field:	All fields
Applicable law:	Protection against Discrimination Act, Article 22 (2)

Content

Policy development: The new Advocate of the Principle of Equality (Mr. Miha Lobnik), nominated at the National Assembly of the Republic of Slovenia on 25 October 2016,¹ released the Advocate's Annual Report for 2016. In line with Article 22 (2) of Protection against Discrimination Act (PADA), the Advocate has the duty to submit the annual report for the previous year to the National Assembly, by 30 April at the latest. Before the examination of the report within the National Assembly, the Government shall issue its opinion on the report. After discussing the report, the National Assembly will adopt conclusions and recommendations related to the content of the report, as foreseen in Article 22 (3) of PADA.

The 81-page report consists of seven parts and serves several purposes. Namely, since the new law has been adopted which provides for a new legal basis for the functioning of the Advocate, the report aims at raising awareness of all stakeholders about the personal and material scope of the Advocate competence, its tasks and duties and new forms of discrimination prohibited under the new law. The report also outlines the process of the establishment of the new body and the current state of play concerning the development of the new institution. Since November 2016, the Advocate employed two lawyers for case work and is currently in the process of searching for more appropriate work premises.² The annual budget foreseen for the work of the Advocate in 2017 was initially 200.000 EUR (of which 130.000 EUR for human resources and 70.000 for material costs) but has been increased by 50.000 EUR in April 2017 for material costs (rents and services). Accordingly, additional employment at the Advocate will not be possible in 2017.³ In order to ensure that the equality body starts functioning as the full-fledged new body, the Advocate asked a number of state structures for support, such as the Human Rights Ombudsman, Government General Secretariat, Ministry of Labour, Family, Social Affairs and Equal Opportunities, Ministry of Public Administration and Ministry of

¹ Decision of the national Assembly of the Republic of Slovenia of 25 October 2016.

² Advocate of the principle of Equality, Annual Report for 2016, pp. 61-70. The report is not yet available online but has been sent to the author by email.

³ Ibid., p. 69.

Finance. In order to substantiate the requests for additional resources, the Advocate informed all stakeholders about the new extensive tasks the equality body is expected to carry out, the case load taken over from its predecessor, and the human resources development plan for the following years. Further, the Advocate also asked for meetings with the Prime Minister, Speaker of the National Assembly and the President of the Republic, which are to take place in the following months, in order to acquaint them with the needs of the new body to serve groups affected by discrimination.⁴

The report does not contain statistics on the resolved cases as none of the cases have yet been decided since the nomination in November 2016. But it does present the characteristics of the pending cases (grounds and fields of discrimination, types of discrimination). From his predecessor, the new Advocate took over 278 cases initiated between 2012 and 2016 which have not been closed yet.⁵ In 2016, 68 complaints were received by the Advocate. From these, 17 complaints refer to disability and 8 to gender discrimination, while other personal grounds are represented in lower numbers or unspecified.⁶

Key points of analysis: This is the first Advocate's report released after 2012. The Advocate's predecessor stopped releasing annual reports as a sign of protest against the insufficient capacities of the equality body in Slovenia. Hence, the sole release of the report is a positive sign that the strengthened equality body (now organised as an independent body comparing to the previous situation when one civil servant was working as the Advocate) will apparently be more functional in the following years. The value of the report is that it provides broad types of information addressing various audiences. For example, information on the types of discrimination described in complaints will be interesting for researchers, students and civil society focusing on non-discrimination. The description of the state of affairs concerning the process of the establishment of a new body will be informative for those following policy developments, as well as for the audiences expecting from the new equality body to produce immediate results. Finally, the information about the new competences, tasks and powers entrusted to the equality body by 2016 Protection against Discrimination Act will be relevant for the audiences doubting the relevance of this body, as well as for potential new complainants.

Internet link source: Decision of the national Assembly of the Republic of Slovenia of 25 October 2016, available at: <http://imss.dz-rs.si/imis/edd2e0ae07fd9c9161d4.pdf>.

⁴ Ibid. p. 70.

⁵ Ibid., p. 8.

⁶ Ibid., p. 35.