



REPUBLIC OF
SLOVENIA



HUMAN
RIGHTS
OMBUDSMAN

SUMMARY OF THE WORK OF THE HUMAN RIGHTS OMBUDSMAN OF THE REPUBLIC OF SLOVENIA FOR 2024

2024

ABOUT THE HUMAN RIGHTS OMBUDSMAN OF THE REPUBLIC OF SLOVENIA

The Human Rights Ombudsman of the Republic of Slovenia
from 24/02/2019 to 24/02/2025 was Peter Svetina.

The powers of the Human Rights Ombudsman of the Republic of Slovenia (hereinafter: Ombudsman) are determined by the Constitution of the Republic of Slovenia (Article 159), the Human Rights Ombudsman Act and 24 sectoral acts.

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1.1 INTRODUCTION BY THE HUMAN RIGHTS OMBUDSMAN

Dear Reader,

In the jubilee 30th regular annual report of the Human Rights Ombudsman of the Republic of Slovenia, we present an overview of the work of the Ombudsman in 2024. In accordance with the Human Rights Ombudsman Act, the Human Rights Ombudsman of the Republic of Slovenia (Ombudsman) reports its findings to the National Assembly of the Republic of Slovenia with regular or special reports.

At the end of my term (February 2019 – February 2025), I must point out that changes in society for the better, especially in the field of human rights, are happening too slowly and often with a lack of political and professional dialogue. Political will is key to urgently needed systemic changes that, while respecting human rights and the rule of law, respond to the challenges of modern times. Unfortunately, political will is often lacking for various reasons. The functioning of independent state institutions is also too often understood as a kind of necessary evil. Let me remind you that in the past year, various political actors have questioned the professionalism of institutions in Slovenia in several public statements, thereby effectively putting pressure on their actual independence and impartiality. In this regard, I would like to recall the joint statement of the heads of the Court of Audit, the Ombudsman, the Information Commissioner, and the Commission for the Prevention of Corruption, which was adopted in 2021. The functioning of the system of checks and balances in the country and trust in this system is of paramount importance for people's trust in the functioning of the state, which protects constitutionally guaranteed rights.

It is not surprising that the feeling of powerlessness and often the feeling that only a few can effectively exercise human rights continues to grow among residents. In 2024, a reform of the salary system in public administration was implemented (thus implementing the Ombudsman's recommendation No. 9 from 2023) – it is still too early to assess what it will bring, whether it actually eliminates salary disparities, and whether it will also successfully address those groups and institutions that are facing a shortage of personnel. If I wrote last year that the key problem in addressing reforms is not a lack of political will but primarily a lack of long-term vision and constructive and inclusive dialogue between all stakeholders, today it is increasingly clear that even the real political will for reforms, dialogue, and the search for acceptable solutions is actually insufficient. Throughout the six-year mandate that I am concluding, I have reiterated that the focus of reforms should be on human rights and the dignity of each individual, while also taking into account the constitutional provision that »no human rights or fundamental freedoms regulated in legal acts in force in Slovenia may be restricted on the pretext that this Constitution does not recognise them or recognises them to a lesser extent.« Values are important. I believe that we do not want to become a society in which individuals increasingly fight for their own interests, while those on the margins of society remain ignored and without basic social security. Unfortunately, without serious and thoughtful measures, we will not be able to build a just and inclusive society. Solidarity, a sense for fellow human beings, and the search for common solutions are increasingly being tested.

Celebrating the 30th anniversary of the Ombudsman's work

The year 2024 was extremely important for the institution of the Human Rights Ombudsman of the Republic of Slovenia, as we celebrated the 30th anniversary of the beginning of its operations in December, although the Ombudsman formally began its operations on 1 January 1995. On this occasion, we prepared a special publication entitled 30 Years of the Ombudsman Institution, which highlights key turning points and achievements in the institution's operations, and on 5 and 6 December we hosted an international conference in Bled on the effectiveness of the functioning of the Ombudsman institutions and national human rights institutions in dealing with contemporary challenges. The conference was attended by numerous foreign ombudsmen and heads of national human rights institutions, with whom we have established excellent cooperation over the years. To mark the 30th anniversary of the Ombudsman's activities, we also dedicated the traditional reception of the Ombudsman on International Human Rights Day, and last but not least, I also dedicated my message to this anniversary, in which I emphasised that human rights are the foundation of every democratic society and that without dialogue and justice, words such as human rights, democracy, and the rule of law risk becoming mere phrases without content. The Ombudsman institution remains a steadfast defender of the rights of all residents of Slovenia and a promoter of a culture of dialogue and respect.

Number of cases handled, violations identified, and recommendations

In 2024, the Ombudsman handled 6,288 cases (6,225 cases in 2023, 5,949 in 2022, almost 6,900 in 2021 and 2022, and around 4,600 in 2019 and before). Of these, he conducted 3,021 conversations with callers, of which 2,346 were conversations with callers who had not (yet) filed complaints. Seventy conversations were also conducted at operations outside the headquarters, 21 conversations were conducted in the field of Child Advocacy, and 39 conversations were conducted with children.

A total of 3137 complaints were considered (2224 in 2023 and 3026 the year before) – 2413 were newly opened and 724 complaints were carried over from 2023. By 31 December 2024, 2478 complaints (78.99%) were completed, 573 (18.26%) remained pending, 86 cases (2.75%) were reactivated. 325 complaints, or 13.12%, were substantiated, of which 158 were from the field of advocacy, 66 complaints, or 2.66%, were from the field of Child Advocacy, in which an advocate was not appointed, and 269 complaints, or 10.86%, of those completed were not substantiated. In 1357 complaints, or 54.76%, there were no conditions for consideration (for example, a legal procedure was in progress in which no delays or major irregularities could be identified, or the complaints were anonymous or offensive, or the process of considering them was stopped due to the complainant's non-cooperation or withdrawal of the complaint). 372 complaints, or 15.01%, did not fall within the Ombudsman's competence, and in seven complaints, or 0.28%, consent was withdrawn in the area of advocacy. Comments on regulations were considered in 20 complaints or 0.81%. In the area of the National Preventive Mechanism, 62 complaints, or 2.50%, were considered.

We found that the allegations of violations of human rights and fundamental freedoms or other irregularities in 167 complaints were substantiated. We found 174 violations of human rights and fundamental freedoms (defined in the Constitution of the Republic of

Slovenia) or other irregularities (violation of the principle of justice and good governance, unjustified delay of the procedure or obvious abuse of power under the ZVarCP). To these 174 violations, we must add 158 cases from the field of child advocacy, in which we do not establish violations, but are treated as substantiated complaints, which means that a total of 325 substantiated complaints are recorded. The higher number of violations of rights compared to the number of substantiated complaints is a consequence of the higher number of violations established in each complaint. Thus, in some cases, three or more violations of human rights and fundamental freedoms or other irregularities may have been established during the consideration of complaints. We found fifty-seven violations of the principle of good governance (Article 3 of the ZVarCP), 12 violations of unjustified delay of proceedings (Article 24 of the ZVarCP), 12 violations of equal protection of rights (Article 22 of the Constitution of the Republic of Slovenia), 10 violations of equality before the law (Article 14 of the Constitution of the Republic of Slovenia), nine violations of the right to social security (Article 50 of the Constitution of the Republic of Slovenia), nine violations of the right to healthcare (Article 51 of the Constitution of the Republic of Slovenia), 8 violations of the principle that Slovenia is a legal and social state (Article 2 of the Constitution of the Republic of Slovenia), eight violations of rights from other areas, six violations of the rights of the disabled (Article 52 of the Constitution of the Republic of Slovenia) and the same number of violations of the rights of children (Article 56 of the Constitution of the Republic of Slovenia).

Violations of human rights and fundamental freedoms or other irregularities were found in various bodies, most often in the activities of the Ministry of Labour, Family, Social Affairs and Equal Opportunities (19 cases), other bodies (15 cases), the Ministry of Health (13 cases), local self-government or municipalities (11 cases), courts (11 cases), in the activities of the **Prison Service** (10 cases), police stations (nine cases), the Pension and Disability Insurance Institute (seven cases), administrative units (six cases) and the same number of cases in the work of the Ministry of the Interior and the Ministry of Education. The justification for the statistical data is provided in the substantive chapter of the Ombudsman's Annual Report for 2024, in each of the substantive chapters.

In order to properly resolve the alleged violations of complainants, their questions and problems, and optimise work throughout the institution, the Ombudsman has been operating a **single entry point (SEP)** since 2020, which also aims to raise the quality of work and ensure even greater openness and accessibility of the Ombudsman. Among the goals it pursues are improving the mechanisms of traceability, transparency and uniformity for all interactions of complainants with the Ombudsman, i.e. all calls, all personal conversations and all written explanations received by complainants. **In 2024, the SEP received 3,021 calls and handled 1,215 cases, a total of 4,236 cases were handled by the SEP in 2024.**

In 2024, **seven business trips were carried out outside the headquarters** – we visited Črna na Koroškem, Izola, Hodoš, Maribor, Zagorje ob Savi, Šoštanj, and Cerklje. This means that as an institution we are also present in the local environment, where we are directly available to individuals for a conversation or to submit a complaint.

It is worth emphasising that the number and share of justified complaints among resolved complaints are not a true indicator of the state of human rights protection in Slovenia. Firstly, because not every person whose human rights are violated by the authorities nec-

essarily turns to the Ombudsman, and secondly, because one justified complaint in which the Ombudsman has identified a systemic irregularity can mean a violation of the rights of hundreds or even thousands of people. This is also why the Ombudsman, based on data obtained from publicly available sources, opens its own complaints in individual areas. In 2024, we **opened 34 (36 the year before) complaints and 76 (75 the year before) broader issues on our own initiative**, to which should be **added all visits to places of deprivation of liberty (carried out by the National Preventive Mechanism) and a total of around 200 cases from the field of operation of the Human Rights Centre and international cooperation.**

Based on all our activities in 2024, i.e. addressing complaints, raising broader substantive issues, the operation of various organisational units, visits, preparing expert analyses, studies and perceptions, we are making a total of 95 new recommendations this time **(in 2023 we made 86 and the year before 84 new recommendations)**, of which:

- 89 were recommendations which often also concern individual segments of society or society as a whole and respect for human rights in it at a systemic level, and
- an additional 6 were recommendations that represent **permanent tasks** of various bodies.

Slow implementation of the Ombudsman's recommendations

In this annual report, we also specifically highlight current past recommendations that remain either unimplemented or partially unimplemented. We welcome the government's reporting in the response report on the status of the implementation of our new and current past recommendations. We continue to draw attention to the need for greater coordination of responses to recommendations that relate to multiple departments. We would like to see more understanding so that more consistent and faster implementation of our recommendations would significantly contribute to raising the level of respect for human rights and fundamental freedoms in Slovenia for all and at the same time help to improve the quality of life of individuals. For the second year in a row, we reiterate recommendation No. 1 (2022), with which we proposed to the Government of the Republic of Slovenia to establish special coordination to address the Ombudsman's recommendations that relate to multiple government departments, and to prepare a unified position on these recommendations and a work plan for their implementation.

Vulnerable groups and content areas

In the field of **equality before the law and the prohibition of discrimination**, in 2024, on our own initiative, we addressed the issue of accessibility of the buildings of the Government of the Republic of Slovenia and ministries as a broader issue important for the protection of human rights and fundamental freedoms. The accessibility of the built environment for people with disabilities is of key importance in ensuring equal opportunities for this vulnerable group. Failure to ensure accessibility of public buildings is in itself inconsistent with Paragraph 1 of Article 14 of the Constitution. In addition, it must be taken into account that

the accessibility of public buildings for people with disabilities is a basic prerequisite for the exercise of many other fundamental human rights and freedoms. In accordance with Article 29 of the Convention on the Rights of Persons with Disabilities (CRPD), the Republic of Slovenia must, for example, enable people with disabilities to effectively perform tasks and public functions at all levels of government.

One of our main findings was that people with sensory disabilities are **catered for less well than people with mobility issues**. For example, while a lift suitable for people with mobility disabilities is accessible in 20 buildings, lifts for people with sensory disabilities are accessible in only nine. Furthermore, none of the buildings examined meet the requirement for tactile floor markings and do not provide an induction loop for communication with the hearing impaired. Based on our findings, we proposed to the government to form a **working group to ensure the accessibility of government and ministry buildings**, and to include representatives of non-governmental organisations of people with sensory and mobility disabilities and the Urban Planning Institute of the Republic of Slovenia; that the above-mentioned working group should, as soon as possible, carry out an analysis of the accessibility of government and ministerial facilities for people with disabilities and, within this framework, **determine uniform criteria** for verifying compliance with accessibility requirements for the aforementioned facilities and, **through field visits**, verify their actual compliance in each facility. When analysing the situation, it should be taken into account that the accompaniment of persons with disabilities, which may be provided in the facility, cannot replace the fulfilment of the requirement for the adaptation of facilities for independent use by persons with disabilities. The Ombudsman also proposed that the working group, based on the analysis of the situation, propose **concrete measures to ensure accessibility**, where this is not yet ensured, and, taking into account the rapidly expiring legal deadline for adapting facilities, **set a clear timeline for the implementation of the proposed measures**. The Ombudsman further proposed that the government provide **sufficient funds** in the budget for the implementation of measures to ensure accessibility, and that special attention be paid to improving the accessibility of the **Ministry of Health (MNZ) facility**.

We also learned that the **Pension and Disability Insurance Real Estate Fund carried out a comprehensive renovation and extension of ten new public rental apartments for pensioners and other elderly people, but nevertheless stated in the tender for the delivery of these apartments that the lift in the building was not suitable for people in wheelchairs due to its size**. It follows from the applicable legislation that this building should also have a lift that could be used by wheelchair users. This was found to be all the more worrying because the apartments are intended for the elderly, who are more often confined to using a wheelchair, and especially because they are provided by the Pension and Disability Insurance Fund, which is expected to pay special attention and care precisely for the situation of people with disabilities. As it turned out, the external areas around the building were adapted, were designed with ramps for access without architectural barriers, parking for the disabled was provided, and all bathrooms were designed with flush-mounted shower cubicles, so all four ground floor apartments are accessible without barriers. The fund announced that, in order to avoid misunderstandings by potential tenants, it would amend the text of the tender accordingly, stating that all ground floor apartments are accessible to the disabled.

We recognised as many as one in four complaints in the field of **pension and disability insurance** as well-founded. The well-foundedness of the complaints is primarily due to non-compliance with the deadlines for deciding on rights from pension and disability insurance, or the lengthy procedures and other actions of the Pension and Disability Insurance Institute (ZPIZ), which constitute a violation of the right to social security and a violation of the principle of good governance. It is worth emphasising that members of vulnerable groups, such as the disabled, the elderly, and women, are largely affected, and that in these cases decisions are made on more permanent rights.

We were also informed about the delays that allegedly occurred at ZPIZ's disability commissions in issuing opinions under the Social Inclusion of Persons with Disabilities Act (ZSVI) and in issuing opinions in proceedings for exercising the right to a family caregiver under ZDOsk-1, which consequently also caused backlogs at centres for social work in issuing relevant decisions. At the Ministry of Labour, Family, Social Affairs and Equal Opportunities (MDDSZ), delays also occurred in deciding on complaints against decisions on rights under the ZSVI. The Ombudsman expects that the MDDSZ's measures will be effective, and we will continue to monitor their efforts.

We have been working hard to extend the deadline for submitting **applications for the right to a guaranteed widow's pension**, which was scheduled for 31 December 2024 in accordance with the ZPIZ-2N. In the past, in the field of pension and disability insurance, we have already encountered individual cases of applicants who, due to various changes in legislation, missed the deadline for exercising new and/or changed rights and consequently remained without them. The MDDSZ therefore proposed that it immediately prepare everything necessary to extend the deadline for submitting applications for the payment of a guaranteed widow's pension, while ensuring even more intensive communication so that the information reaches all potential beneficiaries. We are extremely pleased that the ministry followed our proposal and the proposal of other stakeholders and prepared a draft amendment to the law, which was submitted to the National Assembly in mid-December 2024.

Unfortunately, we experienced quite the opposite in the case of a complainant who, despite years of exposure to noise in her workplace, was unsuccessful in the process of **verifying an occupational disease**. The Association of the Deaf and Hard of Hearing of Slovenia, which we contacted, also encounters individuals in similar circumstances, where obtaining appropriate evidence is extremely difficult or even impossible due to the lack of preserved documentation from past periods. For this reason, they advocate seeking alternative ways of proving occupational diseases in such cases. They suggested that a professional working group might reconvene to explore solutions for situations where it is not possible to obtain the necessary documentation and to accordingly adjust the Regulation on Occupational Diseases. We have therefore proposed to the MDDSZ that it examine this proposal and, in cooperation with experts, strive to find a fairer solution so that individuals are not deprived of their rights merely because of missing or lost records from many years ago.

It is to be expected that positions on the **definition of disability** will need to be brought closer together. Our position on this issue is well-known, as we have publicly stated it several times, demanding changes and measures from those responsible. Specifically, the medical model of disability, which is currently established in national regulations, must be replaced by the

social model stemming from the UN Convention on the Rights of Persons with Disabilities (CRPD). This social model is based on the premise that disability does not arise solely from a person's medical condition, as argued by the medical model, but from the barriers they face in participating in society. In line with the social model of disability under the CRPD, it is essential to change and unify the definition of disability to prevent situations where individuals with the same limitations are granted different levels of social protection. **The fact remains that legislation regulating the field of persons with disabilities does not adequately follow the CRPD and is inconsistent with it.**

In the area of **social security**, it should be emphasised that the Republic of Slovenia is still considered a country with a high level of social security, based on universal access to services, and the principles of solidarity and social justice. Nevertheless, serious structural challenges are a reality, partly as a result of changing social and economic conditions, and they affect the long-term sustainability and quality of the system. **Unfortunately, in addition to the healthcare sector, we are increasingly facing an acute shortage of personnel in social welfare as well — in retirement homes, social care institutions, and also at centres for social work.** We emphasise that it is necessary to ensure that care for fellow human beings receives appropriate recognition in society, which should also be reflected in fair pay for all workers — both those at the bottom of the pay scale and those who take on the leadership of such institutions in these challenging times. As long as the state does not allocate sufficient funds to the field of social security, we cannot realistically count on the long-term sustainability and quality of the social security system. **A clear decision must be made about what kind of country we want to live in and how much funding we are willing to allocate for it. This decision must be made by those who are primarily responsible for social welfare in the country.** This is particularly concerning, as in 2024 we received an increased number of justified complaints regarding the unresponsiveness of the competent ministry. **The long delays in resolving appeals at the MDDSZ**, which should be the primary body responsible for ensuring the enforcement of social security rights, have been failing this task for years. We are, for example, dealing with the case of a woman who contacted us because MDDSZ only made a decision in October 2024 regarding her request, submitted back in 2017, for the cancellation of a debt related to a state scholarship. Such cases are completely incomprehensible and unacceptable, and they severely infringe on individuals' rights. Therefore, the Ombudsman calls on the MDDSZ to adopt additional measures to eliminate such delays and to establish monitoring of their effectiveness.

In 2024, as in previous years, we also devoted considerable attention to initiatives raising allegations of violence as well as inadequate care and attention, mostly in homes for the elderly, although the Ombudsman's activities concerning older people are much broader. Many homes for the elderly are also facing acute staff shortages, as a result of which some accommodation capacities, particularly in nursing units, remain unoccupied. Because the Ombudsman wishes to gain a comprehensive insight into the situation in various homes for the elderly, in 2024 he personally visited several such institutions, including those about which he had received complaints containing various allegations. Based on discussions with complainants, employees, and management, we often find that there are growing problems in communication and coordination between relatives and staff. Of course, we understand that in such demanding work as performed by employees in homes for the elderly, the hu-

man factor is inevitably present. However, the Ombudsman emphasises that it is always necessary, at all times, to establish respectful communication with both residents and their relatives, aimed at cooperation and building a relationship of trust. Only in this way will it be possible for residents to be cared for to the greatest extent possible, while also ensuring the protection of their personal dignity.

Based on the complaints reviewed and visits conducted, the Human Rights Ombudsman proposed to all stakeholders – including individual nursing homes, the Ministry of Solidarity-Based Future (MSP), and other competent authorities – the establishment of appropriate protocols, as well as the implementation of more preventive programmes at the national level to detect violence and other irregularities. Given that the highlighted issues represent systemic wounds that can no longer be resolved merely through theoretical solutions, compromises, or promises that are clearly unrealistic from the outset, it is essential that the state establish an effective mechanism with **a clearly defined timeline, specific outcomes, and a transparent and efficient oversight system, supported by tangible financial resources.** In addition, the Ombudsman continuously emphasises that older people are a part of the population whose voices must be heard, especially when they are in distress. For this reason, the Ombudsman has repeatedly called for the establishment of a so-called Elder's Trustee. To raise awareness of this need, a roundtable discussion was organised, a special brochure was published, and the Ombudsman's office participated in numerous events, using these opportunities to further stress how crucial the rights of older persons must be in our society.

In 2024, through the Centre for Human Rights, we proactively organised activities related to the situation of **older people** and **persons with disabilities.** For over five years now, the Ombudsman has been recommending that the government adopt the necessary measures to regulate the fields of **long-term care and deinstitutionalisation.** We also organised a dedicated roundtable on this issue. We welcomed the efforts made toward the strategy adopted by the competent ministry, but we have not yet observed any significant progress in practice. The establishment of a long-term care system is facing delays, which only deepen public dissatisfaction and mistrust. Many questions remain unanswered, and at this stage, unfortunately, the considerable efforts made cannot be regarded as an example of good practice. Nevertheless, we sincerely hope that the system will eventually deliver the necessary solutions and, above all, ensure appropriate care for older people. The Ombudsman will continue to draw attention to the failure to implement the UN Convention on the Rights of Persons with Disabilities, particularly regarding deinstitutionalisation. We are increasingly concerned that not all responsible actors are adequately responding to the needs of older persons and persons with disabilities, as they are failing – at least to a sufficient degree – to provide the necessary support services within the community. Events surrounding the attempt to evict persons with disabilities from a residential home in Solkan, which is part of the Dom na Kra-su network, raise legitimate questions about whether the left hand of the state knows what the right is doing and vice versa. Deinstitutionalisation must be clearly understood as a move away from institutional thinking toward independent living with community-based support. The state has an obligation to ensure this transition, as it is a process that guarantees respect for the human rights of individuals. The Ombudsman will continue to actively advocate for this within the scope of our mandate.

Since 2022, the Ombudsman has **been drawing attention to issues in the decision-making process regarding the right to personal assistance, particularly where decisions (rulings) lack adequate justification.** Decisions on individual rights that are not explained in a way that allows the person concerned to understand why a specific outcome was reached – and which therefore also prevent the effective use of legal remedies – are, in the Ombudsman's opinion, inconsistent with Article 22 of the Slovenian Constitution. Justifications must include all relevant information that supports the decision. Only when individuals are fully informed of such reasoning can they effectively pursue judicial protection of their rights. In one case, the applicant was able to obtain the necessary data (an evaluation form completed by expert assessors) after seeking guidance from the Ombudsman and contacting the Information Commissioner of the Republic of Slovenia. The Ombudsman is encouraged by recent progress, particularly by several court decisions in which administrative rulings were annulled due to insufficient justification. Nevertheless, in 2024, the Ombudsman continued to receive complaints from individuals dissatisfied with how their right to personal assistance had been denied. This underscores the ongoing need for a comprehensive and systemic regulation of the various forms of support available to individuals, including the possibility of combining different types of assistance in a flexible and coordinated way.

In 2024, we also highlighted a systemic shortcoming in the current legal regulation of assisted living housing. We therefore recommended that the Ministry of Solidarity-Based Future (MSP) undertake a comprehensive reform of the relevant legislation. Based on the submissions we received, we identified several key deficiencies: there are currently no legally defined procedures for renting assisted living apartments; no criteria have been established for determining rental costs; there is no centralised registry of such housing; and there is no clear regulation on how residents can access support services in the form of social and health care. We also pointed out inconsistencies between Article 9 of the Rules on Minimum Technical Requirements for the Construction of Assisted Living Housing for Older Persons and the Conditions for Their Operation, and Article 35 of the Rules on Standards and Norms for Social Welfare Services: Assistance to Families at Home, Social Services, Institutional Care, and Supervised Employment under Special Conditions. These inconsistencies pertain specifically to the operation of remote assistance systems (the so-called SOS buttons).

While we welcome the **development of digitalisation**, it is essential to exercise particular care for certain individuals, such as some older persons and those who are not proficient in the use of information technologies.

Numerous long-standing issues in the area of **healthcare** remain unresolved. This is **not only a source of frustration for the Human Rights Ombudsman but is also widely echoed in public discourse, hence our continued focus on this topic.** These challenges are especially difficult to comprehend when they affect vulnerable groups such as children, the elderly, and persons with disabilities. The issue goes beyond a shortage of doctors. There is a chronic lack of all types of healthcare personnel. Harsh working conditions, coupled with inadequate compensation, are forcing some of the most burdened healthcare professionals to rely on their personal ethics to persevere. Unfortunately, even that has its limits, and the state urgently needs a clear vision of what kind of healthcare system it wishes to maintain. The year 2024, marked by a doctors' strike, further eroded public trust. This is particularly unfair to

those individuals – of whom there are many – who continue to make extraordinary efforts and contribute far beyond what is expected of them within the healthcare system.

The doctors' strike at the University Rehabilitation Institute Soča (**URI Soča**) led to the suspension of services at the Clinic for Drivers with Special Needs, preventing persons with disabilities from renewing their driver's licences. Based on numerous complaints, the Human Rights Ombudsman identified serious distress among those affected. Despite URI Soča's continued insistence on maintaining the strike, we did not cease our appeals, emphasising that the right to strike cannot prevail absolutely when weighed against the public interest and the rights of persons with disabilities. We considered this situation an unacceptable and unjustifiable interference with individual rights. Following several strong interventions by the Ombudsman and mounting public pressure, URI Soča eventually resumed medical examinations in mid-March 2024. This restored access to essential services for persons with disabilities – services that are vital for their independent living and full participation in society.

The **strike** also caused difficulties in other areas of the healthcare system. In this regard, the Ombudsman acknowledges the efforts of the Ministry of Health (MZ) to mitigate the situation by adopting certain measures. More broadly, we observe a tendency toward decisions aimed at improving public healthcare, which, given the scale and complexity of challenges, is an immense undertaking. One such measure is the introduction of incentives intended to encourage young doctors to pursue specialisations in family medicine. However, the Ombudsman has not yet observed any significant positive impact from these initiatives. The shortage of family doctors continues to result in long waiting times for patients seeking to choose their primary physician, contributing to a growing number of so-called "unassigned" patients – a situation that is particularly problematic for vulnerable groups. In the Ombudsman's view, several hours of waiting in line outside a health centre for the chance to choose a personal doctor – only for many patients to be turned away without the ability to make that choice – demonstrates a lack of respect for patient dignity and rights. This is especially concerning when it affects those most at risk. While clinics for unassigned patients offer access to basic care, they do not address the root problem: the shortage of physicians and the unmet right of patients to choose their doctor. Instead, they often introduce additional challenges. The same concern applies to the shortage of paediatricians, which became particularly evident over the past year and remains a cause for serious concern. In 2023, the number of patients waiting beyond acceptable timeframes further increased. Long waiting periods remain especially critical in areas such as paediatric psychological and psychiatric care, as well as orthodontic treatment.

Unfortunately, even those who do have a **designated personal doctor** are not without difficulties. In 2024, we continued to highlight the issue of limited or inconsistently arranged access to family medicine clinics. We have repeatedly called for the preservation of both telephone and in-person communication options. While the Ombudsman supports the digitalisation of healthcare, special consideration must be given to certain individuals, such as older adults and those who lack digital literacy, who may be disadvantaged by a purely digital system. We also received several complaints regarding the lack of adequate notification when a personal doctor ceases to practice for any reason. This gap in communication can cause confusion and disruption in patients' access to healthcare services.

For several years, we have been drawing attention to the lack of regulation in the **field of psychotherapy and the absence of oversight of psychotherapy service providers** in the market. The draft law on psychotherapy and clinical psychotherapy, prepared in 2024, was met with criticism from all sides. The Ombudsman therefore submitted an opinion to the Ministry of Health, emphasising that the regulation of psychotherapy in the market – i.e. so-called non-clinical psychotherapy – is essential and must be subject to the same rigorous standards of professionalism and quality as psychotherapy practiced within the healthcare system. We also informed the Ministry of Health and the proponents of the law that the regulation of this field will not be effective or beneficial for patients if it is based on the exclusion of certain stakeholders solely due to factors such as educational background, therapeutic approach, or the personal interests of individual actors. The Ministry was urged to thoroughly consider the feedback of all relevant stakeholders and to incorporate their input into the development of a new legislative framework.

The **growing shortage of staffing and space for individuals who require medical care and assistance after hospital discharge is becoming an increasingly pressing issue**. As a result, waiting lists for admission to retirement homes are getting longer, and the situation is further exacerbated by the lack of social care service providers in the home environment, such as in-home assistance. The need to establish new long-term care hospitals is urgent and growing, and it is essential that solutions are found within a reasonable timeframe. The Ministry of Health (MZ) has provided the Ombudsman with some information regarding this matter; however, it appears that this area remains a grey zone between hospital treatment and the nursing wards of hospitals, failing to meet current needs. It seems that the MZ lacks both a staffing and infrastructure plan to adequately address the needs of individuals requiring complex medical care following hospital discharge. Once again, decision-makers appear to be turning a blind eye to the reality that every healthcare worker deserves fair and dignified compensation for their work. As long as the work of medical and care staff remains undervalued, qualified professionals will continue to be discouraged from seeking employment in social and healthcare institutions. For now, we can only hope that planned measures will genuinely reflect the needs on the ground and lead to timely, systemic changes.

In 2024, we continued to address the issue of **notifying community nursing services following the discharge of new mothers**, during which we observed differing practices among individual maternity hospitals. We welcome the fact that the Ministry of Health has recognised the need for a uniform notification procedure for community nursing services after mothers are discharged and that certain activities are already underway to regulate this area. While changes do take time, we cannot overlook the fact that the bureaucratic machinery moves too slowly. The Ombudsman also concluded the matter of unequal treatment of mothers regarding the handling of the placenta after childbirth. The medical profession has since reached a consensus that all mothers, as users of healthcare services, must be treated equally by all healthcare providers. At the Ombudsman's office, we encountered cases where mothers were treated differently in various maternity hospitals, which is unacceptable from the perspective of equal treatment.

In the field of **alternative medicine**, the Ombudsman continues to highlight the delay in adopting legislation that would regulate complementary, traditional, and alternative forms of treatment, including the status of physicians who practice homeopathy. There are also

delays regarding compensation claims related to COVID-19 vaccination, where the Ministry of Health is still late in issuing decisions, despite the recommendations made last year.

We have also identified **shortcomings in healthcare inspections and insufficient patient information regarding their rights**. Better information could relieve the already overburdened healthcare system of many unnecessary procedures and complaints. We find that inspections simply take too long. Ongoing systemic issues leave patients in uncertainty and distress. It is often unclear whether inspections are being carried out and who is responsible for ensuring that corrective measures, if needed, are implemented. Each inspection should be concluded within a reasonable time frame. This applies both to internal and external professional oversight. Every year, we also meet with patient rights advocates, whose work is becoming increasingly demanding.

We continue to observe **prolonged decision-making processes by the Health Insurance Institute of Slovenia (ZZZS)**, which causes unnecessary distress and uncertainty for insured individuals. Additionally, the decisions often lack clear and sufficient reasoning, making it unclear why a patient's sick leave was not extended. Patients frequently do not understand why they must return to work if their rehabilitation is not yet complete, or how to proceed after receiving a decision to end their sick leave that they have appealed.

In the field of **protection of dignity, personal rights, safety, and privacy**, the Ombudsman, after reviewing the **Act Amending the Financial Administration Act (ZFU-B)**, decided in 2023 to initiate a constitutional review of Article 18.a of the Act. This provision introduced a new authorisation allowing the director of the Financial Administration to decide on the use of technical devices (GPS tracking devices) for collecting data on the location and movement of goods during financial investigations. We assessed that this authorisation was inconsistent with Articles 2, 15, 23, 35, and 38 of the Constitution of the Republic of Slovenia. **We can now report that the Ombudsman's request was successful.** The Constitutional Court of the Republic of Slovenia largely upheld the Ombudsman's arguments and annulled Article 18.a of the ZFU. According to the Court, the article was unconstitutional due to a lack of clarity and legal precision. The Court emphasised that the requirement for clarity and precision in legal provisions is particularly crucial in the sensitive area of informational privacy, especially when acquiring location data through GPS tracking devices. Such powers represent a form of state authority over individuals and thus constitute an interference with human rights.

We also addressed a case in which the Ombudsman was contacted by the father of a minor, who raised concerns about a daily newspaper publishing an article on the course of the main hearing in a criminal case involving allegations of sexual offences. The journalist cited statements attributed to the alleged victim, which reportedly referred to remarks or observations made by the complainant's minor daughter. Although the daughter was not named, the complainant claimed she could be identified based on the article. From the complainant's letter, it was clear that he expected the Ombudsman to influence the courts to prevent such situations from recurring. However, based solely on the complainant's claims, we did not detect any irregularities on the part of the court. The principle of public hearings is not absolute. The public can be excluded if it serves the interests of morality, public order, or state security; if it protects the interests of minors; if it safeguards the private lives of the parties; or if public hearings would harm the interests of justice (Article 295 of the Criminal Procedure

Act). The court may decide to exclude the public ex officio or at the request of a party, and it interprets these reasons restrictively. **The Ombudsman believes that protecting the interests of a minor by excluding the public should not be interpreted so broadly as to require the court to restrict public hearings based merely on a hypothetical possibility that a witness might mention the name of a minor.** Such an indefinite and broad interpretation of the minor's interest cannot outweigh the defendant's right and the public interest. The principle of publicity primarily protects the defendant's right to a public trial and ensures they are not subject to secret trials without public oversight. Secondly, this principle also protects the public's right to oversee the functioning of one of the three branches of government, thereby ensuring both transparency and legitimacy of the judiciary, which is constitutionally a higher interest than the privacy of the affected parties. In this context, public exclusion to protect other participants in the criminal procedure (i.e. those other than the defendant) is appropriate mainly when extremely private information about these individuals would be disclosed, and their personal interest in keeping this information private outweighs the public interest in following the main hearing. A typical example is the disclosure of highly sensitive health or similarly intimate information about the victim or witness. When protecting the interests of a minor, excluding the public is reasonable if public proceedings could negatively affect the minor's personal or mental development, especially when the minor is the victim.

Special attention was also given to the placement of **unaccompanied minors with experience of human trafficking**. The Ministry of the Interior (MNZ) gave assurances that it recognises the importance of a systemic arrangement for placing children unaccompanied by an adult with experience of human trafficking, especially in light of the increasing armed conflicts and humanitarian disasters, which further increase the vulnerability of children and youth. In addition, the MNZ assured that systemic solutions for the placement of unaccompanied minors with experience of human trafficking will be sought based on the recommendations of the GRETA group, which were given in the third evaluation round of the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings. The Ombudsman especially wishes to reiterate that **an urgent alignment of the competent ministries and an agreement on the regulation of this issue is necessary, in a way that defines clear content and forms of assistance. These must ensure the realisation of the child's best interests, comprehensive and permanent support and assistance to children with experience of human trafficking, including the provision of special accommodations for children with such experience.**

Regarding the situation of **children**, 2024 at the Ombudsman's office was marked by numerous complaints related to children's rights, addressing issues in education, healthcare, and social welfare, as well as family and traffic matters. Among the most frequently discussed was the amendment to the Primary School Act (ZOn), which, among other things – and also at the initiative of the Ombudsman and several non-governmental organisations advocating for children's rights – changed the conditions for homeschooling. Parents expressed concerns that the changes might affect children's rights, but after reviewing cases, we found no violations occurred. Many complaints concerned the issue of child endangerment. We conducted inquiries with the competent centres for social. In some cases, allegations proved unfounded and resulted from personal grievances, while in others, the child endangerment had already been addressed and properly resolved. In the field of education, common com-

plaints related to student assessment, parental presence during assessments, relationships between teachers and students, and school exclusions. Complainants often pointed out inappropriate behaviour of teachers toward children, and we found that school managements mostly failed to respond adequately. Complaints were also addressed regarding insufficient accommodations for children with special needs, especially during the final exam (matura). Concerning children with special needs, the Ombudsman also dealt with issues such as parents' disagreement with placement decisions, questions of institutional care placement, different access to school events due to disagreements over photo publication, alleged disregard of special needs when removing a child, poor spatial conditions in schools with adapted programmes amid increasing enrolment, difficulties transferring to schools with adapted programmes, questions of compensation for lost income due to a child's autism, transferring children with special needs, and obtaining the school's opinion in the placement process.

Transportation to and from school was also an important area of complaints. Parents complained about difficulties in reimbursing transportation costs when they drove their children themselves. Some also raised concerns about inadequate traffic safety for children on school routes. We identified several systemic shortcomings and alerted the competent authorities. Promises were made at the national level to improve conditions, but some problems at the local level remain unresolved.

A frequent topic of complaints was the removal of children and their placement in foster families or institutions. Complainants often expressed dissatisfaction with the procedures of centres for social work, which the Ombudsman examined for possible irregularities. His intervention in one case helped prevent the removal of a child from the parents. Also noteworthy were complaints highlighting **difficulties in decisions regarding child care and upbringing, school transfers, and other issues important for the child's development.** Complainants often misunderstood the role of centres for social work and overlooked the fact that some decisions fall under the jurisdiction of courts. Some complaints raised concerns about the publication of children's photographs and data online, as well as complications in schools when parents did not give consent for the publication of photos. In such cases, we clarified the legal provisions and emphasised children's right to privacy.

In the field of child healthcare, the greatest challenge was the **shortage of paediatricians, especially in Ljubljana, with the most severe problems at the Bežigrad Health Centre.** Due to long waiting times, many parents turned to the Ombudsman, although some issues were resolved even before his intervention. Additionally, several complaints pointed to spatial and staffing shortages in specialist centres, which prevented adequate placement for all children who needed it. In two cases, **children themselves** approached the Ombudsman: one was due to suspected financial abuse by a caregiver in an institution, the other to dissatisfaction with decisions affecting their life. After extensive inquiries, the Ombudsman found that the children's rights had not been violated in either case. The Ombudsman also dealt with **issues related to social benefits and child support enforcement from abroad, where his intervention was successful.** Furthermore, he received numerous complaints concerning contact between children and one parent or grandparents. In one case, difficulties with visitation were reported, allegedly hindered by the University Psychiatric Clinic in Ljubljana, where the mother was undergoing treatment. This issue was resolved during the complaint process. Special attention was given to **complaints related to children allegedly stolen from mater-**

nity wards in the former Yugoslavia. Complainants reported that mothers were falsely told their children had died after birth. The Ombudsman conducted inquiries with the competent authorities and institutions investigating these allegations.

Through persistent work and cooperation with various services, we have achieved numerous positive changes, although some issues remain unresolved. In the future, we will continue striving for stronger legal protection of children and improving conditions for their development. In 2024, we also organised meetings with non-governmental organisations to **address the issue of peer violence.** These meetings contribute to a better understanding of challenges related to children's rights and have strengthened cooperation between the Ombudsman and NGOs in seeking effective solutions for the protection and promotion of children's rights in Slovenia.

In the field of **justice**, a notable **court proceeding** involved the **European Court of Human Rights (ECtHR) confirming that a domestic court violated the right to a natural judge.** In 2023, the Ombudsman intervened as a third party in the case **X and others vs. Slovenia** (application numbers 27746/22 and 28291/22) by submitting a proposal for intervention to the ECtHR, which approved the intervention. The core of the Ombudsman's intervention in March 2023 focused on an issue previously presented in the Ombudsman's 2021 Annual Report (pp. 696–700), concerning the violation of the right to a natural judge. This case was treated as a broader issue important for the protection of human rights and fundamental freedoms, as well as legal certainty, based on Article 9(2) of the Act on the Ombudsman for Human Rights (ZVarCP). The Ombudsman assessed that incorrect application of rules regarding the assignment of cases, which could violate the right to a lawful judge, could have wider implications if the method of case assignment used in this case were accepted as correct and applied in other court proceedings. Based on the case review, it was concluded that the rules on case assignment were applied in a questionable manner in this specific instance, potentially violating the right to a natural judge guaranteed by Article 23(2) of the Slovenian Constitution. Therefore, the Ombudsman recommended that courts strictly adhere to predetermined criteria when (re)assigning court cases, as the Constitution protects the right to judicial protection, which includes the right to a natural or lawful judge. **The ECtHR fully agreed with the Ombudsman's stance, which had unfortunately been overlooked by national courts, and unanimously ruled that the state had violated the applicant's right to a fair trial and her right to respect for private and family life, ordering Slovenia to pay damages.** The ECtHR judgment was issued on 19 December 2024 and became final on 19 March 2025.

The report also highlights the **issue of unresolved cases at the Administrative Court of the Republic of Slovenia.** The information about the expected time when a particular administrative dispute we dealt with at the Ombudsman is anticipated to be addressed is, in our opinion, concerning. It mainly reflects the unsuccessful resolution of the longstanding problem of unresolved cases at the Administrative Court, despite various measures adopted by the judicial administration aimed at reducing the backlog, which have so far not produced satisfactory results. The Ombudsman newly recommends that the legislator, thoughtfully and only in well-justified cases where no alternative legal solution is possible, adopt legislative solutions that further expand the jurisdiction of the Administrative Court (and thereby also the Supreme Court) of the Republic of Slovenia. We also draw attention to delays in han-

dling other individual cases. In 2024, we addressed the use of videoconferencing in criminal proceedings, highlighted the support for persons with autism in criminal proceedings, and discussed regulations prohibiting possession of mobile phones in court buildings, as well as judicial protection against spatial implementation acts, building permits, and other related issues.

We also draw attention to delays in the handling of other individual cases. In 2024, we addressed the use of videoconferencing in criminal proceedings, highlighted support for persons with autism in criminal proceedings, and wrote about regulations prohibiting the possession of mobile phones in court buildings, as well as about judicial protection against spatial implementation acts and building and other permits, and other related issues.

Regarding minor offences, we again draw attention to the issue of so-called daily parking fees. In 2024, complainants again pointed out bias in establishing facts and circumstances of alleged offences, incomplete findings of the actual situation, dissatisfaction with the issuance of payment orders or the imposition of fines, and the withdrawal of driving licences, as well as other related issues. As in previous years, most complaints related to participation in road traffic and the Police as the misdemeanour authority, with some also concerning municipal wardens. Within the addressed issues, we emphasise that the alleged offender, who is aware that a minor offence procedure is underway against them, must also be notified of the minor offence authority's decision not to issue a minor offence ruling, in accordance with the provisions of the Administrative Procedure Act (ZUP), which apply *mutatis mutandis* in misdemeanour proceedings, even though the Paragraph 5 of Article 51 of the Minor Offences Act (ZP-1) does not explicitly require this. Furthermore, the misdemeanour authority (including the police), when receiving a written complaint or proposal, must inform the complainant in writing of any decision not to issue a minor offence ruling or to file an indictment proposal, as this is their duty under Paragraph 5 of Article 51 of the ZP-1.

Regarding the Public Prosecutor's Office, the content of complaints again mainly concerned dissatisfaction with individual prosecutorial decisions (such as dismissal of complaints) or responses to specific motions and requests for access to files. Some complainants also expressed dissatisfaction with the explanations given by prosecutors for dismissing complaints, claiming they were unclear or incomplete. The Ombudsman has repeatedly emphasised in his recommendations to the Public Prosecutor's Office that, especially in cases of dismissal of complaints, it is very important that the reasons for the decision, as recorded in the ruling, be comprehensive, logical, convincing, and explained in a manner understandable to the (lay) complainant, including justification from factual and legal perspectives regarding all reported criminal offences. The corrective for a potentially incorrect prosecutorial decision to dismiss a complaint is the victim's right to initiate or continue a criminal prosecution under the conditions of the Criminal Procedure Act (ZKP). This is why it is important for the victim to receive a clear explanation of what the prosecutor believes are the reasons justifying the dismissal of the complaint. Such an explanation is complete and understandable only if it contains thorough factual and legal reasoning, considering the specific case and all criminal offences that may arise from the reported event (the prosecutor is not bound by the victim's or police's legal classification of the criminal offence). Only such reasoning of the prosecutorial decision to dismiss the complaint with clear reasons allows the affected victim to assess

whether their rights have been adequately protected or if they should pursue a prosecution on their own.

Regarding the **legal profession**, in one of the cases, we alerted the Bar Association of Slovenia (OZS) that, in practice, problems can arise when a party is granted free legal aid and assigned a lawyer only for representation in first-instance proceedings, but the court is presented with a general power of attorney from the party for representation without any limitations, which also includes the acceptance of decisions in the matter for which the power of attorney was granted. The OZS evidently recognised our observations as well-founded, which is why, based on a decision of the Chamber's Executive Board, all of its members were advised that, in cases where they represent a client on the basis of a free legal aid decision, they should explain the scope of the granted legal aid to the client and also inform the court about this scope. The Ombudsman welcomed this proposal and considers it a positive step that can make a significant contribution to improving the functioning of the judiciary in practice and, thereby, the rule of law, ultimately also enhancing the legal security of parties in judicial proceedings.

In the area of **police procedures**, we can again commend the Ministry of the Interior (MNZ) and the Police for their cooperation and responsiveness to the Ombudsman's interventions through various inquiries and communications involving criticisms, opinions, and proposals. The Ombudsman continues to find that in most cases, the MNZ and the Police comply with his recommendations and suggestions. The complaints addressed to the Ombudsman regarding police procedures in 2024 also related to various aspects of police conduct, such as: response to reports (e.g. in cases of neighbourhood disputes, threats, or violence), gathering information or questioning, police conduct during detention, deprivation of liberty or the implementation of detention, misdemeanour proceedings, handling of criminal offences, and other related issues.

As in previous years, **complainants accused the police of inappropriate or unequal treatment, failure to accept or address reports of criminal offences, police inaction, prolonged criminal investigations, excessive use of force, bias during proceedings, inadequate communication, and other issues**. It is also worth noting that some complainants were dissatisfied with the decision of the Service for Complaints Handling at the Police (SPZP) not to review their complaint or to conclude the complaint procedure. The decision was based on the Paragraph 2 of Article 152 of the Police Tasks and Powers Act (ZNPPol), which states that the chair of the complaints panel does not convene a session for complaints that have already been addressed in a conciliation procedure and where the complainant disagrees with the findings, if the documentation clearly shows that the circumstances were sufficiently reviewed, the facts were correctly and fully established, and further proceedings before the panel would not result in a different outcome.

In this part of the report, the Ombudsman particularly highlights **concerns regarding the supervision of detained persons during transport in police intervention vehicles**. It also stresses the need to train police officers to handle offences involving elements of hate based on sexual orientation or gender identity of victims. Furthermore, it emphasises that instructions issued by state prosecutors for the detection and handling of criminal offences must be

carried out within the set deadlines and without undue delay. In addition, the Police or the Ministry of the Interior (MNZ) is reminded that a party who submits a written application to a state authority is entitled to a written response.

Among other things, the Ombudsman issues a new **recommendation to the Police to continue training programmes that include the identification and handling of crimes with elements of hate**, and to ensure that such training is ongoing and accessible to all police officers. The Police are also called upon to continue cooperating with non-governmental organisations and experts in the field of protection of vulnerable groups, as such cooperation could further contribute to more effective handling of these types of unlawful actions and strengthen trust between the Police and vulnerable groups.

In the area of **restriction of personal liberty**, the Ombudsman, when handling complaints from detainees and during visits to prisons and their departments in the role of the National Preventive Mechanism (NPM) under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, has in recent years **encountered a growing issue of overcrowding**. Overcrowding, alongside the increasing shortage of prison officers, significantly affects the duration of criminal proceedings (e.g. due to the cancellation of escorts) and consequently the length and occupancy of pre-trial detention, as well as the safety and living conditions of convicted persons. The consequences of prison system overcrowding are also evident in other ways. It may negatively impact the maintenance of order and discipline, treatment of inmates, and the exercise of their rights, all of which can lead to degrading and inhumane conditions for detainees on one hand and to inadequate working conditions and excessive workloads for staff on the other.

In the context of the individual issues addressed through detainees' complaints in 2024, we particularly highlight the problem of **overcrowding in prisons** and the handling of specific cases related to it. In this regard, we stress the importance of considering long-term solutions that would not only expand housing capacity but also improve infrastructure and staffing conditions, as well as potentially reform the criminal justice system to prevent further disproportionate increases in the number of detained and imprisoned individuals. We also express regret that most district courts did not respond to the request for data, which made it impossible to analyse the factors influencing the length of pre-trial detention cases.

The problem of overcrowding is exacerbated by a critical **shortage of prison officers** (there is a shortfall of more than 60 officers according to staffing plans, and at least 100 officers would be needed to perform all the tasks). Due to overcrowding and the lack of prison officers, in 2024 facilities were again forced to cancel escorts to courts and medical institutions outside the prison. These cancellations prolong judicial proceedings and lead to violations of the right to a trial within a reasonable time and the right to access medical care. For these reasons, the Ombudsman assesses the situation in Slovenian prisons as alarming. Several complaints were related to this issue, including difficulties in ensuring escorts for inmates to arrange personal identification documents.

An additional issue is the high and increasing proportion of foreign nationals in our prisons, which poses particular challenges. Due to language barriers, working with them is especially

demanding, and cohabitation with other inmates can also be difficult. We emphasise the challenges of communicating with foreigners in the prison system and the need to ensure appropriate temperatures in correctional facilities during heatwaves. We also stress that the Administration of the Republic of Slovenia for the Execution of Criminal Sanctions (URSIKS), in cooperation with healthcare services, must implement all necessary measures to prevent and control the spread of infectious diseases within prisons in a timely way. Furthermore, it must ensure adequate oversight of the consistent documentation of the use of coercive means by prison officers and provide an objective assessment of the justification and legality of their use. We newly recommend that, in addition to short-term measures aimed at improving living conditions in correctional institutions to ensure basic human rights for all detainees, the government also gives due attention to long-term solutions. These should include not only an increase in accommodation capacity, but also improvements to infrastructure and staffing conditions, as well as potential criminal justice reform to prevent the continued disproportionate growth in the number of detained and imprisoned persons.

The Ombudsman also notes the overcrowding of the **forensic psychiatry unit** and calls the attention of those responsible.

The complaints addressed in 2024 concerning **restrictions of movement of persons in psychiatric hospitals and social care institutions** once again focused on **involuntary admission to treatment** in special supervision wards of psychiatric hospitals, the treatment received therein, and disagreement with residing in secure wards of social care institutions. They also addressed issues regarding living conditions (overcrowding), treatment, care, and the attitude of medical and other staff towards patients, residents, or users in these settings, as well as limitations on visits and other related concerns.

The most pressing issues in this sub-area continue to stem from overcrowding in social care institutions and a shortage of staff. As noted by the Association of Social Institutions of Slovenia, this threatens the provision of safe and high-quality services for residents and the health of employees. The overcrowding of social care institutions remains alarming. Therefore, we have again encouraged the Ministry of Labour, Family, Social Affairs and Equal Opportunities (MDDSZ) to act much more swiftly in finding suitable accommodation solutions for individuals who require placement in a secure ward of a social care institution – those who, in addition to appropriate care, also require proper supervision – in order to avoid further overcrowding in the existing secure wards of specialised social care institutions.

Regarding **foreign nationals and applicants for international protection**, the complaints related to restrictions on personal liberty primarily concerned the **accommodation and treatment of foreigners at the Centre for Foreigners**. In the section outlining the Ombudsman's activities in this sub-area, we particularly highlight the need for a more respectful approach by police officers at the Centre for Foreigners and the ongoing revision of the cooperation protocol between centres for social work (CSD) and the Police when dealing with unaccompanied minors. We particularly welcome the implementation of the recommendation we addressed to the Government Office for the Support and Integration of Migrants (UOIM), in which we urged the Office to take all necessary measures to ensure that the accommodation, care, and treatment of unaccompanied minors begins as soon as possible in practice, in ac-

cordance with the Regulation on the manner of providing appropriate accommodation, care, and treatment of unaccompanied minors.

In general, the field of foreigners continued to be marked by **complaints from applicants in 2024, particularly regarding excessively long procedures. Violations of the deadline set in Article 67 of the General Administrative Procedure Act (ZUP) still occur. According to this provision, an authority must, within five working days, request that the applicant correct any deficiencies in an incomplete or unclear application and set a reasonable deadline for doing so.** What is especially concerning is that, **in many cases, it turns out that administrative units take several months just to assign a case for processing.** In one such case, for example, the administrative unit assigned the application to an official four months after it was submitted; in another, it took eight months for the application to even be considered. It must be emphasised that **every excessively long procedure constitutes a violation of the applicant's right to have their case decided promptly and without undue delay. This requirement also implies that the individual should not be disadvantaged or burdened for an unreasonably long period compared to the state, which is responsible for resolving their case.** We reiterate our recommendation that the Ministry of Public Administration (MJU) should continue to actively address the systemic causes of delays in decision-making within the foreign nationals departments of administrative units.

It is also worth noting that, in one case, **the administrative unit did provide an explanation; however, this differed significantly from the explanation later given to the inspectorate. Two oversight bodies received substantially different information from the same authority regarding the same issue.** These discrepancies were **so significant that one of the explanations could not have been accurate.** The Human Rights Ombudsman expresses concern that a public authority would provide the Ombudsman with an explanation that materially differs from the one given to another oversight body.

In the area of **freedom of conscience and religious communities**, we addressed, among other issues, the question of freedom of conscience **in the context of clinical training for students.** A student from one of the faculties contacted us and pointed out that, in a written response, she was informed that head coverings were prohibited during clinical practice. The case also attracted considerable public attention. Wearing a headscarf falls within the scope of freedom of conscience, as guaranteed by Article 41 of the Constitution of the Republic of Slovenia. However, the obligation to ensure and protect religious freedom does not mean that every government measure touching on religious matters automatically constitutes an unlawful interference with religious freedom. According to Article 15(3) of the Constitution, human rights and fundamental freedoms may be limited by the rights of others and in cases defined by the Constitution. Certain reasons may, under specific conditions, be legally valid. However, **such restrictions constitute an interference with the right to freedom of conscience, and therefore require appropriate legal regulation—both in the formal sense (i.e. any interference with a human right must be based on law) and in the substantive sense, meaning that the interference must be proportionate to its aim.** In this particular case, it turned out that even the first condition (legal basis) was not met. **As a result, the faculty's internal regulation should have been brought into compliance with the statutory right to equal treatment, as stipulated in Article 7(6) of the Higher Education Act (ZVis), and with**

the provision of the Code of the Chamber of Nursing and Midwifery of Slovenia, which allows for cultural considerations in determining personal appearance. This alignment was ultimately carried out.

In the field of **national and ethnic communities**, in 2024, we also addressed on our own initiative the broader issue of **the integration of Slovene emigrants and their descendants into Slovene cultural, economic, and social life after obtaining Slovene citizenship and settling permanently in the Republic of Slovenia**. It turned out that **no specific programme or activity is currently organised or otherwise supported to provide Slovene language instruction or assistance with integration for this group**. The Ombudsman had already proposed to the government that it should seek systematic and lasting solutions and clearly determine the competent authority or authorities responsible for performing these joint tasks. The government agreed with this proposal, and the Office for Slovenians Abroad is expected to carry out an analysis of the situation regarding the return of Slovene emigrants and their descendants to Slovenia. This analysis should define the goals and identify necessary amendments to laws and sub-legal acts, a development the Ombudsman welcomes.

We also identified shortcomings in the Notary Act, which currently does not specify who bears the cost of a court interpreter when a party uses Italian or Hungarian as an official language in a bilingual area, and the notary does not understand that language. In our view, the current practice of notaries transferring this cost to the party is discriminatory, since members of national communities in bilingual areas are placed at a disadvantage when using their language compared to Slovene-speaking parties. In this context, we particularly recall Article 11 of the Constitution of the Republic of Slovenia, which provides that in municipalities where Italian or Hungarian national communities live, Italian or Hungarian is also an official language and Article 14, which ensures equal human rights and fundamental freedoms to everyone in Slovenia, regardless of nationality, language, or any other personal circumstance, and that all are equal before the law. Furthermore, the Protection Against Discrimination Act requires that discrimination be prevented in all areas of public decision-making, legal transactions, and interactions with third parties, ensuring equal treatment of all individuals. This Act explicitly prohibits discrimination based on language and nationality. The Ombudsman therefore recommended to the Ministry of Justice that it provide an appropriate legal basis to ensure equal use of Italian and Hungarian in notarial procedures in bilingual areas.

In relation to the **Roma community**, which is also constitutionally recognised, there is concern over the finding that some municipalities still have not fulfilled their clear legal obligation to adopt detailed sectoral programmes and measures. These are of **fundamental importance for planning the resolution of spatial issues in Roma settlements (such as access to water, sanitation, electricity), the inclusion of Roma in the education system, and the promotion of their employment**. It is particularly important to emphasise the role these documents play in ensuring the proper, rational, transparent, efficient, and economical use of public funds. For example, the Court of Audit of the Republic of Slovenia audited the operations of the Municipality of Grosuplje and, in July 2024, issued a negative opinion, partly because the municipality had not adopted a detailed sectoral programme and measures for the implementation of the special rights of the Roma community, which is in violation of Paragraph 2 of Article 6 of the Roma Community Act (ZRomS-1). **Access to drinking water**

in Roma settlements remains a frequently unresolved issue, and it also seems that the Ombudsman's criticisms regarding this issue are **among the most frequently misunderstood**. **It is important to stress that the Ombudsman does not advocate the connection of illegal structures to the water supply, but only for ensuring public access to drinking water, such as via a public connection.**

It is also particularly concerning that the ratification process for the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, which the Republic of Slovenia signed back in 2009, has still not been initiated, and the state has not provided any convincing reasons for this inaction.

Regarding LGBTQ+ rights, the government still has not prepared a draft law regulating legal gender recognition. What is particularly concerning is that while both the Ministry of Labour, Family, Social Affairs and Equal Opportunities (MDDSZ), the Ministry of the Interior (MNZ), and the Government Office for Legislation agree that the area of legal gender recognition is inadequately regulated in Slovenia, neither of the ministries is willing to take on responsibility for drafting such a law. We believe there are **no obstacles preventing the government from resolving this dispute or contested issue and, if necessary, issuing further guidance.**

Regarding **employed and unemployed persons**, in the 2023 Annual Report, we addressed two new recommendations to the MDDSZ. Initially, the ministry rejected them in the Government's Response Report due to disagreement, but in December 2024, a meeting was held with the Minister of Labour, Family, Social Affairs and Equal Opportunities, which we found very constructive. **We welcome progress regarding Recommendation No. 12 (2023),** in which we stressed that no worker should lose the right to unemployment benefits if they did not seek arbitration or judicial protection following unlawful dismissal by the employer, simply because they were unaware of their special legal protection. The MDDSZ informed us that since November 2024, the Employment Service of Slovenia (ZRSZ) now provides written information to all newly registered job seekers and unemployment benefit claimants, clearly explaining their protection against dismissal and the consequences this entails. We welcome this new approach.

However, there is **still no significant progress on our repeated warnings regarding the insufficient staffing of the Labour Inspectorate (IRSD).** Even in 2024, we received complaints related to prolonged inspection procedures. Our position remains that while an increased workload may temporarily justify delays, it can no longer be considered valid once a reasonable period has passed — a period necessary for the organisation to adapt in terms of staff and structure. Since 2018, we have been pointing out the problem of lengthy and inefficient inspection procedures, and we continue to do so. On a more positive note, we are pleased that **our recommendation regarding the revision of the salary system and elimination of pay disparities has finally been implemented.** We have, however, noticed several challenges in coordinating the new legislative framework and in meeting tight implementation deadlines. At this stage, it is still too early to assess the precise impact of these changes.

Throughout the year, we devoted considerable attention to **the situation at the University Psychiatric Clinic Ljubljana (UPK Ljubljana),** which was repeatedly brought to public atten-

tion through media reports. While, due to their time distance, the anonymity of complainants, and the Ombudsman's lack of jurisdiction, individual allegations of violence cannot be confirmed, they also cannot be ruled out. Determining the facts regarding possible misconduct or criminal offences does not fall under our jurisdiction. Therefore, each individual case must be handled with due diligence and responsibility by internal and external oversight bodies or law enforcement authorities, who must take appropriate measures when necessary. The sheer volume of reported irregularities and violations, along with numerous allegations of violence, inadequate (medical) treatment of patients, and poor working conditions for staff, clearly indicated the need for a thorough investigation, a comprehensive and in-depth review, and an examination of current practices and existing protocols. Ultimately, this should lead to appropriate adjustments. Every report must be addressed as promptly as possible, and whistleblowers and victims must be protected. **The more than 50 recommendations we issued to UPK Ljubljana send a strong signal that improvements are necessary.** We expect the Ministry of Health to play an active role in the implementation of all recommendations and in adopting further measures for improvement. The Ombudsman will, within the limits of its mandate, continue to monitor the implementation of the recommendations and encourage all stakeholders to maintain timely communication and to develop appropriate protocols or systems that ensure all patients are treated with respect and dignity, and that employees work in a safe, stable, and supportive environment.

In the field of **freedom of expression**, we submitted to the Ministry of Culture at the beginning of 2024 **our opinion regarding the draft of the new Media Act (ZMed-1)** as part of the public consultation process, even though we were not formally invited to comment on this legally significant proposal, which directly impacts freedom of expression. We focused on the proposed provisions for combating hate speech in the media and the role of the Ombudsman, which we considered inappropriate, as well as on the issue of ownership transparency. We note with approval that the Government took our comments into account, at least with regard to the inadequate definition of the Ombudsman's role, in the version of the draft it submitted to the National Assembly in December 2024. That draft, however, remains the subject of significant public criticism and concern, especially with regard to the provisions on preventing hate speech.

The rules for conducting pre-election debates on Radiotelevizija Slovenija still remain inadequately regulated. We recall that we issued a recommendation two years ago calling for a draft amendment to the law that would more clearly define the rules for organising such debates, in order to prevent unequal treatment and inconsistent interpretations of the law. As recently as January 2025, we asked the Ministry of Culture whether the proposed amendments had been submitted as previously announced, and we received a reply stating that they had not yet been submitted and that it could not be confirmed when the amendment would be adopted by the Government and sent to the National Assembly for consideration.

We were also approached by a mayor who raised concerns regarding the **considerable number of requests for access to public information being submitted by certain individuals.** According to the mayor, these requests are being abused to such an extent that they are disrupting the functioning of the municipality and its departments. Due to a lack of jurisdiction, we merely reminded the authority of the options available for effectively responding to cases

of abuse of rights, including vexatious and similar conduct in administrative procedures. At the same time, it is important to recognise the danger of prematurely categorising as vexatious anything that may simply be inconvenient for the authority involved.

In the field of **freedom of assembly and association, and participation in the management of public affairs**, we devoted the most attention in 2024 to issues related to voting rights, as we received the greatest number of complaints in this area. The legal framework governing the notification of addresses where support is collected for election candidates still remains unchanged. In connection with the elections, it should also be noted that on 29 November 2024, the OSCE/ODIHR published its final report on the observation of the European Parliament elections. Among other things, the election observation mission stated that **the 2024 European Parliament elections in Slovenia were genuinely competitive and professionally organised, with fundamental freedoms respected**. At the local level, we handled two complaints concerning the **public nature of municipal council sessions**. **We emphasised that when members of the public are seated in a hallway outside the meeting room, they are unable to follow the session – they cannot see the speakers, do not know who is speaking, cannot view any visual presentations, and most importantly, cannot adequately hear what is being said. This undermines the very purpose of public attendance, which is to ensure transparency in the decision-making process.** The Ombudsman therefore recommended that when holding future council sessions, the municipality ensure that the public can attend in the same room as the session is being held. Should any individuals be disruptive, the municipality has both the right and the duty, in accordance with its rules of procedure, to issue warnings and, if necessary, remove them from the session.

Unfortunately, in 2024 the field of **other administrative matters** was again marked above all by **unsatisfactory responsiveness and prolonged decision-making processes by numerous authorities at both the national and local levels**. We still too often find that authorities respond to citizens' correspondence only after our intervention, and they fail to provide concrete reasons for their lack of responsiveness or for the delays in decision-making. For this reason, we identified several violations of the principle of good governance and submitted appropriate recommendations to the competent authorities aimed at improving their responsiveness and operations. Every time a state body or municipality follows the Ombudsman's recommendations, there remains a strong sense of frustration, as we believe that such a large number of well-substantiated complaints should not be arising in the first place. Some optimism was offered by the Ministry of Natural Resources and Spatial Planning (MNVP), which informed us during our handling of a particular matter that in January 2024 it had adopted an **Action Plan to eliminate backlogs** and that the implementation of this plan is actively ongoing. However, in our assessment, restoring proper functioning will take time, so we will continue to monitor this issue as a broader systemic concern. We also continued to address the **practice of the Water Directorate of the Republic of Slovenia (DRSV) in relation to the disposal of land that has lost the status of natural public water goods** – a topic we had partially reported on in our previous annual report. In 2024, we conducted wider correspondence with the responsible ministries, MNVP and the Ministry of Agriculture, Forestry and Food (MKGP), recommending a review of the provision in the Paragraph 6 of Article 19 of the Water Act (ZV-1), the preparation of appropriate amendments to this provision, and, if necessary, to other related legislation.

Our activities in the field of the **environment and spatial planning** were again shaped in 2024 by longstanding issues that, in our view, the competent decision-makers still do not sufficiently address. While small signs of improvement were observed in some areas, progress on the most pressing topics continues at a snail's pace. In 2024, only minor steps were made toward resolving the issue of **environmental noise**. The decision of the Constitutional Court of the Republic of Slovenia (U-I-441/18-237 of 6 July 2022), which found the **Decree on Limit Values of Environmental Noise Indicators** to be unconstitutional, remains unimplemented almost a year and a half after the deadline for compliance expired. Likewise, the **Decree on the Use of Sound Devices at Gatherings and Events, which generate noise**, is still awaiting amendment. The content and implementation of this regulation have revealed numerous anomalies that may endanger the healthy living environment of nearby residents. Nevertheless, the Ministry of the Environment, Climate and Energy (MOPE) should be commended for responding appropriately—through the initiation of oversight proceedings under the Public Administration Act (ZDU-1)—to the arbitrary setting of noise levels far exceeding the permitted limits in a municipal ordinance by the Municipality of Novo mesto. Unfortunately, in the absence of amendments to the relevant decree on events and the failure to address numerous procedural violations, which remain unsanctioned, such action is merely a drop in the ocean.

In 2024, no significant progress was observed in addressing the complex and **longstanding issue of prolonged procedures within the Building and Surveying Inspection**. Procedures continue to take too long, and it is still too often the case that even final and binding inspection decisions remain unenforced for years. Similarly, regarding the announcement by the competent Ministry of the Environment, Climate and Energy (MOPE) that the **issue of the impact of individual small combustion appliances** on outdoor air quality would finally be addressed through a planned amendment of the Heating Devices Act (ZDimS) in 2024, we must regretfully report that this has not happened. Despite optimistic forecasts, the amendment to the ZDimS still appears not to be prepared. As part of a broader examination of a complaint concerning the fundamental issue of **blasting at night** along the second railway track, we reviewed all relevant legislation and responses from competent authorities. We concluded that a substantive legal gap exists in the current regulations that needs to be addressed to ensure the protection of a healthy living environment. However, we have so far not managed to reach a common understanding with MOPE on how to proceed. The examination of this issue is therefore ongoing.

In 2024, a case involving a complainant particularly stood out in the **area of spatial planning**. It illustrated in a perceptive way how a combination of legal anomalies, inconsistencies in decision-making, a chaotic approach, and systemic issues can result in the **denial of an individual's right to effective legal protection against spatial implementation acts and the building and other permits issued on their basis**. For this reason, we issued recommendations to several authorities. Judging by the responses received, the path to concrete improvements will be a long one. More broadly, we found that the **inappropriate placement of structures in space** has been causing spatial conflicts for decades, which we witness year after year in the context of complaint handling.

During the review of cases, we also identified **issues in the division of responsibilities** resulting from the past separation of MNVP (Ministry of Natural Resources and Spatial Plan-

ning) and MOPE, as well as **a lack of clear guidelines and instructions for subordinate authorities**. Following our intervention, MNVP assumed responsibility for environmental levies related to wastewater discharge, while MOPE issued the “Guidelines for Addressing the Use of Gas Cannons as Sources of Noise in Agriculture” to the Inspectorate of the Republic of Slovenia for Environment and Energy. We also handled cases related to the response of competent services following natural disasters and pointed out that individuals in distress are often left waiting in uncertainty for explanations from MNVP regarding the protection of or entitlement to their rights due to the **ministry's lack of responsiveness**. In the coming year, the Ombudsman will continue to monitor the procedures related to the relocation of residents from the area of Letuš following the August 2023 floods, as well as the actions taken by the Republic of Slovenia in the field of climate policy, in anticipation of a higher frequency of extreme weather events resulting from climate change.

In 2024, the area of **regulated activities** was still largely marked by frequent **delays in decision-making** by competent authorities and their lack of responsiveness. Violations of the principle of good administration and unjustified delays in proceedings, where individuals are left waiting for decisions for months, are matters we will continue to highlight, as such practices are simply unacceptable, particularly from the standpoint of legal certainty. One of the main substantive issues was **road safety**, which, based on our findings from the previous year, has become a casualty of unreasonably prolonged procedures and the unresponsiveness of the Slovenian Infrastructure Agency (DRSI) and the Ministry of Infrastructure, often without a clear justification. Seemingly minor disputes **at the local level sometimes most vividly reveal the true nature of the relationship between local authorities and their citizens**. In one case, a municipality unreasonably rejected our recommendation to consider additional assistance for an elderly resident due to the inconvenience caused on his property by snow ploughing. In this instance, a humane approach was again sidelined in favour of rigid bureaucratic systems.

We also addressed a high-profile issue concerning **whether or not a vignette is valid in cases where an obvious mistake was made in entering a vehicle's registration number**. Based on DARS's position that this constitutes a violation and that, despite one court ruling to the contrary (which they disagreed with), and in light of an older court decision supporting their view, they are not obliged to change their penalty policy, we took the clear position that such an approach can only be justified if the authority properly fulfils its duty to inform users. At the same time, the principles of fairness and balance must not be overlooked, and the whole situation should be considered in light of reason and everyday human experience. We also requested an opinion on the matter from the Supreme State Prosecutor's Office of the Republic of Slovenia, which stated that it is unacceptable for courts to apply inconsistent practices in comparable cases. Consequently, it filed a request for the protection of legality against the older court ruling. The Ombudsman will continue to monitor developments in this matter and advocate for the implementation of the recommendations issued. At the end of 2024, prompted by numerous complaints and media reports, we also began examining **the broader issue of the methodology used to calculate network charges for electricity operators**. At the time of writing this annual report, this investigation is still ongoing.

As in previous years, the field of education stood out within the area of **social affairs** in 2024. After two years, we once again addressed a case where a complainant was **denied the right**

to a Zois scholarship for the 2023/2024 academic year because the article submitted as an exceptional achievement was entered into the COBISS mutual database on 4 October 2023, rather than by the last day before the start of the academic year, as required by the applicable Rules on the Award of Zois Scholarships at the time. While the MDDSZ did follow our 2022 recommendation, the inadequacy of the ZŠtip-1C regulation was only addressed at the end of 2023, and only going forward. As a result, applicants who met the condition of timely article publication before the 2024/2025 academic year but whose article was entered into COBISS “too late” were denied recognition of their exceptional achievement and, therefore, the scholarship, despite the fact that they had no control over the date of entry. We found that the complainant's rights had been violated, as they were not treated equally compared to applicants from the previous or subsequent year. During the preparation of the amendment, the MDDSZ should also have addressed all potential applicants in the same position as the complainant and found a way to allow them to claim exceptional achievements published in the 2022/2023 school/academic year but entered into COBISS after 1 October 2023.

Last year, we announced that the Ombudsman, as part of broader education system reform, was seeking an appropriate **solution to the issue of spatial overcrowding in elementary schools with adapted programmes**, as we had been informed of serious overcrowding problems in many such schools. We supported the Ministry of Education's (MVI) intent to amend the Act on the Organisation and Financing of Education (ZOFVI) to allow municipalities that are not co-founders of these schools to invest in the property of another municipality. More generally, we believe the state must support municipalities and not burden them with all the responsibilities. We also advised the MVI that overcrowding problems could partly be addressed by establishing additional classes for children with special needs in mainstream elementary schools. This would also yield broader positive effects: through constant inclusion, we would likely achieve much-needed positive outcomes from coexistence, reduce future alienation, and counter the concerning decline in awareness of the needs of vulnerable groups in society. This could also lead more young people to pursue studies and careers in this field. We further urged the MVI that, in addition to considering increased funding, it is crucial to implement effective measures to address alarming staff shortages, which remain one of the most acute problems in the education sector. The effectiveness of measures already implemented to reduce staffing issues must be monitored, and if they prove insufficient, new approaches must be considered, such as how to attract new professionals and generate interest among young people. We recognise that it is difficult to compare the work of qualified personnel (e.g. special education teachers) in mainstream schools with that in special institutions. For this reason, we called on the MVI to ensure conditions that would encourage such professionals to work in the latter as well, rather than relying solely on their ethical commitment, as seems to be the case now. The MVI assured us that it would take the Ombudsman's considerations and recommendations into account as much as possible in its work and in preparing systemic solutions. We understand that systemic changes require time, and we are closely monitoring these developments. We are in contact with those implementing programmes and expect the MVI to keep us regularly informed of progress and solutions.

In the area of **culture**, we found that the Ministry of Culture (MK) does not allow applicants to **public calls for cultural project proposals** to actively participate in these procedures. In our opinion, MK thereby violated several provisions of the General Administrative Procedure

Act and the Exercising of the Public Interest in Culture Act (ZUJIK), which also resulted in a violation of the applicants' right to legal protection and posed a risk to the public interest in the field of culture. Contrary to the Ministry's view, the Ombudsman believes that both laws already provide a legal basis for allowing applicants to participate in the procedures for allocating public funds under public calls for cultural programmes and projects after submitting their application. We are at least satisfied that MK is preparing amendments to ZUJIK, including a revision of the current Article 119, which is expected to require the Ministry to notify applicants in writing – before decisions are issued and no later than two months after the opening of applications – of the facts and circumstances relevant to the decision, as well as the proposal of the expert commission. Applicants would then have the opportunity to respond in writing.

In the area of **housing**, we emphasise that problems such as **poor living conditions in rental and non-profit housing and insufficient housing capacity continue to deepen at the national level each year**, as reflected in the complaints we received. In our view, the situation is alarming – for both rental and ownership housing – for all population groups, especially young people (and families), due to the extremely weak regulation of the sector as a whole. We provided many complainants with explanations about their rights, obligations, and legal options in connection with rental relations and assured them that we would continue to remind the competent authorities to respect Article 78 of the Constitution, which states that the state shall create the conditions for citizens to acquire suitable housing. In light of this, we held several meetings and actively alerted stakeholders to the need for a better understanding of the rental housing market, improved oversight, and the establishment of appropriate regulatory frameworks. We also called on the Housing Fund of the Republic of Slovenia (IRSS) to strengthen its staffing and responsiveness in order to provide better explanations to complainants. We recommended that the IRSS, in order to ensure maximum transparency in its operations, establish a system for consistent documentation of phone conversations and other informal communications with clients, provided that staffing levels are adequate.

In our examination of the broader issue of **systemic (dis)regulation of assisted housing, unfortunately, we did not observe the urgently needed progress**. Conditions for renting assisted living units remain unclear and undefined, and there are increasing complaints about equipment, living conditions, and poor maintenance. Furthermore, due to staffing, organisational, and other challenges, the provision of care and assistance currently exists only on paper. This presents a burden for (future) tenants who choose this type of housing precisely for the option of receiving (occasional) support if and when needed, and for living in a safe and inclusive environment. To accelerate progress in the systemic regulation of this area, we organised, among other things, a meeting with the relevant directorates of the Ministry of Solidarity-Based Future (MSP). It was found that the existing legal framework allows for a wide range of interpretations, as is the case, for example, with the establishment of a (functional) personal alarm system for remote assistance. For this reason, we recommended that MSP standardise and provide the legal foundations needed to ensure that the personal alarm system is not only an option but also fully operational. Additionally, to increase clarity, we stressed that residents must be given the option to (temporarily) disable the continuous assistance system if they choose not to use it at the time. They must be appropriately informed about this possibility before signing the lease agreement.

Operation of the Ombudsman's organisational units

In 2024, the Ombudsman continued to carry out the tasks and powers of the **National Preventive Mechanism** (NPM). The purpose of these tasks is to strengthen the protection of persons deprived of liberty from torture and other forms of cruel, inhuman, or degrading treatment or punishment. In carrying out these tasks, the NPM visits all places in Slovenia where individuals are or could be held as a result of a decision issued by an authority. These are preventive visits, aimed at preventing torture or ill-treatment before it occurs. Each visiting group consists of representatives of the Ombudsman and selected non-governmental organisations. Based on a public call for applications to be included on a list of medical experts, professionals with the required expertise – expertise not available within the Ombudsman's office – assist in identifying, clarifying, or assessing facts that may indicate cases of torture or other forms of cruel, inhuman, or degrading treatment or punishment. They also support the Ombudsman during visits to places where people are deprived of their liberty. Some of these experts participated in NPM visits in 2024.

In 2024, the NPM conducted visits to 72 places of deprivation of liberty, including 13 social care institutions (such as retirement homes), 13 training institutions (CUDV), 11 police stations, eight expert centres for children and adolescents with emotional and behavioural difficulties, seven psychiatric hospitals, six prisons, five occupational activity centres and special social care institutions, two crisis centres for children and adolescents, one adult detention location, and one additional site. All but four of these visits were unannounced. Nine were follow-up visits, during which the NPM primarily assessed the implementation of recommendations issued during earlier visits. After each visit, the NPM prepares a comprehensive final report detailing its findings. The report includes proposals and recommendations for addressing identified deficiencies and improving conditions, including measures to reduce the risk of future mistreatment. The report is submitted to the competent authority (i.e. the authority responsible for the institution visited) along with a request that it provide a written response to the findings and recommendations within a specified deadline. The visited institution is also informed of the report. In some cases, particularly those involving social care institutions, psychiatric hospitals, and specialist centres, a preliminary report is also prepared.

The NPM regularly monitors all recommendations from its visits and the responses of the competent authorities during subsequent visits to the relevant institutions and, if necessary, through follow-up visits. The NPM is pleased to report that most of its 294 recommendations from visits in 2024 were accepted, with 100 already implemented and 140 accepted but still in the process of being implemented.

Child advocacy strengthens the voice of children. In 2024, we received 110 requests to appoint a child advocate. An advocate was appointed 50 times, not appointed 32 times, the requester did not cooperate 10 times, the appointment was refused 17 times, the process was stopped five times, 19 requests were still under consideration at the end of 2024, the requester withdrew the request five times, consent was withdrawn twice, and the child did not cooperate twice. Of all the requests received, 53 came from parents, 16 from centres for social work (CSD), 37 from district courts, one from other sources, and three from children themselves. In 2024, 89 children were appointed an advocate; 70 were appointed with pa-

rental consent, five with the consent of children over 15 years old, and 14 by court order. The average age of a child at the time of appointment was 11.38 years.

Last year, the Ombudsman dealt with various cases related to child advocacy, for example, when a court heard a child at the main hearing and allowed a settlement between the parents before the conclusion of the advocacy process; cases involving long-term disputes between parents and withdrawal of the child advocacy proposal; and a case where a child, despite unsettled family circumstances, only wanted to go home. **On 8 and 9 November 2024, the Ombudsman also organised a professional consultation in Portorož, where experts focused on building a safe relationship between the advocate and the child, which is crucial for successful advocacy.** The consultation was intended to exchange experiences and good practices among professionals involved in child advocacy. The importance of establishing trust between the advocate and the child was emphasised.

The Human Rights Ombudsman's Council, which acts as an advisory body to the Ombudsman and is pluralistically composed of various experts, representatives of science, civil society, and state institutions, discussed human rights in healthcare in 2024. Besides specific challenges marked by the doctors' strike, the number of complaints handled in recent years indicates that this sector is facing serious and acute problems. Along with repeated calls to the competent authorities to resolve the critical staff shortage of all healthcare workers, ensure equal access to healthcare services, and provide quality healthcare, the Ombudsman's Council proposed that the authorities also be urged to carefully consider the social implications of the use of smart devices by children and adolescents.

The **Center for Human Rights** fulfils the general mandate of the Ombudsman as the national human rights institution, accredited with A status under the Paris Principles (1993). This mandate includes promotional activities, education and training, organising consultations, cooperating with civil society, providing general information on types and forms of complaints to international bodies, and participating in international organisations and associations. In 2024, the Center led substantive and most organisational preparations for an international conference **marking the 30th anniversary of its operation**. The Center also prepared a project promoting the rights of older persons, carried out several activities in this area, organised events, and produced promotional materials. The Ombudsman actively participated in two of the largest multi-day fairs for older people in Slovenia: first at the Days of Intergenerational Cooperation, held on 12 and 13 Jun, 2024, at the Ljubljana Exhibition and Convention Centre, organised by the Association of Pensioners' Societies of Slovenia (ZDUS), and then at the **Festival for the Third Age**, held from 30 September to 2 October 2024. At both events, the Ombudsman participated with an exhibition booth where professional staff were available to visitors for questions regarding potential violations of their rights, and visitors were also informed about the work and mission of the Ombudsman institution. On this occasion, the Center also published **a booklet titled The Elderly Have Their Rights Too**. On 29 May 2024, the Center organised a consultation in Nova Gorica titled **Deinstitutionalisation – a Necessary Process for Ensuring Human Rights**, where key challenges in the field of deinstitutionalisation in Slovenia were addressed. Within the framework of the Festival for the Third Age, the Ombudsman prepared a roundtable titled **How to Ensure More Effective Protection of Older Persons' Rights – Would the Establishment of a 'Trusted Person for the**

Elderly' Mechanism Be the Right Answer? This roundtable took place on the International Day of Older Persons, 1 October 2024. Conclusions were also drawn based on this roundtable.

In 2024, the Center successfully carried out the third public competition of the Ombudsman for undergraduate, master's, and doctoral theses in the field of human rights. The winners were awarded the Ombudsman's plaques (certificates). This year, the competition received the highest number of master's theses to date, 18 in total. Representatives of the Ombudsman also have lectures in 2024 at the Administrative Academy, as part of the mandatory leadership programme for public administration. In September 2024, the Center, in cooperation with the Judicial Training Centre (CIP), participated in the training of foreign judges hosted by the CIP, in collaboration with the Ministry of Justice. In 2024, at the invitation of the Office for Youth, two representatives of the Center prepared a presentation on the topic of ethics in public discourse and the prevention of hate speech. The Center also continued its regular quarterly public updates on the Ombudsman's activities in the field of the human rights of persons with disabilities.

In 2024, the Center prepared **several alternative reports or submissions for international mechanisms**, including a report on the rule of law in Slovenia for ENNHRI and the European Commission (February), an information report for the European Commission against Racism and Intolerance (ECRI) (May), an alternative report as part of the fourth cycle of the Universal Periodic Review (UPR) of the UN Human Rights Council (June), a submission to the UN Human Rights Committee regarding the list of issues prior to reporting on Slovenia's fourth periodic report (August), and a contribution to the UN Human Rights Council reports on freedom of religion or belief, and on torture and other cruel, inhuman, or degrading treatment or punishment (October). In October, the Ombudsman met with representatives of the ECRI. A representative of the Center also participated in December in the discussion on the implementation of GRETA's recommendations regarding the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings.

In November, a representative of the Ombudsman (Center for Human Rights) participated in Geneva in the UPR pre-session – a preparatory meeting held before the main session of the Universal Periodic Review. The Center also advocated for the adoption and later transposition of the EU Corporate Sustainability Due Diligence Directive (CSDDD) into Slovenian legislation and supported efforts to strengthen the respect for human rights in business. The Center also monitored the case *X and Others v. Slovenia* before the European Court of Human Rights (ECtHR), as it was the Center that prepared the third-party intervention on behalf of the Ombudsman in this case. The Center continues to strive for better implementation of the EU Charter of Fundamental Rights at the national level.

Representatives of the Center are also active at the international level, as such cooperation is one of the key components of the work of national human rights institutions. Center representatives cooperate with the European Commission, the European Union Agency for Fundamental Rights (FRA), the Council of Europe (CDDH, the Venice Commission, the Department for the Execution of Judgments of the ECtHR, etc.), the United Nations (OHCHR, representatives of various treaty bodies), bilaterally, and with the Global Alliance of National Human Rights Institutions (GANHRI). The Center was particularly active within the European Network of National Human Rights Institutions (ENNHRI), which brings together more than

40 institutions across Europe. Representatives of the Center also contribute to the work of various ENNHRI working groups. In 2024, two representatives of the Center continued to serve as Chair of the ENNHRI Working Group on the Rights of Persons with Disabilities and Co-Chair of the ENNHRI Legal Working Group. In October, a representative of the Center was also elected to the six-member ENNHRI Board. This election to the leadership of ENNHRI represents recognition of the Center's professional expertise and further strengthens the Ombudsman's contribution as an "A status" national human rights institution committed to the promotion and protection of human rights at the international level.

International cooperation

As an institution, we participated in more than 60 international events in 2024. We collaborated with the Council of Europe, the European Union, the United Nations, the OSCE, ombudsmen, international ombudsman associations, national human rights institutions, and organisations such as the International Ombudsman Institute (IOI), the Association of Mediterranean Ombudsmen (AOM), GANHRI, and ENNHRI.

In January, together with my colleagues, I visited Manchester in the United Kingdom, where, at the initiative and with the presence of human rights ombudsmen from Slovenia, Greece, and the Netherlands, and under the patronage of the UK Parliamentary and Health Service Ombudsman Rob Behrens, the **Learning Academy** was launched within the IOI framework. The event was attended by nearly 100 participants, including professional staff from the Ombudsman's office. That same month, I also took part in a two-day working visit to the Principality of Monaco and was a speaker at an event held under the patronage of His Serene Highness Prince Albert II of Monaco. In May, I attended the 13th IOI World Conference in The Hague, the Netherlands, which was opened by King Willem-Alexander of the Netherlands.

In June, I participated in the **17th session of the Conference of States Parties to the United Nations Convention on the Rights of Persons with Disabilities (COSP17 – CRPD)**. Ahead of the UN Summit of the Future, which was held in September 2024 at the level of world leaders, the central theme of the session was rethinking the inclusion of persons with disabilities and seeking international consensus on how to ensure a better present and future for them. I also delivered an address on behalf of the Working Group on the Rights of Persons with Disabilities of the European Network of National Human Rights Institutions (ENNHRI).

In October, representatives of the Ombudsman's office welcomed a delegation from the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), which was conducting its regular periodic visit to Slovenia.

In 2024, I continued to serve as a member of the IOI Board of Directors for Europe, as well as a member of the IOI global Board of Directors, and as First Vice-President of the Association of Mediterranean Ombudsmen (AOM). In September, I was elected as President of the AOM – the first Slovenian Ombudsman to hold this position. The AOM brings together ombudsman institutions with varying mandates in relation to public authorities but a shared goal of effectively protecting and promoting human rights across the Mediterranean region.

Conclusion

It is impossible to present all of the Ombudsman's findings and activities from the reporting year in this introduction. I hope that these pages have at least provided some insight into the scope of our work. **You can learn more about our activities in the report before you**, which includes the following sections:

- **The first part** is dedicated to an overview of the work and operations of the Ombudsman, as well as a description of the functioning of the various organisational units of the Ombudsman's office.
- **The second part** presents the Ombudsman's work by individual vulnerable groups and thematic areas. It also includes a general assessment of the situation, a review of the implementation of the Ombudsman's previous recommendations, and an overview of new recommendations.
- **The appendix** contains a more detailed description of the Ombudsman's activities in 2024 in certain areas, including explanations of specific new recommendations and expert clarifications of the Ombudsman's positions.

An independent part of the Ombudsman's report, published as a separate publication, is again this year the **Report of the Ombudsman on the Implementation of the National Preventive Mechanism Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**.

As in previous years, and in the interest of environmental protection and the promotion of green business practices, the annual report and the NPM report are published only in electronic format, both of which are also available on our website. I would once again emphasise that this approach is appropriate, as the report is primarily intended for the National Assembly of the Republic of Slovenia and other state authorities and institutions. **However, we must also keep in mind that when publications are primarily intended for individuals, not everyone has access to information and communication technologies, or their access may be limited. For this reason, only the Summary of the Work of the Human Rights Ombudsman of the Republic of Slovenia for 2024 has been printed, as we wish to further inform the wider public about some of the key findings and our work in this way.**

Dear Reader,

As I look back on the past years of my term, I feel above all a sense of gratitude and responsibility. Gratitude for the trust placed in me, for the many sincere conversations, for the collaborations, and also for the insights that have reinforced my belief that our shared efforts have meaning. And responsibility – because being the Ombudsman for Human Rights is far more than just a function. It is a commitment to people.

On this occasion, I want to again emphasise that the Ombudsman can only fulfil this role if it remains autonomous, independent, and professional. This also means financial and sub-

stantive independence. We are a state institution, but we do not serve day-to-day politics. We serve the people. Our work is grounded in the Constitution and the law, and we are also committed to the highest international human rights standards.

My colleagues and I strive every day to be the voice of those whom no one else wants or knows how to hear. The voice of those who are often ignored or overlooked within institutions. But we are repeatedly reminded of a simple truth: we cannot do this alone. Without sincere cooperation among all stakeholders in the system of checks and balances, we cannot achieve progress that is more than just a temporary patch on a wound. If we truly want change as a society, we need shared will and honest dialogue.

The Ombudsman is a bridge – a bridge between the state and civil society. And this bridge is never complete. It must constantly be built, strengthened, and reinforced. Today, at the end of my six-year term, I can say that we have accomplished much. But with the same certainty, I can also say that much work remains. This report is clear testimony to that.

I am pleased that we have achieved some important progress over the years. This proves that it is possible to raise the standards of human rights protection – if we act together, in cooperation, and with belief in the common good. Every recommendation that is implemented is not only a success for our institution, but a success for the entire country, which in doing so demonstrates its respect for the fundamental dignity of its people.

I sincerely thank you, respected Members of Parliament, for your fair, often very constructive cooperation and exemplary communication throughout my term. Your willingness to listen and reflect was not taken for granted, and I appreciate it deeply.

I would also like to express my gratitude to all others—governmental and non-governmental organisations, individuals who supported us, challenged us, raised concerns, and cooperated with us. Without you, it would not have been possible to carry out our work with quality.

I hope that cooperation between the Ombudsman's institution and all of you remains a key to positive change in the fields of human rights, democracy, and the rule of law. Above all, I hope that many of the Ombudsman's recommendations will be implemented and no longer need to be repeated. Even hope, when paired with action, is a powerful force for progress.

As I have often emphasised—let the individual always remain at the center of our attention. Their dignity, their struggles, their stories. All of us, in institutions and in society, bear responsibility for them. Not just in theory, not just on paper—but in everyday practice.

Let these not remain only words. Let this become our shared goal.

Peter Svetina

Human Rights Ombudsman

(February 2025)

ACCESS TO THE OMBUDSMAN AND OPERATIONS OUTSIDE THE HEAD OFFICE IN 2024

Information on the visits of the Ombudsman in his capacity as the National Preventive Mechanism (hereinafter: NPM) is provided in the chapter on the NPM.

20

IN 2024 WE RECEIVED

62,906

INCOMING DOCUMENTS

(in 2023 36,146)

24

WE GENERATED

9,367

OUTGOING DOCUMENT

(in 2023 9350)

In 2024, we carried out seven field visits, during which the Ombudsman, together with the Deputy Ombudsmen, held individual consultations and visited various institutions. Through these field visits, the Ombudsman aims to reach people who, due to distance or other reasons, are unable to come to the main office for a meeting. The locations visited this year were: **Črna na Koroškem, Izola, Hodoš, Maribor, Zagorje ob Savi, Šoštanj, and Cerkno.**

SINGLE ENTRY POINT

With the introduction of the so-called Single Entry Point (EVT), the classification of incoming submissions received by the Ombudsman – either by regular or electronic mail – was optimised by more effectively assigning them to the appropriate areas of the Ombudsman's work. These submissions often concern questions that require only clarification or a referral to the competent authority, which represents a significant portion of the responsibilities of the professional staff and the staff of the Secretary General's Office.

The EVT also ensures the accessibility of the institution, as staff members assigned to the EVT receive all visitors – announced or unannounced – on a daily basis. They explain the Ombudsman's competences, how to lodge a complaint, and the legal options available to the individual. Similar explanations are also provided via telephone. Official records are kept of all telephone and in-person conversations, and these are made available to the Ombudsman and the relevant Deputy Ombudsman.

The work of the single entry point includes:

- classification of complaints.
- answering all phone calls for the expert service.
- daily reception of all announced and unannounced individuals who visit the Ombudsman in person.
- drafting of replies to complaints received as courtesy copies, clarifications, and anonymous complaints.

The complaints received are delegated to the single entry point:

- if the received message was sent to the Ombudsman as a courtesy copy, and the case requires no intervention by the Ombudsman.
- if it is an anonymous complaint and requires no intervention by the Ombudsman.
- if the case is clearly not within the Ombudsman's powers.
- if it is a matter clearly outside the competence of the Ombudsman.
- if it is evident from the complaint that the complainant has not yet contacted the competent authorities.
- if the complainant only seeks advice.
- if hypothetical questions are concerned.
- if the complaint is unclear.
- if the Ombudsman has already taken a position regarding a specific issue.
- if the complaint is incomplete.
- if the complaint is untimely.

In 2024, the SEP **received 3,021 calls** and handled **1,215 cases**, a total of 4,236 (in 2023, 2,913 calls and 1,164 cases, a total of 4,077).

6,288

CASES WERE DEALT WITH BY THE OMBUDSMAN IN 2024.

In 2023, we dealt with 6,225 cases,
which denotes a 0.01% increase in 2024.

3,021

INTERVIEWS

with callers, including 2,346 with
callers who had not (yet) filed
complaints.

2,413

newly opened
complaints.

724

complaints carried
forward from
previous years or
reactivated in 2024
and resolved again.

INTERVIEWS

70

during meetings held outside
the head office.

39

with children

21

with complainants from the
field of child advocacy

2,478 or 78.99%

were completed.

3,137

COMPLAINTS

were addressed by the Ombudsman in 2024,
of which, on 31 December 2024

573 or 18.26%

were resolved.

86 or 2.75%

were re-
activated.

325

or 13.12%

omplaints were
substantiated, of
which 158 were from
the field of advocacy.

66 or

2.66%

Complaints
from the field of
advocacy, where an
advocate was not
appointed

269 or

10.86%

complaints
were not
substantiated.

1,357 or

54.76%

complaints
provided
no further
conditions for
consideration.

372 or

15.01%

complaints
did not fall
within the
Ombudsman's
field.

7 or

0.28%

represented
a withdrawal
of consent in
the field of
Advocacy.

20 or

0.81%

complaints
related to
comments on
regulations.

62 or

2.50%

of complaints
were from
the field of
the National
Preventative
Mechanism.

The Ombudsman established that the allegations of violations of human rights of fundamental freedoms in **167 complaints were substantiated** and that at least one (or more) fundamental human rights and freedoms (according to the Constitution of the RS) and that the principles of justice and good governance were not respected.

Among 167 substantiated complaints, the Ombudsman established **174 human rights violations** and fundamental freedoms (defined in the Constitution of the RS) and other irregularities, such as violations of equality before the law and violations of the principle of good governance.

To these 174 violations **158 cases of from the field of child advocacy** must be added, in which we did not establish specific violations, but they are treated as substantiated complaints and therefore included among the 325 substantiated complaints.

The greater number of rights violations compared to the number of substantiated complaints is the consequence of the greater number of established specific violations in individual complaints. Thus, among the complaints dealt with, in some cases we identified two or more violations of human rights and fundamental freedoms or other irregularities.

STATISTICS ACCORDING TO FIELDS

2024	CONSIDERATION OF CASES				
FIELD OF WORK	COMPLAINTS IN THE FIELD	ENTRY POINT - COMPLAINTS	ENTRY POINT - INTERVIEWS	TOTAL CASES IN 2023	TOTAL CASES IN 2024
EQUALITY BEFORE THE LAW AND PROHIBITION OF DISCRIMINATION	48	25	25	97	98
PROTECTION OF DIGNITY, PERSONAL RIGHTS, SAFETY, AND PRIVACY	30	60	51	147	141
FREEDOM OF CONSCIENCE AND RELIGIOUS COMMUNITIES	1	2	2	3	5
FREEDOM OF EXPRESSION	11	39	6	57	56
ASSEMBLY, ASSOCIATION, AND PARTICIPATION IN THE MANAGEMENT OF PUBLIC AFFAIRS	12	8	6	18	26
NATIONAL AND ETHNIC COMMUNITIES	39	4	28	46	71
FOREIGNERS	81	48	65	250	194
RESTRICTION OF PERSONAL LIBERTY	112	33	180	293	325
PENSION AND DISABILITY INSURANCE	57	57	90	175	204
HEALTHCARE AND HEALTH INSURANCE	119	120	229	456	468
SOCIAL SECURITY	168	94	297	449	559
LABOUR LAW MATTERS	42	55	78	183	175
UNEMPLOYMENT	5	8	9	20	22
OTHER ADMINISTRATIVE MATTERS	88	66	124	232	278
JUDICIAL SYSTEM	180	277	441	840	898
POLICE PROCEEDINGS, PRIVATE SECURITY SERVICE, DETECTIVES, AND TRAFFIC WARDENS	45	43	66	145	154
ENVIRONMENT AND SPATIAL PLANNING	87	49	70	213	206
REGULATED ACTIVITIES	42	77	83	155	202
SOCIAL MATTERS	106	19	73	189	198
HOUSING MATTERS	30	48	109	135	187
PROTECTION OF CHILDREN'S RIGHTS	166	43	151	489	360
NATIONAL PREVENTIVE MECHANISM	108	0	5	135	113
CHILD ADVOCACY	280	0	109	445	389

FIELDS OF WORK

A. Vulnerable groups addressed

- 2.1 FREEDOM OF CONSCIENCE AND RELIGIOUS COMMUNITY
- 2.2 NATIONAL AND ETHNIC COMMUNITIES
- 2.3 EMPLOYED AND UNEMPLOYED PERSONS
- 2.4 WOMEN
- 2.5 CHILDREN
- 2.6 PERSONS WITH DISABILITIES
- 2.7 ELDERLY
- 2.8 LGBTIQ+
- 2.9 FOREIGNERS

B. Substantive fields discussed

- 2.10 EQUALITY BEFORE THE LAW AND PROHIBITION OF DISCRIMINATION
- 2.11 PROTECTION OF DIGNITY, PERSONAL RIGHTS, SAFETY, AND PRIVACY
- 2.12 FREEDOM OF EXPRESSION
- 2.13 ASSEMBLY, ASSOCIATION AND PARTICIPATION IN THE MANAGEMENT OF PUBLIC AFFAIRS
- 2.14 RESTRICTION OF PERSONAL LIBERTY
- 2.15 PENSION AND DISABILITY INSURANCE
- 2.16 HEALTHCARE AND HEALTH INSURANCE
- 2.17 SOCIAL SECURITY
- 2.18 OTHER ADMINISTRATIVE MATTERS
- 2.19 JUDICIAL SYSTEM
- 2.20 POLICE PROCEEDINGS, PRIVATE SECURITY SERVICE, DETECTIVES, AND TRAFFIC WARDENS
- 2.21 ENVIRONMENT AND SPATIAL PLANNING
- 2.22 REGULATED ACTIVITIES
- 2.23 SOCIAL ACTIVITIES
- 2.24 HOUSING MATTERS

The Ombudsman supervises the authorities and restricts arbitrary interference with human rights and fundamental freedoms.

The Ombudsman is an independent state institution that takes care of the protection and promotion of human rights in Slovenia.

NATIONAL PREVENTIVE MECHANISM

In accordance with the Act Ratifying the Optional Protocol to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT), the Ombudsman, in cooperation with selected non-governmental organisations, also carries out the **tasks and powers of the National Preventive Mechanism (NPM)**. The purpose is to strengthen the protection of persons deprived of liberty against torture and other forms of cruel, inhuman, or degrading treatment or punishment through preventive visits, before such violations occur.

All locations in Slovenia where individuals have been or could be deprived of their liberty by an act of an authority are visited. Places of deprivation of liberty in Slovenia include, in particular: prisons (ZPKZ) with all their units and the Radeče Juvenile Correctional Facility; expert centres for children and adolescents with emotional and behavioural difficulties or disorders (SC); crisis centres for children and adolescents (KC); certain social care institutions (SVZ) – retirement homes, special social care institutions (SVZ), training, work and care centres (CUDV), and occupational activity centres (VDC); psychiatric hospitals (PB); detention facilities in police stations (PP) and the Ljubljana Police Detention Centre; the Centre for Foreigners in Postojna and the Asylum Centre in Ljubljana with branches (particularly reception areas); detention facilities operated by the Slovenian Armed Forces; and all other locations referred to in Article 4 of the Optional Protocol (e.g. police intervention vehicles and similar).

Each visiting group is typically composed of representatives of the Ombudsman and selected organisations (in 2024, these were: Novi paradoks – the Slovenian Association for Quality of Life, the association “Law for All” (Pravo za VSE), SKUP – the Community of Private Institutions, PIC – Legal Centre for the Protection of Human Rights and the Environment, the Peace Institute, the Slovenian Federation of Pensioners’ Associations, Spominčica – Alzheimer Slovenia, the Slovenian UNICEF Foundation, the Slovenian Association of Friends of Youth, and the Sožitje Association).

In 2024, **the NPM conducted visits to 72 places of deprivation of liberty. These included 13 different locations of social care institutions (SVZ – homes for the elderly), 13 locations of training, work and care centres (CUDV), 11 police stations (PP), eight residential treatment centres for children and adolescents (SC), seven psychiatric hospitals (PB), six prisons (ZPKZ), five vocational training centres (VDC) and special social care institutions (PSVZ), two crisis centres (KC), one asylum centre (AD), and one other location.** All but four visits **were carried out without prior notice.** Nine of the visits were follow-up visits, during which the NPM specifically checked the implementation of recommendations from previous visits.

After each visit, the NPM prepares a comprehensive (final) report outlining its findings regarding the visited institution. This report also includes proposals and recommendations for eliminating identified irregularities and improving conditions, including measures to reduce the risk of inappropriate conduct in the future. The report is submitted to the competent authority (i.e. the supervisory body of the visited institution) with a proposal that it take a position on the findings or recommendations within a set timeframe and inform the Ombudsman. The visited institution is also informed of the report, and in some cases (such as

visits to social care institutions, psychiatric hospitals, and specialised centres), a preliminary report is also prepared. **Most of the NPM's recommendations from visits in 2024 (a total of 294) were accepted. Of these, 100 were accepted and already implemented, while 140 were accepted and are still in the process of being implemented.**

In addition to visiting places of deprivation of liberty, the NPM also carries out a range of other tasks and activities. These include drafting proposals and comments on existing or proposed legislation. NPM members also prepare responses to inquiries from various networks, other NPMs, and relevant authorities, and they participate in various educational events, training sessions, and meetings where they present their work.

Each year, the NPM also prepares a detailed report on its activities. The NPM Report for 2024 has once again been published as a separate publication, but it forms an integral part of the regular Annual Report of the Human Rights Ombudsman of the Republic of Slovenia for 2024.

CHILD ADVOCACY

In the field of protecting children's rights, in addition to other tasks defined by the Human Rights Ombudsman Act (ZVarCP), the Ombudsman **organises and oversees child advocacy.** This advocacy is carried out by child advocates within a network of volunteers.

Advocacy **strengthens the voice of the child.** It is an important activity based on empowering children. It helps a child express their feelings and wishes—things they might not otherwise be able to communicate. This ensures that **their true needs, desires, and interests are considered,** especially as these are often weakened due to their position in society.

The advocate ensures that the child feels safe to share their opinion and then conveys that opinion to those who need to hear it—such as courts, centres for social work, and other authorities that make decisions about the child's future. However, the advocate is not the child's legal representative, nor a court-appointed expert who evaluates what is best for the child. The advocate's role is simply to **make the child's voice heard in proceedings and other matters,** thus contributing to more informed and timely decision-making about the child's best interests. Although **advocates are not therapists,** advocacy can have significant therapeutic effects, as it provides the child with a safe and confidential environment in which they can open up about their issues and concerns without fear. In this way, advocacy becomes a supportive element for other professionals, who—through the help of the advocate—can more easily recognize the child's true inner world, needs, and best interests.

In 2024, the Ombudsman received **110 requests for the appointment of a child advocate.** Of these, 53 were submitted by parents, 16 by centres for social work (CSDs), 37 by district courts, one by another source, and 3 by children themselves. In **50 of these cases, an advocate was actually appointed,** while 19 requests were still under review. A total of 89 children received an advocate that year. Of these, 15 were from the Ljubljana area and surroundings, 13 from northeastern Slovenia, 27 from the Gorenjska region, five from the regions of Celje, Koroška, and Zasavje, seven from the Goriška region, 16 from the regions of Primorska, Karst, and

Notranjska, and six from the regions of Dolenjska, Posavje, and Bela krajina. In 14 cases, the advocate was appointed by a court decision. No advocates were appointed through a decision by a centre for social work (CSD).

In 2024, a total of 890 meetings between child advocates and children were held, averaging approximately 8.28 meetings per case.

THE OMBUDSMAN AS A NATIONAL HUMAN RIGHTS INSTITUTION

The Ombudsman is the only Slovenian national human rights institution (NHRI) with any status under the Principles relating to the Status of National Institutions (the Paris Principles), adopted by the United Nations General Assembly on 20 December 1993 by Resolution 48/134. Such statuses are granted by the Global Alliance of National Human Rights Institutions (GANHRI) based on how the institution functions in line with these principles. A “B status” indicates partial compliance, while an “A status” reflects full compliance, which is assessed based on both formal requirements (legal framework) and the actual exercise of powers.

The Ombudsman first obtained B status under the Paris Principles in 2000 and was most recently **accredited in 2021, for the first time with A status**. Accreditation is not permanent; all NHRIs with A status are subject to re-accreditation on a five-year cycle. **The Sub-Committee on Accreditation plans to consider the Ombudsman's re-accreditation at its 47th session, scheduled to take place from 20 April to 1 May 2026.** However, before that, the Ombudsman must prepare and submit a reasoned and evidence-based re-accreditation application for the past five-year period, demonstrating that the institution has complied with, and continues to fully comply with, the Paris Principles. The Ombudsman has already initiated activities in this regard, which will continue throughout 2025.

It is also worth noting that the existence of independent national human rights institutions in compliance with the Paris Principles is **an indicator of progress towards achieving the 16th of the 17 Sustainable Development Goals set out in the United Nations 2030 Agenda for Sustainable Development**. For this reason as well, the accreditation of a national institution with a status under the Paris Principles is not merely a matter of self-serving prestige.

CENTER FOR HUMAN RIGHTS

As a **special internal organisational unit of the Human Rights Ombudsman** and, in accordance with its statutory responsibilities, the Centre carries out tasks related to promotion, information-sharing, education, and training in the field of human rights and fundamental freedoms. It is also responsible for preparing analyses and reports; organising consultations on the implementation, promotion, and protection of human rights and fundamental free-

doms; cooperating with civil society, trade unions, and other state bodies; providing general information on the possibilities of lodging complaints with international bodies in cases of human rights violations; and participating in international organisations and associations at both the European and global levels that work in the field of human rights.

In 2024, the Centre carried out a range of promotional, informational, and educational activities, with a particular focus on marking the 30th anniversary of the Human Rights Ombudsman, raising awareness of the rights of older persons, and encouraging research on human rights. The main event was an international conference held in Bled, entitled the Bled Conference on the Effectiveness of Ombudsman Institutions and National Human Rights Institutions (NHRIs) in Addressing Contemporary Challenges. Domestic and international experts discussed modern issues such as digitalisation, artificial intelligence, environmental change, migration, and an ageing society.

Special attention was devoted to the rights of older persons. The Ombudsman launched a project to promote their rights, prepared informational publications, and organised numerous events and roundtables. Key challenges highlighted included deinstitutionalisation, the urgent need for systematic training of staff in long-term care, and the integration of human rights content into the education system. Several recommendations were made to the government and relevant ministries to improve the situation of older persons and persons with disabilities, including the development of a deinstitutionalisation strategy and the strengthening of community-based services.

In the area of analysis and recommendations, the Center issued opinions on several legislative proposals, monitored the transposition of European directives on sustainable business and human rights into national law, and prepared multiple reports for international mechanisms. These reports pointed to challenges such as the accessibility of public institutions, lengthy decision-making procedures, the lack of an independent monitoring mechanism for the implementation of the Convention on the Rights of Persons with Disabilities, and the need for better protection against hate speech and discrimination.

THE HUMAN RIGHTS COUNCIL

The Human Rights Council is **the Ombudsman's consultative body** for the promotion and protection of human rights and fundamental freedoms and to enhance strengthen legal security. The Council operates under the principle of professional autonomy. Its pluralistic composition enables effective collaboration between civil society, academia, and public authorities in shaping the Ombudsman's findings regarding the level of respect for human rights, fundamental freedoms, and legal security in the Republic of Slovenia. The Council's mandate is tied to the Ombudsman's mandate. **The Council includes the following members:** Alenka Jerše, Darja Groznik, mag. Jelena Aleksić, mag. Lea Benedejčič, dr. Margerita J. Banič, dr. Marko Rakovec, mag. Nataša Briški, Nataša Voršič, Neli Dimc, dr. Patrick Vlačič, Peter Pavlin, dr. Sara Ahlin Doljak, dr. Vasilka Sancin, mag. Žiga Vavpotič, and Luka Glavač Gavrilović.

The Council convened for one session in the 2019–2025 mandate, which was its 12th overall. It

took place at the Ombudsman's headquarters on 27 May 2024 and focused on human rights issues in healthcare. The session's main part presented the Ombudsman's findings in the health sector, in which approximately 450 cases were addressed in 2023. Success was noted when the URI Soča (University Rehabilitation Institute) eventually heeded the Ombudsman's recommendations during the strike and, after several weeks, resumed medical examinations at the clinic for drivers with special needs. The Council also discussed oversight in healthcare, rescheduling of patient appointments, and the functioning of clinics for patients without a selected personal doctor. It was emphasised that the large discrepancies in responsiveness among primary care clinics are unacceptable, as everyone in the country must have equal access to healthcare and receive it when needed. The Council unanimously agreed that during strikes, special care must be given to vulnerable groups (such as children, adolescents, and others). They also expressed dismay that the MDDSZ refused to participate in the preparation of an advisory opinion (requested by the International Labour Organization) on Slovenia's position regarding the right to strike, when invited to do so by the State Attorney's Office.

After discussion, the Council members proposed that the Ombudsman send an inquiry to the Government regarding the implementation of the National Action Plan on Business and Human Rights. They also recommended that an inquiry be addressed to the MDDSZ and the Government concerning the preparation of the advisory opinion of the International Court of Justice. Furthermore, they suggested that the Ombudsman publicly encourage the relevant authorities to foster a thoughtful societal reflection on the use of smart devices, especially among children and adolescents.

INTERNATIONAL COOPERATION

In 2024, the Ombudsman continued to be actively engaged at the international level, participating in numerous important international events, conferences, forums, and working groups. This included attending several events organised by the Council of Europe, such as the meeting of the working group on human rights in crisis situations and a conference on judgments related to the involuntary detention of persons with mental health conditions, where the Ombudsman emphasised the importance of the case law of the European Court of Human Rights (ECtHR) and new legal safeguards. The Ombudsman also contributed to the preparation of a practical guide for monitoring procedural rights and detention conditions and exchanged experiences with experts from other countries. He also took part in a meeting on the social and economic rights of young people, where the need for measures to combat poverty and social exclusion was highlighted. The Ombudsman informed the delegation of the European Committee for the Prevention of Torture (CPT) about the progress made in implementing its recommendations and contributed to the preparation of the ECRI report on the human rights situation in Slovenia. At a seminar of the IPCAN network, he presented experiences regarding police procedures involving persons with disabilities and participated in the drafting of a declaration on respecting their rights.

The Ombudsman **endorsed a joint statement by national human rights institutions at the**

start of the UN Open-Ended Working Group on Ageing, in which they highlighted the need for a new convention on the rights of older persons. In June, the Ombudsman actively participated in the 17th **session of the Conference of States Parties to the Convention on the Rights of Persons with Disabilities** in New York, where he spoke about the challenges and opportunities that artificial intelligence presents for persons with disabilities, as well as the importance of legal and ethical frameworks. The Ombudsman also took part in the **pre-session of the Universal Periodic Review**, where key human rights challenges in Slovenia were presented.

As part of **cooperation with the European Union**, the Ombudsman participated in the Fundamental Rights Forum organised by the EU Agency for Fundamental Rights, where discussions focused on the protection of democracy, climate change, and digitalisation, with an emphasis on inclusive digitalisation and the protection of privacy.

Representatives of the Ombudsman also **met with OSCE experts to assess the preparations for the European elections in Slovenia**.

In the context of cooperation with ombudsmen, international ombudsman associations, and national human rights institutions and their networks, a notable achievement was the launch of the Learning Academy within the International Ombudsman Institute (IOI). This initiative, supported and attended by the ombudsmen of Slovenia, Greece, and the Netherlands, was established under the patronage of the UK Parliamentary and Health Service Ombudsman. Peter Svetina also became the first Slovenian Ombudsman to be elected President of the Association of Mediterranean Ombudsmen.



NEW RECOMMENDATIONS FROM THE ANNUAL REPORT OF THE OMBUDSMAN FOR 2024

1.8 HUMAN RIGHTS COUNCIL

1. The Ombudsman calls on the Government of the Republic of Slovenia to conduct a serious social reflection on the use of smart devices by children and adolescents and to adopt appropriate measures to restrict their use.
2. The Ombudsman calls on the Government of the Republic of Slovenia to ensure that the Ombudsman's recommendations, suggestions, and criticisms are responded to by those addressees invited to do so by the Ombudsman.

1.9 CENTRE FOR HUMAN RIGHTS

3. The Ombudsman recommends that the Government of the Republic of Slovenia prepare and adopt a strategy for the deinstitutionalisation of older persons as soon as possible.
4. The Ombudsman recommends that the Government of the Republic of Slovenia ensure systematic, continuous, and specialised training for all employees and care providers within the long-term care system, with the aim of delivering professional, effective, and individually tailored support to users. The Ombudsman also recommends that work in this field be appropriately regulated, recognised, and fairly rewarded.
5. The Ombudsman recommends that the Ministry of Education systematically incorporate content on human rights, ageing, and caregiving into the education system at all levels, with the aim of fostering an inclusive, empathetic, and responsible society capable of implementing deinstitutionalisation and developing high-quality community-based services.
6. The Ombudsman recommends that the Government of the Republic of Slovenia immediately establish an inter-ministerial working group to coordinate the preparation of expert groundwork for the comprehensive transposition of Directive (EU) 2024/1760 on Corporate Sustainability Due Diligence (CSDDD) into national legislation, and ensure the involvement of representatives from the business sector, civil society, and independent institutions.
7. The Ombudsman recommends that the Ministry of the Economy, Tourism and Sport, in cooperation with other competent ministries and stakeholders, prepare an analysis of the alignment of national legislation with the CSDDD. This analysis should be made available to the interested public for review and comment prior to the drafting of the legislation and public consultation.

8. The Ombudsman recommends that the Ministry of the Economy, Tourism and Sport develop unified reporting tools, such as checklists, that incorporate the requirements of the CSDDD, other relevant EU acts, and OECD Guidelines. In addition, in cooperation with the national contact point for the OECD, appropriate training should be provided for businesses and other stakeholders.

9. The Ombudsman recommends that the Government of the Republic of Slovenia and the Ministry of the Economy, Tourism and Sport advocate, during the legislative process on the proposed EU regulation amending Directives (EU) 2022/2464 and (EU) 2024/1760 on the simplification of corporate sustainability reporting (known as Omnibus I), for minimal alterations to the already adopted directives. They should aim to preserve existing standards on human rights and environmental responsibility and ensure a transparent and inclusive legislative process.

10. The Ombudsman recommends that the Ministry of Justice ensure the proper and consistent implementation of the judgment of the European Court of Human Rights in the case of *X and Others v. Slovenia*, and adopt the necessary normative amendments to guarantee effective protection of children's rights, respect for the right to a fair trial, and the right to a natural judge.

11. The Ombudsman recommends that the Ministry of Digital Transformation systematically incorporate human rights principles into all future regulatory and strategic documents related to artificial intelligence and digital inclusion. Special attention should be given to the protection of persons with disabilities, by explicitly prohibiting discriminatory or harmful uses of artificial intelligence against this group, by establishing comprehensive legislation on human rights due diligence that takes their specific circumstances into account, and by introducing an obligation to ensure reasonable accommodations in the functioning of all AI systems.

2.2 NATIONAL AND ETHNIC GROUPS

12. The Ombudsman recommends that the Ministry of Justice provide appropriate legal foundations to enable the equal use of Italian and Hungarian in notarial procedures in bilingual areas.

13. The Ombudsman recommends that the Government of the Republic of Slovenia take measures to ensure access to drinking water for residents of the Roma settlement of Smrekec.

14. The Ombudsman recommends that the Government of the Republic of Slovenia adopt measures to remediate soil and watercourse contamination in the Roma settlement of Smrekec.

2.3 EMPLOYED AND UNEMPLOYED PERSONS

15. The Ombudsman recommends that the Government of the Republic of Slovenia, in addition to the established salary reform, adopt additional measures to effectively

address the critical shortage of personnel in the field of health and social care, and establish a mechanism for ongoing monitoring of the situation.

16. The Ombudsman recommends that the Government of the Republic of Slovenia adopt a Strategy for the Elimination of Precariousness, while also ensuring its implementation within the framework of the legal framework.

17. The Ombudsman recommends that the Ministry of Health take appropriate measures to ensure the implementation of all recommendations made to the University Psychiatric Clinic of Ljubljana.

2.5 CHILDREN

18. The Ombudsman recommends that the Ministry of Education and the Ministry of Labour, Family, Social Affairs and Equal Opportunities, in cooperation with other competent authorities, consider the findings and proposals of the 34th National Children's Parliament, as well as previous National Children's Parliaments, where appropriate, and take a position on each finding and proposal and take them into due consideration in decisions affecting children, including in the context of preparing amendments and supplements to legislation relating to children.

19. The Ombudsman recommends that the Ministry of Labour, Family, Social Affairs and Equal Opportunities and the Ministry of Education do everything necessary to ensure that a child who needs to be removed from his or her family is immediately able to do so and that adequate financial resources are provided for this purpose.

20. The Ombudsman recommends that the Ministry of Labour, Family, Social Affairs and Equal Opportunities ensure the same benefits for parents who have two children enrolled in kindergarten at the same time and the second (or both) children are enrolled in a private kindergarten without a concession, meaning that payments for the younger child are exempted in the full amount of the full price of a kindergarten that provides a public service in the area of the same municipality.

21. The Ombudsman recommends that the Ministry of Education ensure that the choice of educational measures in schools will be such that they preserve the dignity of the individual child and protect his or her rights.

22. The Ombudsman recommends that the Ministry of Justice ensure in all legislative areas that children's rights take precedence over the fulfilment of certain formalities related to children's rights.

23. The Ombudsman recommends that the Ministry of Education settle obligations to beneficiaries in a timely manner and without delay.

24. The Ombudsman recommends that the Ministry of Education ensure that all students who depend on public transport arrive at school on time.

25. The Ombudsman recommends that the Ministry of Education ensure that parents are adequately informed about their children within the school system.

1 (ongoing task). The Ombudsman recommends that the Ministry of Labour, Family, Social Affairs and Equal Opportunities ensure that legal deadlines are not exceeded in decision-making processes as a permanent task.

2 (ongoing task). The Ombudsman recommends that, as a permanent task, the Ministry of Health and the Ministry of Justice adequately address the shortage of clinical psychologists and child psychiatrists, as this directly affects the length of time it takes to make decisions in court proceedings involving children.

3 (ongoing task). The Ombudsman recommends, as a permanent task, to the Ministry of Health and the Ministry of Labour, Family, Social Affairs and Equal Opportunities to ensure prompt and high-quality health care for children and adolescents with mental health disorders.

Recommendations no. 10, 55, and 57 from other parts of this annual report also apply to **children**.

2.6 PERSONS WITH DISABILITIES

Recommendations 11, 26, 27, 29, 36, 37, 38, 39, 48, 54, and 69 from other chapters of this annual report **refer to persons with disabilities**.

2.7 OLDER PERSONS

Recommendations 3, 4, 5, 29, 36, 37, 38, 39 and 52 from other chapters of this annual report **refer to older persons**.

2.8 LGBTIQ+

In relation to the **LGBTIQ+ community and its members**, the Ombudsman is now issuing a **new recommendation No. 72**, which is contained in the second chapter of the annual report.

2.9 FOREIGNERS

In relation to **foreigners**, the Ombudsman this time issues a new **recommendation No. 32**, which is contained in the second chapter of the annual report.

2.10 EQUALITY BEFORE THE LAW AND PROHIBITION OF DISCRIMINATION

26. The Ombudsman recommends that the Ministry of Labour, Family, Social Affairs and Equal Opportunities take more effective measures against the public authority

holder, the Association of Slovenian Sign Language Interpreters, which will lead to the immediate elimination of discrimination in access to information for users of its services on the website www.tolmaci.si.

27. The Ombudsman recommends that the Ministry of Labour, Family, Social Affairs and Equal Opportunities take effective measures against the public authority holder, the Institute of Interpreters' Association for Slovenian Sign Language, so that it establishes a precise and transparent scheme for the availability of interpreters (specifically for each day and hour) and more transparent ordering of interpretations.

2.11 PROTECTION OF DIGNITY, PERSONAL RIGHTS, SECURITY, AND PRIVACY

28. The Ombudsman recommends that the Ministry of Finance examine the possibilities for amending the ZPlaSSIED, which would ensure equal treatment for trustees when executing payment transactions from the bank accounts of their trustees up to a higher value.

2.14 RESTRICTION OF PERSONAL FREEDOM

29. The Ombudsman reiterates his previous recommendations to the Ministry of Justice and the Administration of the Republic of Slovenia for the Execution of Criminal Sanctions, in cooperation with the Ministry of Solidarity-Based Future and other competent authorities, to take all necessary measures to ensure that imprisoned persons who need additional assistance due to age, illness, disability, or other handicaps are provided with appropriate accommodation and all assistance with daily care and other necessary care without undue delay, thereby ensuring their dignified living and care.

30. The Ombudsman recommends that, in addition to short-term measures to improve living conditions in prisons with the aim of ensuring basic human rights for all inmates, the Government of the Republic of Slovenia should also pay the necessary attention to long-term solutions that, in addition to increasing accommodation capacity, would enable the improvement of infrastructure and staffing conditions and a possible reform of the criminal justice system to prevent further disproportionate growth in the number of detained and imprisoned persons.

31. The Ombudsman recommends that the Administration of the Republic of Slovenia for the Execution of Criminal Sanctions ensure appropriate supervision over the consistent recording of the use of coercive measures by prison officers and an objective assessment of the justification and legality of this use.

32. Ombudsman recommends that the Administration of the Republic of Slovenia for the Execution of Penal Sanctions examine the possibilities for regularly organising courses or learning Slovenian or another world language in prisons (also) for detainees who do not understand Slovenian. The Ombudsman recommends that the Administration of the Republic of Slovenia for the Execution of Penal Sanctions, in cooperation

with the health sector, take all necessary measures in a timely manner to prevent and spread infectious diseases or infections in prisons.

33. The Ombudsman recommends that the Administration of the Republic of Slovenia for the Execution of Penal Sanctions, in cooperation with the health sector, take all necessary measures in a timely manner to prevent and spread infectious diseases or infections in prisons.

34. The Ombudsman recommends that the Administration of the Republic of Slovenia for the Execution of Criminal Sanctions ensure appropriate supervision over the consistent recording of the use of coercive measures by prison officers and an objective assessment of the justification and legality of this use.

35. The Ombudsman recommends that the Administration of the Republic of Slovenia for the Execution of Penal Sanctions take the necessary measures to ensure that a medical examination after the use of coercive measures (except in the case of preventive confinement) will only be omitted if the imprisoned person persists in refusing a medical examination even after being informed of the consequences of failing to undergo such an examination, which must be recorded.

36. The Ombudsman recommends that the Ministry of Solidarity-Based Future and the Ministry of Health adopt and implement all necessary measures within their jurisdiction to resolve the spatial and personnel shortages that the Unit has been facing for a long time, so that the Unit will be able to accept for treatment all persons who need such treatment.

37. The Ombudsman once again recommends that the Ministry of Solidarity-Based Future, in cooperation with other competent authorities, adopt and immediately implement (additional and more effective) measures or increase activities to resolve the problem of overcrowding in secure wards of social care institutions, so that appropriate provision is made for the accommodation of persons in need of care and protection in secure wards of social care institutions, and (thereby) prevent the consequent waiting of persons in need of such treatment and protection in wards under special supervision of psychiatric hospitals or in the home environment.

38. The Ombudsman recommends that the Ministry of Solidarity-Based Future promptly process applications for verification of individual social welfare institutions and invite those social welfare institutions that have not yet submitted applications for verification of protected wards with regard to the method of protecting residents to verify them.

39. The Ombudsman recommends that the Ministry of the Interior and the Police continue training police officers in the respectful and dignified treatment of vulnerable groups, such as the elderly and persons with disabilities, and ensure the use of appropriate technical means, such as wheelchairs and stretchers, in cases where specific circumstances require their use.

40. The Ombudsman also recommends that the Ministry of the Interior and the Police, within the framework of monitoring the use of coercive measures, pay special attention to the fact that even the lawful use of physical force, even if it is recognised as justified

or proportionate, should not be carried out in a manner that could constitute humiliating treatment for a person, especially in a situation where they have already been deprived of their liberty.

2.15 PENSION AND DISABILITY INSURANCE

41. The Ombudsman recommends that the Pension and Disability Insurance Institute take measures to ensure that all administrative acts are issued in a timely manner and that decisions are adequately reasoned.

42. The Ombudsman suggests that the Ministry of Health, in cooperation with the profession, try to find a fairer solution so that individuals are not left without their rights to recognition of an occupational disease simply because of missing and lost documentation from many years ago.

43. The Ombudsman recommends that when lowering the age limit for obtaining the right to an old-age pension (Article 28 of the ZPIZ-2) or increasing the assessment percentage (Article 37 of the ZPIZ-2) due to the insured person's care for a child »for whom the insured person took care of in the first year of his or her age«, the Ministry of Labour, Family, Social Affairs and Equal Opportunities equate the rights of parents whose child died before reaching the age of one with the rights of adoptive parents and biological parents whose child was adopted before the age of one.

2.16 HEALTHCARE AND HEALTH INSURANCE

44. The Ombudsman proposes that the Ministry of Health establish supervision and criteria over the process of identifying patients in outpatient clinics and family medicine clinics.

45. The Ombudsman proposes to the Ministry of Health, as the proposer of the Act on Psychotherapeutic and Clinical Psychotherapeutic Activities, to consider the comments of all stakeholders and to regulate the field of psychotherapy by law.

46. The Ombudsman proposes to the Ministry of Health to prepare criteria and enable conditions for dental care for immobile persons.

47. The Ombudsman proposes to the Ministry of Health to regularly organise training for patient rights representatives in the field of appropriate communication with patients.

48. The Ombudsman proposes to the Ministry of Health and the Health Insurance Institute that, in accordance with their own guidelines, they approach the preparation of professional criteria and regulation in the field of surcharges for above-standard materials and services.

49. The Ombudsman recommends that the Health Insurance Institute of Slovenia adopt appropriate organisational and personnel measures to eliminate the lengthy decision-making process on the extension of temporary incapacity for work due to illness.

50. The Ombudsman recommends that the Ministry of Health amend the regulation so that insured persons, in cases where a medical device is stolen through no fault of their own and they urgently need the medical device, as their lives could otherwise be at risk, have the right to cover the costs of a new medical device before the expiry of the durability period.

51. The Ombudsman recommends that until the establishment of a final unified system of notifying the outpatient service upon discharge of a woman from a maternity hospital, which is planned for mid-2025, the Ministry of Health temporarily arrange a unified system of notifying the outpatient service of the health centre in the area of residence of the woman, regardless of whether the woman comes from the area of the maternity hospital or from any other part of Slovenia, through appropriate organisational changes.

2.17 SOCIAL AFFAIRS

52. The Ombudsman recommends that the Ministry of Solidarity-Based Future immediately examine the legal bases regarding the charging of social care services in homes for institutional care of the elderly, unify, and harmonise them so that service users pay the same amounts for the same and comparable services.

53. The Ombudsman recommends that the Ministry of Labour, Family, Social Affairs and Equal Opportunities take appropriate measures to eliminate delays in decision-making, especially in debt relief and appeals procedures, and to establish monitoring of their effectiveness.

54. The Ombudsman recommends that the Ministry of Labour, Family, Social Affairs and Equal Opportunities set a deadline for the preparation of expert opinions under the Social Inclusion of Persons with Disabilities Act by the University Rehabilitation Institute Soča, taking into account the deadline that the centre for social work has to issue a decision in the procedure for recognition of rights under the Social Inclusion of Persons with Disabilities Act.

55. The Ombudsman recommends that the Ministry of Labour, Family, Social Affairs and Equal Opportunities ensure at a systemic level that there are no cases where a family (or individual) caring for a child receives less public funds than if the child were not being cared for.

56. The Ombudsman recommends that the Ministry of Labour, Family, Social Affairs and Equal Opportunities harmonise the Family Code, the Social Welfare Act and the Act on the Enforcement of Rights from Public Funds with regard to the issue of the obligation to support parents and consequently the payment of institutional care services. The method of exercising objections to the payment of home care services for parents should also be regulated at the legislative level.

57. The Ombudsman recommends that the Ministry of Labour, Family, Social Affairs and Equal Opportunities amend the current legislation in a way that is consistent with the purpose of Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on the reconciliation of work and private life of parents and carers, and

repealing Council Directive 2010/18/EU, and will also enable fathers of children who are hospitalised for the first months to take paternity leave after the child starts living in the home environment, and at the same time in a way that fathers in comparable circumstances are treated in a comparable manner and those in different circumstances are treated differently.

58. The Ombudsman recommends that the Ministry of Labour, Family, Social Affairs and Equal Opportunities examine the possibility of deciding on the right to a large family allowance ex officio, also for families where at least one family member is a recipient of a state scholarship, and adopt an appropriate legal basis within the scope of its competences.

2.18 OTHER ADMINISTRATIVE MATTERS

59. The Ombudsman recommends that the Ministry of Culture take appropriate measures to ensure timely responses to received letters and the substantive integrity of its own responses.

60. The Ombudsman recommends that the Ministry of Justice adopt additional organisational measures and/or staff reinforcements in order to reduce delays and make the body's work more efficient.

61. The Ombudsman recommends that the Ministry of Natural Resources and Spatial Planning and the Ministry of Agriculture, Forestry and Food, in their mutual cooperation within the framework of the announced amendment to the Water Act, also address the excessively broad semantic openness of Paragraph 6 of Article 19 of the Water Act, which may negatively affect the predictability of legal transactions and thus the legal security of citizens.

62. The Ombudsman recommends that the Ministry of Agriculture, Forestry and Food prepare an amendment to the Agricultural Land Act that would address the identified anomalies in the transaction of agricultural land, with a focus on Article 23 of the current Act.

63. The Ombudsman recommends that the Ministry of Natural Resources and Spatial Planning, from the perspective of implementing measures to eliminate backlogs in decision-making in administrative appeal procedures and to eliminate the general inadequate responsiveness of the Ministry, establish mechanisms for measuring the effectiveness of the measures it implements within the framework of the implementation of action plans to eliminate backlogs, and initiate and implement periodic public reporting on progress in their implementation.

2.19 JUSTICE

64. The Ombudsman recommends that state prosecutors justify each decision to dismiss a criminal complaint in a clear manner, so that it is clear to the complainant (even a layperson) what the decisive factual and legal circumstances are that led to the dismissal, namely with regard to all criminal acts that could arise from the reported event.

65. The Ombudsman recommends that the legislator adopt legislative solutions that further expand the powers of the Administrative (and thus also the Supreme) Court, carefully and only in justified cases where a different legal solution is not possible.

66. The Ombudsman recommends that stakeholders responsible for resolving the issue of judicial backlogs at the Administrative Court adopt such organisational, personnel, and legislative measures that will contribute to improving the situation and ultimately eliminating judicial backlogs at the Administrative Court.

67. The Ombudsman recommends that when using videoconferencing in criminal proceedings, the courts consistently ensure respect for the right to a fair trial, in particular by ensuring that the system operates smoothly, that private consultation with a lawyer is possible, and that conditions are provided for the defendant's full participation in the proceedings.

68. The Ombudsman recommends that in cooperation with the judiciary, the Ministry of Justice systematically monitor the impact of the use of videoconferencing on the quality of trials and, if necessary, ensure appropriate improvements in the legal framework and practice of judicial proceedings.

69. The Ombudsman recommends that the Ministry of Justice examine additional options for strengthening the rights of vulnerable persons in criminal proceedings, including the pre-trial phase. It should pay particular attention to the accessibility of legal aid in cases where vulnerable persons cannot effectively exercise their rights themselves. It should also consider introducing support in the form of the presence of a confidant or other appropriate adult who would help vulnerable persons communicate and understand the proceedings and thereby contribute to their more effective participation. The importance of such support also stems from the European Commission Recommendation of 27 November 2013 (2013/C 378/02), which draws attention to the need for adapted procedural guarantees for persons who have difficulty understanding and participating in the proceedings due to age, mental or physical characteristics, or disability.

70. The Ombudsman recommends that when drawing up house rules, courts also consider the possibility of strengthening the role of judges in assessing the use of mobile phones in the courtroom, as they are no longer just a means of communication, but also provide access to documentation, case law, and other information important to parties to individual court proceedings. He also draws attention to the question of whether security in the court building and in proceedings could be ensured in a way that would not require the mandatory deposit of mobile phones for parties in proceedings, while being aware that they are obliged to respect the rules of the court's house rules, which prohibit unauthorised filming, photography, and other misuse of these devices.

4 (ongoing task). The Ombudsman reiterates Recommendation No. 55 (2022), in which he recommended that the judiciary continue to build trust in its work by ensuring trials without unnecessary delay with high-quality and fair decisions, and encourages

the competent executive authorities to ensure the necessary financial, staffing and spatial conditions for the work of the courts.

5 (ongoing task). The Ombudsman once again recommends that courts strive to ensure that procedures are carried out without delay and unjustified delays in each case they hear, and in particular within the deadlines already set by law.

6 (ongoing task). The Ombudsman recommends that police officers, in all cases, exercise all due diligence to correctly and completely establish the factual situation of the alleged offence and, when establishing the liability of perpetrators of offences, take into account the relevant legal provisions and issued guidelines.

2.20 POLICE PROCEEDINGS, PRIVATE SECURITY, DETECTIVES, AND WARDENS

71. The Ombudsman recommends that the Police consistently ensure that detained persons spend only the time strictly necessary in emergency vehicles. He also suggests strengthening the training of police officers to detect obvious changes in the health status or behaviour of detained persons and to take appropriate action in such situations. He also recommends more frequent physical monitoring of detained persons during transport. The Ombudsman also calls for additional cooperation between the Police and health services to improve the safety of detained persons, especially in cases of special health or other risks.

72. The Ombudsman recommends that the Police continue with training programmes that include the identification and handling of hate crimes, and ensure that this training is ongoing and accessible to all police officers. He also calls for continued cooperation with non-governmental organisations and experts in the field of protection of vulnerable groups, which could further contribute to a more effective handling of such unlawful actions and to strengthening trust between the Police and vulnerable groups.

73. The Ombudsman recommends that police officers consistently and without delay, i.e. within the deadline set by the state prosecutor, collect the necessary information and take other measures necessary for the adoption of the state prosecutor's decision.

2.21 ENVIRONMENT AND SPATIAL PLANNING

74. The Ombudsman recommends that the Ministry of Natural Resources and Spatial Planning adopt and implement measures that will ensure the efficiency of the work of the Construction and Geodetic Inspection and eliminate the backlog.

75. The Ombudsman recommends that the Ministry of the Environment, Climate and Energy immediately address the issue of the impact and use of individualised small combustion devices on outdoor air quality and establish effective monitoring by appropriately amending the Chimney Sweeping Services Act.

76. The Ombudsman recommends that the Ministry of the Environment, Climate and Energy and the Ministry of Natural Resources and Spatial Planning cooperate to eliminate the inconsistency of the regulations and practices of administrative bodies in deciding on the secondary participation of individuals in administrative proceedings in order to establish a more efficient system of legal protection.

77. The Ombudsman recommends that the Ministry of Natural Resources and Spatial Planning establish an effective system of legal protection against spatial planning acts.

78. The Ombudsman recommends that the Ministry of the Environment, Climate and Energy and the Ministry of Natural Resources and Spatial Planning regulate the issue of the existence and operation of long-term industrial facilities in unsuitable locations, whose placement in space is not compatible with modern spatial planning standards and whose operations may negatively affect the healthy living environment of nearby residents.

2.22 REGULATED ACTIVITIES

79. The Ombudsman recommends that the Agency for Communications Networks and Services of the Republic of Slovenia take appropriate measures to ensure timely decisions on both regular and extraordinary legal remedies.

80. The Ombudsman recommends that the Ministry of Infrastructure take appropriate measures to ensure adequate responsiveness to letters received from individuals.

81. The Ombudsman recommends that the Directorate of the Republic of Slovenia for Infrastructure take appropriate measures to ensure adequate responsiveness to letters received from individuals.

82. The Ombudsman recommends that the Slovenian Motorway Company, d.d., carefully fulfil its information duty when sanctioning individuals for an invalid electronic vignette and adequately justify its decision on the (in)validity of the electronic vignette.

2.23 SOCIAL ACTIVITIES

83. The Ombudsman recommends that the Ministry of Education further encourage primary schools that have so far only implemented a regular educational programme to either establish adapted educational programme departments or to further cooperate with primary schools with adapted programmes and/or institutions for the education of children and adolescents with special needs.

84. The Ombudsman calls on the Ministry of Education to establish a mechanism for measuring the effects of measures to encourage the employment of special educators and other specialised professionals and, if necessary, to introduce additional measures.

85. The Ombudsman recommends that the Ministry of Culture prepare amendments to Article 119 of the Exercising the Public Interest in Culture Act in such a way that the Ministry, before issuing decisions and no later than two months from the end of the

opening of applications for a public tender, informs the party in writing about the facts and circumstances relevant to issuing the decision and about the proposal of the expert commission, and the party will be able to express its opinion on the statements in the notification in writing.

2.2 HOUSING

86. The Ombudsman recommends that the Ministry of Solidarity-Based Future and the Government of the Republic of Slovenia provide the Housing Inspectorate of the Republic of Slovenia with adequate staffing, financial and material conditions that will ensure more efficient operation, given the scope of its responsibilities.

87. The Ombudsman recommends that the Housing Inspectorate of the Republic of Slovenia start recording all telephone conversations and other forms of non-written communication with applicants/clients (e.g. in the form of official notes) in order to ensure the highest possible level of transparency and efficiency of the body's operations.

88. The Ombudsman recommends that the Ministry of Solidarity-Based Future legally define uniform conditions for renting assisted living apartments, determine the amount of rent that will also be accessible to older people with lower incomes, establish records of assisted living apartments, and, in addition to the legally specified scope of social and health care in assisted living apartments, more specifically determine how residents can exercise these rights.

89. The Ombudsman recommends that the Ministry of Solidarity-Based Future eliminate the discrepancy between Article 9 of the Regulations on Minimum Technical Requirements for the Construction of Supported Housing for the Elderly and on the Method of Ensuring Conditions for Their Operation and Article 35 of the Regulations on Standards and Norms of Social Welfare Services: Home Family Assistance, Social Services, Institutional Care and Management and Protection, and Employment under Special Conditions, and provide legal bases that will achieve the purpose of the personal telephone alarm, i.e. that it not only exists as an option, but that it is functional.



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