**RULES on the reimbursement of costs and remuneration of people from organisations carrying out duties and powers under the provisions of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment**

**I. GENERAL PROVISIONS**

**Article 1**
1. These Rules govern the reimbursement of costs and remuneration to people from selected non-governmental and humanitarian organisations for cooperation in implementing monitoring, i. e. visits to places of detention, under the provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which these organisations implement under the instructions of the Human Rights Ombudsman (hereinafter the Ombudsman)

2. The reimbursement of costs hereunder covers the reimbursement of travelling expenses and costs of food and accommodation and the right to salary compensation or compensation for the loss of income during the time of monitoring The remunerations hereunder comprise the payment for preparing a full or partial report on monitoring and a symbolic payment

**II. REIMBURSEMENT OF COSTS**

**Article 2**

1. Travelling expenses include the costs of return travel of people from the selected non-governmental and humanitarian organisations (hereinafter the Monitors) from their place of residence to the place where the monitoring is carried out

2. Travelling expenses will be recognised at the level of actual expenditure for travel by public transport If travel by public transport is not possible, costs in the form of a kilometre rate or possible parking fee will be awarded to the Monitors

**Article 3**

1. Costs for food will be granted to Monitors in the form of a daily rate or meal allowance during work, as applicable for public servants

2. The right to the daily rate will be available to Monitors with permanent or temporary residence outside the place where the monitoring is carried out

3. Accommodation costs will be awarded to Monitors through the reimbursement of actual paid costs of overnight accommodation

4. The right to the reimbursement of accommodation costs will be available to Monitors with permanent or temporary residence outside the place where the monitoring is carried out, and who had to spend the night in the place where the monitoring was being carried out due to cooperation in monitoring lasting more than one day

**Article 4**
Unless specified differently herein, the costs hereunder will be granted in the manner and at the level stipulated for public servants

**III. SALARY COMPENSATION OR COMPENSATION FOR THE LOSS OF INCOME**
**Article 5**

1. A Monitor who is employed by a selected non-governmental or humanitarian organisation and who is absent from work due to carrying out the monitoring will be entitled to salary compensation for the day of absence from work or the days when the monitoring was carried out, based on a certificate issued by the Ombudsman The Ombudsman will issue this certificate of cooperation in the performance of the monitoring after the monitoring has been carried out

2. The selected non-governmental or humanitarian organisation will pay the salary compensation to the Monitor and the Ombudsman will refund it for the amount corresponding to the salary compensation on the basis of a written invoice, with evidence enclosed of the amount of the Monitor’s salary and on the payment of the compensation

**Article 6**

A Monitor who cooperates with a selected non-governmental or humanitarian organisation as a sole proprietor, or as an entity that independently carries out an activity as their main profession, or on the basis of any other contract, will be reimbursed for the loss of income in the amount of an hourly rate determined for this purpose by the non-governmental or humanitarian organisation; however, not more than EUR 15 gross per hour of actual cooperation in monitoring (i e for the time from arriving at the site of the visit to leaving the site of the visit)

**Article 7**

1. Monitors who cooperate with a selected non-governmental or humanitarian organisation during the time of monitoring on a voluntary basis are also entitled to compensation for loss of income

2. The amount of compensation referred to in the preceding paragraph will be granted depending on the time of carrying out the monitoring, i e EUR 5 for each commenced hour of actual cooperation in monitoring (i e for the time from arriving at the site of the visit to leaving the site of the visit)

**IV. REMUNERATION FOR PREPARING A REPORT ON THE MONITORING**
**Article 8**

If it is previously agreed that a Monitor will prepare a full report on the monitoring, they shall receive EUR 100 of remuneration or the agreed proportional amount if it has been previously agreed with an Ombudsman representative, who is responsible for the implementation of monitoring, that the Monitor will prepare only a part of the report on the monitoring
Remuneration in the amount of EUR 100 will also be paid to the person from the selected non-governmental or humanitarian organisation who, following prior agreement with the Ombudsman, prepares an individual content segment for the Annual Report of the Ombudsman on the Implementation of the Duties and Powers of the National Preventive Mechanism

**Article 9**

In addition to the corresponding symbolic payment of EUR 5 for each commenced hour of actual cooperation in monitoring (i e for the time from arriving at the site of the visit to leaving the site of the visit), this amount will be increased for Monitors by two hours for the time of preparation of their own report on the monitoring which every Monitor is obliged to prepare The Monitor will not be entitled to the increased amount for the time it takes to prepare their own report if, following prior agreement, they are tasked with preparing the full or part of the report on the monitoring

**VI. JOINT PROVISIONS**

**Article 10**

The selected non-governmental or humanitarian organisation, if the Monitor is employed by this organisation or is in a contractual relationship with the organisation, or the Monitor themselves, if they cooperate with the selected non-governmental or humanitarian organisation on a voluntary basis, must submit a claim for the reimbursement of costs and remuneration on Form 1, which is an integral part of these Rules, together with proof of costs at the time of submitting the (full or partial or own) report on the monitoring, which must be prepared and sent to the Ombudsman not later than within eight days after the monitoring had been performed

**Article 11**

1. After receiving a claim for the reimbursement of costs and remuneration, the competent employee will issue a decision on the reimbursement of costs on Form 2, which is an integral part of these Rules

2. The payment of costs and remunerations will be made on the basis of the decision referred to in the preceding paragraph If the claim is not submitted and/or the report is not prepared (full or partial or own), the costs are not reimbursed and remuneration is not paid

**Article 12**

1. The remuneration and reimbursement of costs for Monitors who are employed by the selected non-governmental or humanitarian organisation, or who cooperate with it on the basis of any other contract, are paid from the budget of the Human Rights Ombudsman of the Republic of Slovenia – Optional Protocol sub-programme, item 6485, cooperation with non-governmental organisations, to the bank account of the selected non-governmental or humanitarian organisation

2. The remuneration and reimbursement of costs for Monitors who cooperate with the selected non-governmental or humanitarian organisation on a voluntary basis during the performance of monitoring are paid from the budget of the Human Rights Ombudsman of the Republic of Slovenia – Optional Protocol sub-programme, item 6485, cooperation with non-governmental organisations, to the bank account of the Monitor

**Article 13**

These Rules apply mutatis mutandis for the reimbursement of costs and payment of remuneration to people from selected non-governmental or humanitarian organisations for their participation in other organised events of the Ombudsman for the purposes of performing the duties and powers under the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (e g active participation at conferences, round table discussions, consultations, press conferences, coordination and working meetings)

**VII. FINAL PROVISIONS**

**Article 14**

Expressions used in these Rules written in the masculine grammatical form shall be deemed to apply equally to men and women

**Article 15**

These Rules shall enter into force on the fifteenth day following their publication in the Official Gazette of the Republic of Slovenia On the day of entry into force of these Rules, the following will cease to apply: Rules on the reimbursement of costs and remuneration of people from organisations performing the duties and powers under the provisions of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or
Degrading Treatment or Punishment (Official Gazette of the Republic of Slovenia, No 17/08) and the Rules amending these Rules (Official Gazette of the Republic of Slovenia, No 20/11)

Vlasta Nussdorfer
Human Rights Ombudsman

12. 1-3/2014-10
Ljubljana, on 6 March 2017