

SLOVENIA

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). The coalition government of Prime Minister Borut Pahor lost a no-confidence vote on September 20; citizens elected a new government on December 4 in free and fair multiparty elections. 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 heightened social exclusion. Judicial and administrative backlogs and inefficiency resulted in significant delays in trials and in processing of asylum applications. 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 "erased" individuals 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 violence and discrimination against gay men and lesbians.

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 location and identity of the remains of several thousand persons executed extra judicially during 1945-47 remained an issue of great political sensitivity in

Slovenia. During the year government authorities continued to discover mass graves from post-World War II summary killings that took place throughout the former Yugoslavia. The official count of graves discovered by the end of the year was 594, although the actual number of victims was believed to be much higher. Authorities had not exhumed or identified the vast majority of human remains at these sites. During the year the government halved the budget for investigating mass graves, reducing it to 876,000 euros (approximately \$1.1 million). The country has no legal mechanism for survivors or descendants of victims of extrajudicial killings to seek redress or initiate an official inquiry.

In March a group of historians publicly criticized the government's handling of mass grave exhumations; in June church officials followed suit with similar criticisms. In October an association of persons who had resisted communism held a memorial at a mass grave site and called for a register of sites and a list of victims.

In late 2010 government officials stopped the exhumation of a mass grave near Dobova by a German contracting firm. The state prosecutor maintained that a war crime had been committed on the site and that such exhumation work could not be performed, since the site might still yield evidence, and perpetrators found. No further exhumation was undertaken.

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, and the government permitted visits by independent human rights observers. As of October there were a total of 1,336 prisoners, 968 of whom were convicts and 304 were detainees. There were 67 female prisoners and 30 juveniles. Men and women were incarcerated in separate facilities, as were juveniles and adults. Compared with

2010, the average number of inmates decreased by 3.8 percent. Prisoners had access to potable water.

Of the 13 prisons in the country, only four had a capacity of more than 100 prisoners. New facilities at Dob Prison increased national prison capacity by 174 places. The renovated Dob Prison opened on October 14 and by year's end was already operating at 103.5 percent capacity. In August the Ministry of Health opened a forensic psychiatry unit in Maribor, which provided psychiatric treatment in a central location with expert staff.

In 2009 Slovenia adopted a "weekend prison" program for convicted prisoners serving sentences of up to three years, who were not convicted of sexual offenses, and who maintained regular employment during the week. No abuses of the weekend prison system were reported during the year.

Prisoners and detainees had reasonable access to visitors and were permitted 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 credible allegations of inhumane conditions and documented the results of such investigations in a publicly accessible manner. The government investigated and monitored prison and detention center conditions.

On October 20, the European Court for Human Rights (ECHR) ruled in favor of five former inmates of Ljubljana prison and ordered Slovenia to pay 39,500 euros (approximately \$51,350) to each plaintiff for poor prison conditions, notably severe overcrowding during 2009. The country appealed the ruling. On December 8, the independent human rights ombudsman presented a report on the implementation of the UN Optional Protocol to the Convention against Torture, expressing concerns about the country's overcrowded prisons. The report was based on 44 unannounced prison visits throughout the year.

An ombudsman serves on behalf of prisoners and detainees in matters such 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 to ensure that prisoners did not serve beyond the maximum sentence for the offense with which they were charged. The independent ombudsman carried out these responsibilities during the year.

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. No such monitoring occurred 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 are under the direct supervision of the Ministry of Interior. The ministry oversees the drafting of basic guidelines, security policy, and regulations governing the work of the police. It monitors police performance, with an emphasis on protecting human rights and fundamental freedoms. The police provided effective law enforcement.

The law provides for the review of allegations of police abuse either by the head of the organizational unit of the police or by the Senate of the Ministry of Interior. The Senate does not have authority to conduct independent investigations and relies on information provided by the Ministry of Interior or police investigators. The Senate committee usually forwarded its findings to the State Prosecutor's Office as well as provided reports to the police and the complainant.

There were no reports of impunity involving security forces during the year.

As of September the police internal investigation division had investigated 35 allegations of police, prosecutorial, and judicial misconduct during the year. There were no arrests or trials by year's end.

It is unconstitutional to collect data on the ethnic or national background of citizens. The police reported that during the year they held 12 two-day training sessions for 217 police officers and civilians to sensitize them to issues relevant to working in a multicultural environment. Representatives of the Roma 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 in the Roma community and between Roma and the majority population.

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 the suspect verbally of his rights immediately after arrest. Authorities must also advise detainees in writing within six hours (within three hours for minor offenses) of the reasons for their arrest. Upon arrest, detainees have the right to contact legal counsel of their choice, and authorities generally respected this right in practice. The government provided indigent detainees with free counsel and generally allowed detainees prompt access to family members. The law also provides safeguards against self-incrimination.

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 awaiting trial or pending conclusion of their trial. Lengthy pretrial detention was not a widespread problem, and authorities generally released defendants on bail except in the most serious criminal cases.

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. As of June there was a backlog of 266,221 cases. 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 government extended the Lukenda project until 2012.

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 the right to a presumption of innocence; a trial by jury; to consult with an attorney; to confront prosecution witnesses and present their own witnesses and evidence; access government-held evidence; and appeal. While indigent defendants have the right to an attorney provided at public expense, the government had not established a

formal system to provide legal counsel to the indigent. However, free counsel was available to indigents from the nongovernmental organization (NGO) PIC (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.

Regional Human Rights Courts Decisions

Slovenia is subject to the European Court of Human Rights (ECHR). During the year the ECHR found 11 violations by the country of the European Convention on Human Rights, with seven of these deemed eligible for “effective remedy. Slovenia complied with ECHR decisions.

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 state to the ECHR once all avenues for appeal in domestic courts were exhausted.

During the year the Ministry of Justice stated that of the 33 property restitution cases arising from World War II, 29 of the registered cases essentially were resolved. Three remaining cases, two involving claims by U.S. citizens, have not made significant progress.

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

The constitution and law prohibit such actions, and the government generally respected these prohibitions in practice. It is unconstitutional for the government to collect data from citizens regarding ethnicity, race, or religious denomination.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

Status of Freedom of Speech and Press

The constitution and law provide for freedom of speech and press, and the government generally respected these rights in practice. Reports of indirect government influence 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. However, the law prohibits hate speech, specifically incitement to intolerance or violence. 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 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.

The Annual Report on the Freedom of the Press by the Association of Journalists and Commentators noted that the government exerted increasing pressure on the media and highlighted criminal prosecutions of journalists conducted by the State Prosecutor's Office at the request of state and municipal officials. Examples included the police investigation in late 2010-early 2011 of Silvester Surla, editor in chief of *Reporter* magazine, who criticized Ljubljana mayor Zoran Jankovic's political involvement in business activities and the indictment of journalist Borut Tavcar for satirical statements concerning the involvement of the city administration with the holdings of public companies owned by the municipality of Ljubljana.

Violence and Harassment: In its December 1 edition, the South East Europe Media Organization reported death threats received by two Slovenian journalists. Blaz Zgaga and Matej Surc received numerous anonymous threats for their reporting on the Patria trial.

Censorship or Content Restrictions: The media practiced some self-censorship in reporting the discovery of mass graves of suspected Nazi collaborators killed at the

end of World War II. Almost no domestic media outlet covered the new mass graves found during the year or discussed the identity of the persons responsible for the killings.

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.

On December 13, a Ljubljana district court ordered a Finnish broadcast journalist to pay former prime minister Janez Jansa 15,000 euros (\$19,500) in connection with the journalist's 2008 allegation that Jansa and other Slovenian officials had taken bribes in exchange for awarding a major contract to the Finnish defense company Patria (see section 4). The court also ordered the journalist and the Finnish broadcast company YLE to retract the allegation on Slovenian and Finnish national television.

Actions to Expand Press Freedom

The government operated a "media pluralization" fund intended to ensure that media reflected a diversity of viewpoints. The Commission for Pluralization of Media (under the Ministry of Culture) published tenders for cofinancing various media projects through the Fund for Pluralization.

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. Individuals and groups could engage in the expression of views via the Internet. 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 movement within the country, 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, stateless persons, 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. There was no significant increase in the number of asylum seekers during the year.

Border police who apprehend persons seeking asylum are required to process applications, inform applicants they may seek the assistance of the asylum home (a residential facility where asylum seekers live while awaiting status decisions), and direct the individuals there.

The law permits asylum seekers to change their asylum applications if there are considerable changes in their circumstances. The law also provides asylum seekers with the right to appeal decisions on their applications, but authorities did not inform many asylum seekers of this right.

As a precautionary measure aimed at eliminating lengthy paperwork in cases where applicants eventually choose not to pursue asylum claims, asylum seekers must sign a prospective "renunciation statement" during the 24 hours when they are in the "pre-reception" area of the asylum center awaiting the filing of their asylum application. This document allows officials to close cases only when applicants abandon their asylum claims.

If asylum seekers leave the reception area of the asylum center premises before filing asylum applications, they are no longer considered asylum seekers and can be deported or detained in the aliens center, a separate facility outside Ljubljana. After an asylum application is filed, asylum seekers are free to leave but are expected to return to the asylum home each evening. An absence of more than three days is considered a withdrawal of an asylum claim, with authorities regarding the asylum seeker as having left the country. If the claimant returns to the asylum home after the three-day period, the individual's status changes to that of a nonresident alien, subject to deportation.

There are no policies or laws that deny asylum based on country of origin.

Nonrefoulement: In practice the government provided some protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion.

Stateless Persons

Citizenship is derived from parents, with certain limitations when the child is born outside Slovenian territory. Naturalization is also possible.

The Ministry of Interior estimated that 25,671 persons were deprived of residency status by a 1992 administrative "erasure" of Yugoslav citizens in Slovenia who had residency status in another Yugoslav republic. The government annulled and destroyed the identity documents of the "erased," leaving them without residency and without rights to education, health care, housing, work permits, or pensions. There was no right of appeal.

Of these "erased" persons, 10,943 subsequently adjusted their status while 13,426 have not (1,302 others 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 Slovenia and filed applications for permanent residence. NGOs, the independent ombudsman for human rights, and the Ministry of Interior believed that the majority of the remainder lived abroad in Bosnia, Serbia, Italy, and Germany.

Since 2009 a legal framework (the Legal Status Act) has existed for retroactively recognizing the residency status of "erased" persons in Slovenia. However, legal experts and NGOs objected to the act because of the significant administrative costs and effort involved in applying for reinstatement and because the burden of

proof was entirely on the erased individual, who usually lacked basic documentation.

In October 2010 the ECHR accepted a request for referral from the government to hear its objections to the 2010 ECHR ruling against Slovenia in *Kuric v. Slovenia*, which found the country had violated its obligations under the European Convention on Human Rights by erasing the residency status of the plaintiff. On July 5, representatives of “erased” persons testified at a public hearing before the ECHR that Slovenia’s measures to undo the injustice of the 1992 erasure were insufficient and that the “erased” were entitled to damages.

On July 28, a government task force on the implementation of relevant legislation reported to parliament that the “erased” were still unable to exercise their rights in the areas of housing, health care, integration in the labor market, and social security according to the existing legislation.

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 December 4, the country held early parliamentary elections that were considered generally free and fair.

Participation of Women and Minorities: There were 28 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 but none in the National Council or cabinet. The constitution provides the indigenous Italian and Hungarian minorities the communal right to have at least one representative in the National Assembly. However, the law does not provide such rights to any other minority group.

Twenty distinct Romani communities, each designated indigenous at the local level, are entitled to a seat on their local municipal council. After four years of noncompliance, Grosuplje became the last municipality in the country to comply

with the law, electing a Roma representative to the city council during the year. It also established a Roma Commission in September.

Section 4. Official Corruption and Government Transparency

The law provides criminal penalties for official corruption, and the government generally implemented these laws effectively; however, officials sometimes engaged in corrupt practices.

The public perceived corruption to be a widespread problem. Only the highest-level government officials--approximately 5,000 of the country's 80,000 public employees--were subject to financial disclosure laws. As of October 28, the Independent Commission for the Prevention of Corruption received 1,026 reports of suspected corruption, compared with 1,033 for the same period in 2010.

At year's end five officials, including former prime minister Janez Jansa, remained on trial for bribery and accepting bribes in connection with a 2006 Ministry of Defense contract to purchase armored vehicles from the Finnish defense company Patria for 278 million euro (\$361.4 million).

On August 10, Minister of Interior Katarina Kresal, denying any wrongdoing, resigned after the Court of Audit and the Anticorruption Commission declared that her conduct in obtaining building leases for her National Bureau of Investigation was improper and corrupt.

The anticorruption commission played an active role in educating the public and civil servants about corruption; however, it claimed to have had neither an adequate staff nor sufficient funds to fulfill its mandate and assess all cases of suspected corruption it received. In contrast to previous years, the commission did not refer any reports of police or other corruption to prosecutors for further investigation during the year.

The law provides free public access to all government information; in practice 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 Office of the Government Information Commissioner reported that the number of complaints related to the nonresponsiveness of state institutions increased.

During the year the office received 549 complaints against decisions of state institutions and 308 complaints under the Law on Access to Public Information.

The NGO Integriteta in partnership with Transparency International completed a report on the responsiveness of state institutions. It found that law enforcement agencies (National Bureau of Investigation and police), 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, Commission for the Prevention of Corruption, and Supreme Court provided less satisfactory and slower (or 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.

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. The independent ombudsman prepares an annual report on the human rights situation and provides the government with recommendations. Individuals may file complaints with the independent ombudsman in hopes of securing nonjudicial relief in the case of a human rights violation. In September the independent ombudsman presented her comprehensive 400-page report for the year to parliament in which she stressed the country needed a national institution for preventing, researching, and dealing with human rights abuses. Neither the prime minister nor the president offered any substantive comments in response.

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

The constitution and law prohibit discrimination based on race, gender, disability, language, or social status, and the government generally enforced these prohibitions effectively.

Women

Rape and Domestic Violence: Rape, including spousal rape, and domestic violence are illegal. During the year 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 but that only 5 percent sought assistance or counseling. In particular, victims rarely reported spousal rape to authorities. Police actively investigated reports of rape and prosecuted offenders. The penalty for rape was one to 10 years in prison. There were 33 reported rapes in the first half of the year; 25 reported acts of sexual violence; six criminal acts of sexual abuse of the weak; and 99 sexual attacks on minors under the age of 15.

Violence against women, including spousal abuse, occurred and was generally underreported. In the first half of the year, the police processed 1,556 cases of criminal acts against a spouse, a family member, and children (165 cases of kidnapping of minors, 1,039 cases of domestic violence, and 352 cases of parental negligence and child abuse). Police reported an increase in domestic violence, parental negligence, and child abuse, mainly due to changes in the law and greater expertise on the part of responsible institutions. The law provides for penalties of up to 10 years' imprisonment in the case of aggravated and grievous bodily harm.

SOS Helpline estimated that 25 percent of women had been victims of domestic violence. The NGOs SOS Helpline and Kljuc provided support hotlines, and SOS Helpline reported 2,389 calls during the year. The government fully funded eight crisis centers for mothers with children and adolescents (with 68 beds), one of these specializing in children six years of age or younger. The government also partially funded 29 shelters, safe houses, and maternity homes that offered 408 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. The government worked with NGOs on domestic violence cases, providing shelters and social work centers. 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 (deemed a criminal offense) and in all areas of life (prohibited as discrimination); however, it remained a widespread problem. During the first nine months of the year, 56 criminal acts of sexual harassment 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. There was free access to contraception and to skilled attendance during childbirth, including essential obstetric and postpartum care. According to estimates by international organizations for 2008, the maternal mortality rate was 18 deaths per 100,000 live births. Women and men were equally diagnosed and treated for sexually transmitted infections.

Discrimination: The law provides for equal rights for women, and there is no official discrimination against women in family law, property law, or the judicial system. The Office of Equal Opportunities protected 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 96.5 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.

Education: 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 Roma 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 were 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 impact in helping Romani children to stay in school.

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

Sexual Exploitation of Children: The law penalizes the possession, sale, purchase, or propagation of child pornography. The law criminalizes statutory rape with a sentence of six months to five years and sets the minimum age of consent for sexual relations at 15. If the victim is determined to be especially vulnerable, the sentence is set at a minimum of three years with no maximum. If the perpetrator is a teacher, the penalty is from one to eight years in prison. The law provides children special protection from exploitation and mistreatment, and the government generally enforced the law in practice.

During the year 99 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, was a problem.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information see the Department of State's report on compliance at http://travel.state.gov/abduction/resources/congressreport/congressreport_4308.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, but there were reports of increased anti-Semitic speech, particularly on the Internet.

The government promoted antibias and tolerance education in the primary and secondary schools, and the Holocaust is a mandatory topic in the contemporary history curriculum. In March the historic synagogue in Maribor was reopened as the Center of Jewish Cultural Heritage

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, 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. The government implemented laws and programs to ensure that persons with disabilities had access to buildings, information, and communications, but modification of public and private structures to improve access continued at a slow pace, and many buildings were not accessible in practice. The Ministry of Labor, Family, and Social Affairs has primary responsibility for protecting the rights 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 do not have 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.

According to press reports, police opened an investigation in July into the appearance of posters with the slogan “Gypsies Raus” (Gypsies Get Out) and neo-Nazi signs in the town of Lendava. Police arrested three young men for the crime.

The Speaker of the National Assembly Pavel Gantar, Minister for Slovenians Abroad Bostjan Zeks, Human Rights Commissioner Zdenka Cebasek Travnik, and the head of the Slovenian Roma Association Jozko Horvat Muc condemned the incident.

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 that the exclusion of Roma from the housing market remained a problem. The UN special rapporteur for human rights declared in August that Slovenia had failed to fulfill the basic human rights of its minority population, specifically failing to provide adequate water and housing to Roma.

Official statistics on Roma 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 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 independent ombudsman recommended to the government that it act on an emergency basis to legalize Romani settlements.

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.

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 lesbian, gay, bisexual and transgender (LGBT) persons occurred. The Ministry of Interior confirmed that hate crimes had generally increased compared with 2010.

The NGOs Society for the Integration of Homosexuals (DiH) and Legebitra reported that the police did not indicate whether violent crimes were specifically

directed at LGBT individuals. No official statistics on crimes based on gender identity or crime data categorized by specific targets were available by year's end. During the year police recorded 24 incidents of inciting hatred or violence and reported 27 cases of inciting intolerance, two of which involved physical attacks. Legebitra reported that 92 percent of cases of homophobic hate speech or violence were not reported to police and that during the past year the rate of calls for personal counseling (to address discrimination and harassment of LGBT individuals) had increased 150 percent.

In April, May, and June, during events surrounding the annual pride parade and the Family Law debate, some attacks occurred, including an assault on an Italian visitor and the serious beating of a British visitor, both of which police characterized as hate crimes. A few days before the pride parade, the Green Dragons, a soccer fan club, displayed a banner during a match calling for a ban on the pride parade and support of the Family Law. Cafe Open, with clientele primarily of gay men and lesbians and the headquarters of the pride parade, had its windows smashed on the night before the parade. On June 4, the annual gay pride parade in Ljubljana took place with the support of local government officials; however, there were reports that bystanders shouted homophobic slurs at participants, and antigay graffiti and stickers were seen in various locations around the city. Organizers reported satisfactory police presence during the parade.

On July 14, the NGO Skuc called for action in the case of two gay asylum seekers from Kosovo, Kadri Shala and Demir Kruezi, who had been subject to attacks in their home country. During their stay at the asylum center in Ljubljana, Skuc reported, residents and employees of the center had abused them both.

In 2010 three individuals were convicted and sentenced to 18 months in prison for assaulting an individual during the 2009 gay pride parade. However, on August 2, the court commuted the sentences of all three assailants, based on their lack of prior criminal record, age (less than 21), and apology to the victim.

On June 16, parliament passed the Family Law, allowing for adoption of children by gay or lesbian couples if one of the partners was a biological parent, entitling same-sex couples in civil partnerships the same rights as married couples, and changing the definition of a family to include two persons and a child. On July 19, the Ministry for Labor, Family, and Social Affairs approved the country's first case of a child adoption by the lesbian partner of the child's biological mother. In late August the lobbying group Civil Initiative for the Family and the Rights of Children began collecting signatures for a referendum to overturn the Family Law,

but an opposing lobby, The Initiative for All Children, for All Families, for Free Choice, and for Equal Rights filed a motion for a Constitutional Court review to block the referendum. The Constitutional Court decided in December in a 5-4 ruling to allow the referendum, scheduled for March 2012.

Other Societal Violence or Discrimination

There were some reports of violence and discrimination against persons with HIV/AIDS. The NGOs DiH and Legebitra reported, among other cases, the situation of one individual whose job offer was rescinded when the prospective employer learned the applicant was HIV-positive, even though a panel of three physicians who knew of his HIV status approved the hiring.

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. The law provides for the right to strike without government interference and prohibits retaliation against strikers, and workers exercised this right in practice. However, the law also restricts the right of some public sector employees to strike, primarily the police and members of the military services, but provides for arbitration to ensure due process and protection of these workers' rights.

According to the law, unions and workers may conduct their activities without interference and bargain collectively. While collective bargaining was freely practiced, the law requires that 10 percent of the workers in an industry sector be union members before collective bargaining could be applied to the sector as a whole. Both general collective bargaining agreements and collective bargaining agreements focusing on a specific business segment covered all workers.

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

d. Acceptable Conditions of Work

The national monthly gross minimum wage was approximately 748 euros (\$972). The official poverty line is set at 587 euros (\$763) per month for a family of four.

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 but were not standardized. The law limits maximum 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 International Labor Organization (ILO) Committee of Experts, migrant workers were often orally instructed to perform forced and excessive overtime in violation of labor law provisions limiting overtime and specifying 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 being tied 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 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.

During the year the Labor Inspectorate reported finding 6,456 violations in 9,908 inspections, mostly in the construction (1,673), hospitality (1,058), and retail (937) sectors. 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. The ministry's Inspector General Department conducted more than 11,379 inspections in the first eight months of the year and took enforcement actions, including fining and prosecuting offenders, based on its findings. Information on the number of labor inspectors and on work-related deaths and accidents was not available at year's end.

On May 27 and June 4, the Invisible Workers of the World staged a demonstration for the rights of migrant workers because of what they dubbed Slovenia's unwillingness to take responsibility for their catastrophic situation.

On September 6, the Employment Service finalized a social security agreement with Bosnia-Herzegovina, making Bosnians in Slovenia and vice versa eligible for unemployment benefits in the country where they were laid off.