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NEWS REPORT

Country:	Slovenia
Title:	Human Rights Ombudsman Annual Report
Date:	4 June 2018
Expert:	Neža Kogovšek Šalamon
<u>Context</u>	
Issue at stake:	The Human Rights Ombudsman Issues Its Twenty-Third Annual Report
Ground of discrimination:	All Grounds
Source:	Human Rights Ombudsman, Republic of Slovenia
Field:	All Fields
Applicable law:	Human Rights Ombudsman Act, Art. 43

Content

Policy development: On 10 April 2018, the Human Rights Ombudsman of the Republic of Slovenia released the Ombudsman's Annual Report for 2017. In line with Article 34 of the Human Rights Ombudsman Act the Ombudsman reports to the National Assembly for the previous year by 30 September of each year at the latest.

The 434-page report contains a 38-page section dedicated to various forms of discrimination and intolerance. In 2017 the Ombudsman dealt with 68 complaints of alleged discrimination compared to 65 complaints in 2016. In 2017, 27 processed complaints were related to ethnic origin, 3 to gender, 7 to sexual orientation, 11 to disability and 16 to other grounds (the report does not specify them). Out of received complaints, 56 were resolved and in 10 of these cases discrimination was found (6 were related to ethnic origin, 1 to gender, 2 to disability and 1 to other grounds).

The substantive part of the report extensively addresses several persisting discrimination issues, such as difficult living conditions of some Roma families, the lack of infrastructure and sanitation in non-regularised Roma settlements and the fact that the responsibility to resolve Roma settlements issues should not be put exclusively on the municipalities, but also on the State.

The section dealing with discrimination based on sexual orientation illustrates that, while more complaints have been dealt with in 2017 (7) compared to 2016 (3), in none of the cases discrimination was found in 2017.

The section on discrimination on the ground of disabilities shows that there has been a steady decrease in complaints filed in the last few years (14 in 2016, 11 in 2017). In 2017 discrimination was found in 2 cases. Despite the decline in the number of complaints based on disability the Ombudsman continued to pay a particular attention to the specific issue of students with disabilities, who are not entitled to reasonable accommodation in relation to education and studies, as required by Equal Opportunities for People with Disabilities Act (e.g. disability is not one of the conditions for which studies could be extended and due

to their disability they have problems due to non-availability of appropriate transport to universities).¹ It was found that there is a delay of two years in the adoption of the appropriate legislation (i.e. planned new Higher Education Act) that would provide for the elimination of problems in this field. Moreover, the Ombudsman highlighted that the Directorate for People with Disabilities was found to be unsatisfactory in its performance. While this is likely due to the Directorate's being understaffed, underfinanced, and therefore not able to operate in complete autonomy, they were encouraged to make more concrete efforts in their endeavours.

On the systemic level an important reform has taken place with regard to the status of the Human Rights Ombudsman. In 2017, with the amendments to the Human Rights Ombudsman Act,² this institution has been granted additional responsibilities which will allow it to be upgraded from status "B" to status "A" to become a National Human Rights Institution under the Paris Principles. This implies that, in addition to the existing core responsibility of examining complaints, the Ombudsman now also has a mandate of raising awareness, promotion and prevention of rights violations which will be carried out by a Human Rights Council of the Ombudsman (comprised of representatives of the government, academia and civil society) and a special Human Rights Centre organised within the Ombudsman.

Key points of analysis: This is the Ombudsman's twenty-third annual report. Ombudsman's annual reports serve as an important source of information in the field of human rights in Slovenia, including in the field of discrimination. The fact that in 2017 this institution was upgraded to a status "A" and is now responsible both for dealing with complaints on human rights violations and for raising awareness on issues connected with human rights and human rights violations is an important step forward. 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.

Internet link source:

<http://www.varuh-rs.si/publikacije-gradiva-izjave/letna-porocila-priporocila-dz-odzivna-porocila-vlade/>.

¹ Human Rights Ombudsman Annual Report for 2017, p. 130.

² Zakon o dopolnitvah Zakona o varuhu človekovih pravic (ZVarCP-B), Official Gazette of the Republic of Slovenia, No. 54/17, <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO7515>.