



REPUBLIC OF
SLOVENIA



HUMAN
RIGHTS
OMBUDSMAN

Slovenian National Human Rights Institution's Report for

Slovenia's Universal Periodic Review

4th cycle

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The Human Rights Ombudsman of the Republic of Slovenia (the Ombudsman) is a constitutional body with a mandate to protect and promote human rights in Slovenia, granted A status in accordance with the Principles relating to the Status of National Institutions in 2021. Its mandate includes monitoring, research, issuing opinions and recommendations to authorities, human rights education, awareness-raising and investigating complaints from anyone who believes that their human rights or fundamental freedoms have been violated by a state authority, local government authority or holder of public authority.ⁱ The Ombudsman may initiate a procedure to review the constitutionality or legality of regulations and may file a constitutional complaint with the Constitutional Court on an individual case before him. The Ombudsman also acts as the national preventive mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

In this information paper, the Ombudsman briefly outlines some current human rights issues and concerns in Slovenia that require attention, some long-standing and already addressed by previous UPR recommendations, and some new.

1. Human Rights Framework

(In reference to the following UPR recommendations in the previous cycle: 20, 81, 82)

Slovenia still hasn't established an independent mechanism to promote, protect and monitor the implementation of the Convention on the Rights of Persons with Disabilities (CRPD) in accordance with Article 33(2). The Ombudsman, as an A-Status NHRI, has been recommending for years that the responsible authorities propose legislative changes in this regard and has offered to take on this responsibility on several occasions.

There is also no designated national rapporteur on trafficking in human beings in Slovenia. The Ombudsman proposes the establishment of an independent national rapporteur within the Office of the Human Rights Ombudsman, with additional human and financial resources.

For years, the Ombudsman has been calling for the effective implementation of the decisions of the Constitutional Court of the Republic of Slovenia within the set deadlines. Several decisions of the Constitutional Court have still not been implemented a decade or more after their adoption.

The Ombudsman is also dissatisfied with the implementation of his recommendations to the authorities and urges the competent authorities to implement them more quickly.

The Ombudsman notes the high proportion of laws that are adopted in Parliament under the urgent procedure. This also results in short or even extremely short public consultations, including insufficient consultations with NHRIs and other relevant stakeholders, on draft laws by the Government. The Ombudsman recommended that the Government and its Ministries, as the main law-drafting bodies, act transparently and in accordance with the principle of good administration, and adequately involve in the law-drafting process those persons and bodies directly affected by proposed laws or regulations.

Recommendations:

Establish or designate an independent mechanism to promote, protect, and monitor the implementation of the CRPD, in line with Article 33(2).

Establish a national rapporteur on trafficking in human beings.

Guarantee the timely implementation of Constitutional Court decisions.

Accelerate the implementation of recommendations from oversight bodies.

Ensure inclusive public consultations on draft laws, providing adequate time for input from affected stakeholders.

2. Equality and non-discrimination

(Previous recommendations: 22, 25 – 54)

Slovenia has still not adopted a comprehensive anti-discrimination strategy.

The development of targeted policies and measures is also hampered by the lack of data collection disaggregated by protected ground.

The Ombudsman emphasizes the need for a comprehensive approach to hate speech prevention, including through education.

The effective prosecution of hate speech also remains a significant issue in Slovenia. There are numerous gaps and inconsistencies in the regulation of sanctions for hate speech. Half a decade ago, the Ombudsman recommended that the authorities clarify how the prohibition of the dissemination of hate speech in the media is to be implemented, including by defining how the public interest should be protected, by specifying measures to address irregularities, and establishing sanctions for media outlets that allow hate speech to be published. On 12 December 2023, the Ministry of Culture published a draft of the new Mass Media Act (ZMed-1) for public consultation. Approximately 80 comments from relevant stakeholders were submitted during the public debate. On 14 May 2024, a revised draft of ZMed-1 was published and submitted for inter-ministerial consultations, which adequately reflects the Ombudsman's recommendations on combating hate speech in the media. However, this legislation has not been adopted yet.

The Ombudsman has also called for the development of comprehensive legal frameworks to address hate speech effectively on the Internet and social media platforms.

Recommendations:

Adopt and implement a comprehensive national strategy for combating all forms of discrimination.

Systematically collect data disaggregated by protected personal grounds in all fields of social life to accurately determine the current state and trends of (in)equality in society.

Develop and implement comprehensive measures to prevent hate speech through strengthened legal frameworks, effective media regulation, targeted public education initiatives, and awareness-raising campaigns.

3. The environment

In the field of environment and spatial planning, the Ombudsman has, for several years, been highlighting the unacceptability of excessively long inspection processes and other administrative procedures.

For more than a decade, the Ombudsman has also been advocating for the rehabilitation of industrially polluted areas and remains concerned about the slow progress in addressing heavily contaminated regions such as the Mežica Valley, the Celje Basin, Zasavje, Anhovo, and other areas requiring urgent and sustained action.

The Ombudsman also draws attention to the lack of regulation on low-frequency noise and the persistent inaction of authorities, despite long-standing awareness and a Constitutional Court ruling requiring amendments. This situation reflects a broader disregard for the rule of law and accountability.

Additionally, the Ombudsman expressed concerns over ineffective environmental oversight, including practices such as splitting large projects into smaller ones to evade stricter regulations, the absence of independent evaluations in environmental assessments, and inadequate public legal protection in procedural disputes. The Ombudsman has repeatedly emphasised that the drafting of regulations in the fields of environment and spatial planning often fails to comply with the public's right to participate in the adoption of environmental regulations, undermining adherence to national laws and international commitments, including the Aarhus Convention.

In response, the Ombudsman has urged authorities to prioritise comprehensive environmental and spatial reforms, strengthen regulatory oversight, improve inter-agency cooperation, and ensure timely and meaningful public participation.

Recommendations:

Ensure timely and effective work of the environmental inspectorate.

Strengthen rehabilitation efforts in heavily polluted areas, including public health measures for affected communities.

Implement regulations on low-frequency noise in line with the Constitutional Court ruling.

Enhance environmental oversight to prevent project fragmentation and ensure independent assessments.

Ensure full compliance with national laws and international commitments, including the Aarhus Convention, by guaranteeing the public's right to meaningful participation in the drafting and adoption of environmental and spatial planning regulations.

4. Right to life, liberty and security of person

(Previous recommendations: 71, 76)

In 2023, the Ombudsman received an alarming and significant increase in the number of complaints regarding various forms of violence against residents of care homes. In this context, the Ombudsman considers that there is a need to invest in ensuring the safety, training and education of all, especially those professionals who work with older people.

In 2023, media reports surfaced alleging violent behavior by staff at the Psychiatric Clinic of the University of Ljubljana towards residents. In response, in 2024 the Ombudsman issued over 50 recommendations to the Clinic, addressing irregularities in patient care, staff conduct, and systemic shortcomings. These recommendations also emphasized the need for robust monitoring of implemented measures, in collaboration with relevant authorities, to ensure accountability and compliance.

Overcrowding in prisons remains one of the primary issues in penal enforcement. The average incarceration rate in Slovenia increased by 23% between January 2021 and January 2022, with the situation worsening further in 2023. An extreme and intolerable example is the Ljubljana prison, where the Ombudsman recorded an occupancy rate of 209% on January 10, 2024. This overcrowding problem is exacerbated by a critical shortage of judicial police officers. The consequences manifest in various ways, affecting the maintenance of order and discipline, the treatment of inmates, and the implementation of their rights. This results in degrading and inhumane conditions for inmates, as well as inadequate working conditions and excessive burdens for staff.

Due to overcrowding and the shortage of judicial police officers, institutions were forced to cancel escorts to courts and health facilities outside the institution in 1,416 cases in 2023. These cancellations have led to prolonged court proceedings and violations of the right to a trial within a reasonable time, as well as the right to medical care. The Ombudsman considers the situation in Slovenian prisons alarming and notes the lack of measures to increase or supplement the use of alternative approaches to detention and imprisonment.

Recommendations:

Invest in training, and education for professionals working with residents of care homes to prevent violence and ensure their well-being.

Prevent violence and ensure accountability in psychiatric care by addressing systemic shortcomings, improving staff conduct, safeguarding patient rights, and establishing robust monitoring in collaboration with relevant authorities.

Take measures to reduce overcrowding in prisons and ensure adequate living conditions for all prisoners.

Increase the number of judicial police officers to address security issues and enable timely escorts to courts and medical facilities.

5. Prohibition of all forms of slavery

(Previous recommendations: 78 - 86)

The Ombudsman has identified several systemic barriers that hinder effective action against human trafficking. Despite amendments to the Victims' Compensation Act in 2023, which removed citizenship restrictions and extended eligibility to non-EU citizens, victims continue to face significant obstacles. These include limited awareness, complex legal procedures, and inadequate mechanisms for freezing and seizing traffickers' assets. Notably, between 2017 and 2023, no compensation claims were filed under the Act, underscoring the urgent need for better information, legal support, and trained advisors to assist victims in navigating the compensation process.

Slovenia has yet to establish a centralized Asset Recovery Office and Asset Management Office, as mandated by EU standards, to ensure seized criminal assets can be redirected to fund victim compensation. The Ombudsman underscores the critical importance of confiscating traffickers' assets and creating a compensation fund for victims. Both GRETA and the Ombudsman have urged Slovenian authorities to fully implement existing legislation on freezing and seizing assets and to strengthen international cooperation to expedite compensation for victims.

Legal gaps further impede progress, particularly in the insufficient recognition of psychological coercion and exploitation of vulnerability as forms of trafficking. Additionally, Slovenia has yet to appoint a national rapporteur on human trafficking, despite repeated recommendations. While the government's 2023–2024 Action Plan, which includes awareness and training initiatives, is a positive step, the Ombudsman stresses that systemic reforms are essential to address these persistent challenges effectively.

Recommendations:

Ensure accessible and effective compensation mechanisms for victims of trafficking.

Strengthen legal frameworks to fully recognize psychological coercion and exploitation of vulnerability as forms of trafficking.

Appoint a national rapporteur on human trafficking.

6. Right to health

(Previous recommendations: 91, 92)

The Ombudsman highlights persistent and systemic issues in healthcare that have worsened over time due to inadequate responses, including a critical shortage of healthcare staff across nearly all professions, encompassing not only doctors but also nurses, medical technicians, graduates, and paramedics. These shortages exacerbate barriers to accessing family physicians, disproportionately affecting older adults and

those less skilled with digital tools, while the selection of a personal physician has become increasingly difficult, violating patients' rights under national law. Excessive waiting times for specialist consultations, surgeries, and urgent care, coupled with unreliable public data on waiting periods and inefficient data management systems, underscore the need for a unified healthcare information system. Acute shortages of gynaecologists and paediatricians further breach the right to healthcare, as do significant delays in accessing mental health services for both adolescents and adults due to unclear provider competencies. Additionally, long-term holistic rehabilitation for individuals with acquired brain injuries is unavailable, leaving a gap in the continuum of care from hospital-based to community-based rehabilitation. The lack of systemic provision for the adequate and continuous care of individuals under 65 who require institutional support post-hospitalization highlights further neglect, interfering with their right to social and health security.

Recommendation:

Introduce targeted measures in the health sector to address workforce shortages, reduce long waiting times, improve access to services, modernize and ensure continuous care for vulnerable populations, including long-term and mental health support.

7. Rights of specific persons or groups

7.1 Children

The Ombudsman has consistently raised concerns over the longstanding shortage of experts in clinical psychology for children and adolescents, and child psychiatry in Slovenia. This shortage has resulted in prolonged waiting times for psychological and psychiatric treatment for children, significantly impacting their access to timely care.

Urgent systemic reform is required in institutional care for children with severe mental health disorders. The Ombudsman emphasizes that children and adolescents should be placed only in secure units specifically designed to meet their needs in terms of staff, facilities, services, and programs. They should not be placed in units intended for adults, as is currently the case in certain specialist social care institutions. The Ombudsman continues to advocate strongly for deinstitutionalization as a fundamental solution to these issues.

The Ombudsman has highlighted the significant negative impact of lengthy court proceedings on children and their development. A critical factor contributing to these delays is the shortage of forensic experts, particularly clinical psychologists and pediatric psychiatrists, in cases involving decisions about children's rights and welfare.

The Ombudsman also recalls that, for more than 15 years, the envisaged Juvenile Justice Act (e.g. to reduce the length of detention, introduce mandatory legal representation from the moment of police custody, etc.) has still not been proposed and adopted, even though this was already foreseen for in the then new Criminal Code in 2008.

In 2020, the Ombudsman recommended that the responsible ministry introduce family assistance programs for families caring for children with special needs under 18. This measure aims to reduce institutionalization and ensure that children with special needs

can realize their right to family life. However, this recommendation has yet to be implemented.

Additionally, the Ombudsman has raised concerns about the accessibility of secondary schools. Although based on this the Inspectorate of Education and Sport committed to conducting regular inspections of kindergartens, primary and secondary schools, and ensuring access to education for persons with disabilities, it has failed to deliver on this promise. The Inspectorate has cited staff shortages, an increased number of emergency cases, and rising incidents of violence in schools as reasons for this failure.

Recommendations:

Address shortages in clinical psychology, child psychiatry, and forensic expertise to reduce delays in treatment and court proceedings involving children.

Refrain from placing children with severe mental health disorders in adult facilities and ensure they are placed only in child-appropriate secure units. Prioritize deinstitutionalization by developing community-based care and support systems that enable children to live in family environments.

Implement family assistance programs to support children with special needs and reduce institutionalization.

Reduce court delays in cases involving children to safeguard their rights and well-being.

Expedite the adoption of the Juvenile Justice Act to improve protections for children in detention and legal proceedings.

Ensure the accessibility of educational institutions at all levels for children with disabilities, by addressing physical, social, and systemic barriers.

7.2 Persons with disabilities

(Previous recommendations: 113, 117, 118)

Persons with disabilities all too frequently still find themselves facing numerous obstacles. The Ombudsman has been continuously warning about the accessibility of public institutions, including schools, municipality buildings, courts, and administrative units for persons with disabilities.

For years, the Ombudsman has emphasized the importance of deinstitutionalization and the right to independent living and community integration, as enshrined in the CRPD. While progress has been made at the declaratory level, tangible improvements remain scarce. Care provision in Slovenia continues to rely heavily on institutional settings, a model insufficient to meet the needs of an ageing population and persons with disabilities and is further strained by a severe shortage of personnel. Community-based care alternatives, such as home assistance, day centres, residential groups, and sheltered housing, are underdeveloped, inconsistently available, and often inadequate in scope and duration. This lack of options leads to long waiting lists for institutional care, perpetuates isolation for those striving to live independently, and exposes individuals to significant risks. The Ombudsman has also noted a troubling increase in reports of violence and inadequate treatment in institutional care, underscoring the urgent need for

concrete prevention and accountability measures. Addressing these challenges requires not only the expansion and improvement of community care services and staffing but also greater efforts by the state and municipalities to raise awareness, foster inclusivity, and combat prejudice and intolerance, without which no real progress can be achieved.

The Ombudsman's main findings in the area of disability and pension insurance can be summarised as the failure to meet deadlines for decisions on rights, the prevalence of lengthy procedures, inadequately low pension amounts, incomprehensible documentation, insufficient explanations in administrative acts, inconsistencies within disability insurance regulations, and a lack of uniformity among the various bodies (expert and others) responsible for providing opinions and making decisions on disability.

In light of the complaints received and the inconsistencies identified in the legislation, the Ombudsman recommended that the authorities unify and harmonise the definition of disability across all legislation with the CRPD, reform the disability assessment system by introducing a single disability assessment body, and amend public regulations that discriminate against people with mental health conditions compared to other individuals with disabilities who face comparable limitations.

National Preventative Mechanism (NPM) found persistent overcrowding in secure units of special social care institutions which provide institutional care services for adults with mental health problems and intellectual disabilities. Overcrowding and inadequate care environments are leading to ongoing violations of residents' rights. The NPM has urged immediate action to address these chronic issues, emphasising that the current state represents a severe neglect of residents' rights and well-being. Regarding the situation of people with restricted movement in psychiatric hospitals and social care institutions, the Ombudsman also draws attention to the treatment, care and attitude of medical and other staff towards patients, residents or users, restrictions on visits and other problems, including long waiting lists for admission to an institution where necessary, but also premature institutionalisation. In this context, the Ombudsman specifically calls for the development of community-based care to be strengthened so that institutional care is truly a last resort.

Recommendations:

Ensure public institutions, including schools, municipality buildings, courts, and administrative units, are fully accessible to persons with disabilities.

Transition from institutional care to community-based services, ensuring the provision of adequate, accessible, affordable, and acceptable support that enables persons with disabilities to live independently and participate in their communities, with services available in both urban and rural areas.

Implement measures to prevent violence and neglect in institutional care settings, ensure accountability for violations, and improve the quality of care environments.

Align national laws, policies, and programs with the Convention on the Rights of Persons with Disabilities (CRPD), adopting a human rights-based model of disability.

Establish a unified disability assessment body and ensure consistent and non-discriminatory definitions of disability across all legislation and public regulations.

Ensure timely decisions, clear documentation, adequate pensions, and uniformity across decision-making bodies in the disability and pension insurance systems.

Address barriers to employment and social integration for persons with disabilities by promoting inclusive policies and practices.

Ensure robust oversight of psychiatric hospitals and social care institutions, focusing on treatment, care quality, and adherence to human rights standards, while reducing premature institutionalization.

Implement awareness-raising initiatives to foster inclusivity and combat stigma, prejudice, and intolerance against persons with disabilities.

7.3 Older persons

(Previous recommendations: 18, 71)

As previously noted, the provision of care in Slovenia remains overly reliant on institutional settings—a model consistently deemed inadequate by the Ombudsman, who has called for deinstitutionalization (see 6.2). Alarming, there has also been a significant rise in complaints about various forms of violence against care home residents. To address this, the Ombudsman recommends targeted training and education for professionals working with older people to prevent abuse and safeguard their well-being (see 4).

A critical issue exacerbating these challenges is the lack of adequate staffing in care homes. Ensuring proper care for the most vulnerable requires sufficient staffing levels, decent pay, and improved working conditions to attract and retain skilled personnel.

The Ombudsman further recommends establishing a mechanism or network of trusted representatives to advocate for the rights and dignity of the elderly. This initiative should aim to address systemic gaps, promote meaningful participation in decision-making, and provide tailored support. This could be achieved by enhancing existing structures, improving coordination among stakeholders, or piloting projects to identify specific needs and develop targeted solutions.

Recommendations:

Ensure adequate staffing in care homes by improving working conditions, providing training, and offering fair pay.

Invest in training and education for professionals working with residents of care homes to prevent violence and ensure their well-being.

Improve access to affordable, quality care by expanding community-based options, enabling older adults to receive support at home and reduce reliance on institutions.

Establish a mechanism or network of trusted representatives to advocate for the rights and dignity of older persons, addressing systemic gaps and promoting their participation in decision-making.

7.4 LGBTIQ+

(Recommendations: 57, 60)

The year 2023 was marked by incidents of violence, notably during the Pride parades in Ljubljana and Maribor. Additional incidents were also reported in the media in 2024.

Currently, people who wish to change the gender marker on their identity documents must obtain a medical certificate. This requirement effectively means that people wishing to change their legal gender must be diagnosed with a mental disorder by a health institution or doctor. The Ombudsman has repeatedly recommended that the authorities adopt comprehensive legislation on legal recognition of gender.

Recommendations:

Strengthen measures to prevent and address violence against LGBTQI+ individuals.

Adopt comprehensive legislation on the legal recognition of gender, eliminating the requirement for medical certification or diagnosis.

7.5 Roma

(Previous recommendations: 95, 121 - 123, 128 - 143)

Social exclusion of Roma remains widespread, particularly in south-eastern Slovenia. Many Roma in this region live in segregated settlements without security of tenure, some even without basic services such as adequate safe drinking water, sanitation and electricity. The Ombudsman has consistently called for access to adequate housing for Roma to be ensured.

A 2022 Institute for Ethnic Studies report found only 21.3% of Roma pupils complete all nine grades of primary school, with the southeastern region averaging just 12.3%.

A 2018 National Institute of Public Health study revealed Roma men have an average life expectancy of nearly 20 years less than the general Slovenian population. Premature mortality among Roma is 69%, compared to the national average of 19%, and the child mortality rate for Roma aged one to five is seven times higher. Roma women are 16 times more likely to be hospitalized for pregnancy and childbirth, and Roma face higher hospitalization rates for various diseases.

The distinction between "autochthonous" and "non-autochthonous" Roma persists despite recommendations to eliminate it. The Act on Local Self-Government mandates Roma representation in municipal councils only in areas with "autochthonous" Roma populations, excluding urban areas like Ljubljana and Maribor, and some other municipalities with Roma populations.

Recommendations:

Ensure access to adequate housing for Roma, including security of tenure and basic services such as safe drinking water, sanitation, and electricity.

Improve educational outcomes for Roma children by addressing barriers to school attendance and completion.

Address health disparities by ensuring equal access to healthcare services and implementing targeted public health initiatives to reduce premature mortality and improve life expectancy among Roma.

Eliminate the distinction between "autochthonous" and "non-autochthonous" Roma to ensure equal rights and representation in municipal councils and other decision-making bodies.

7.6 Women

(Previous recommendations: 60, 70, 72, 99 – 105, 108)

According to a survey done by the Statistical Office of the Republic of Slovenia - SURS (with data from 2020), 22% of women and 16% of men experienced physical (including threats) or sexual violence since the age of 15. The survey showed that women experience repeated violence more frequently and that violence against women has more serious consequences. Three-quarters of victims of intimate partner violence are women. Just over 60% of victims speak about their experience with violence, most commonly with someone close to them. However, most violence remains unreported since victims seldom report it to the Police or other institutions.ⁱⁱ According to SURS, almost a third of ever-working women (31.7%) experienced sexual harassment at work.ⁱⁱⁱ

The Ombudsman welcomes the adoption of the Resolution on the National Program for the Prevention of Domestic Violence and Violence Against Women (2024–2029), approved on March 7, 2024, after a decade without a comprehensive national strategy.

The Ombudsman believes that more attention should continuously be paid to effective research and documentation of the extent, causes, consequences, and signs of violence and obtaining reliable, comparative data that would lead to effective policies to prevent and eliminate the consequences of violence and enable the assessment of the effectiveness of the measures. In the context of domestic violence, it is necessary to explore the extent of violence against all, including children and older persons and to pay

due attention to persons with disabilities, migrants and those living in Roma communities, etc.

The Ombudsman repeatedly recommends that the competent authorities should continuously provide training for its professionals (in social work centres, educational institutions, health care, justice, and the Police) to make sure that the victims of violence receive appropriate help.

The Ombudsman would also like to point out that there is no special crisis referral centre in Slovenia for victims of rape or sexual violence which would perform a medical and forensic investigation and provide trauma assistance and counselling to the victims (in line with Article 25 of the Istanbul Convention).

Recommendations:

Strengthen efforts to prevent gender-based violence by implementing public outreach campaigns and educational programs that promote equality, non-stereotyped gender roles, mutual respect, and non-violent conflict resolution, while incorporating these principles into formal school curricula.

Strengthen efforts to collect and analyse reliable, disaggregated data on violence, including its extent, causes, and consequences, with a focus on marginalized groups such as children, older persons, persons with disabilities, migrants, and Roma communities, to inform and assess effective prevention and response policies.

Ensure continuous training for professionals in social work, education, healthcare, justice, and law enforcement to provide appropriate support to victims of violence.

Establish a specialised crisis referral centre for victims of rape and sexual violence to provide medical and forensic services, trauma assistance, and counselling, in line with Article 25 of the Istanbul Convention.

7.7 Migrants, refugees and asylum seekers

(Previous recommendations: 146 - 154)

The Ombudsman found serious delays in the processing of applications by third-country nationals for residence permits. The lengthy procedures for obtaining residence permits in Slovenia affect both foreigners already living in the country and those wishing to immigrate. This includes migrants applying for work permits and those applying for family reunification permits. The administrative bodies often cite systemic problems, such as a high volume of applications and insufficient staff, as the main causes of delays. The Ombudsman has found that these reasons are no longer acceptable after a reasonable period of time for organisational or staffing adjustments has elapsed.

The Asylum Home in Ljubljana, Slovenia's main asylum reception center, faced severe overcrowding in 2022, housing up to 700 people in a facility designed for 230. The Ombudsman determined that these conditions failed to meet the minimum material reception standards. In September 2023, the Ombudsman reiterated that overcrowding

at the reception center violated the rights to personal dignity, privacy, and security of asylum seekers.^{iv}

Slovenia introduced a regulation effective 1 April 2024, aimed at ensuring appropriate care and accommodation for unaccompanied minors. The regulation established a dedicated reception centre and accommodation unit specifically for these children, including those classified as irregular migrants, individuals intending to seek asylum, applicants or recipients of international protection, and individuals under temporary protection schemes. With this change, unaccompanied minors are no longer detained in the Postojna Centre for Foreigners, which is a closed facility. The Ombudsman welcomes this step towards ensuring the rights and welfare of unaccompanied minors. However, families with children (who are not applicants for international protection) are still detained in the Postojna Centre for Foreigners, despite national legislation (Aliens Act), which stipulates that families with children should primarily be accommodated in facilities appropriate for children. The Ombudsman has recommended that adequate alternative accommodation be provided for families with children and that the detention of minors be used only as a last resort. According to information received from the Postojna Centre for Foreigners, four families with a total of ten children, who had not applied for international protection, were detained there in 2024.

Recommendations:

Ensure timely processing of residence permit applications by addressing staffing shortages and organisational issues.

Prevent overcrowding in the Asylum Home by increasing capacity and improving living conditions to meet reception standards.

Ensure that migrant families with unregulated status are accommodated in child-appropriate facilities, and refrain from detaining migrant minors except as a measure of last resort.

7.8 Stateless persons

(In reference to the following UPR recommendations in the previous cycle: 155 - 157)

In February 1992, following Slovenia's declaration of independence, approximately 25,000 citizens of other former Yugoslav republics were unconstitutionally removed from the official register of permanent residents, a group now referred to as "the erased."

The Ombudsman continues to receive complaints from individuals affected by this erasure who remain without an appropriate legal status, such as permanent residency. These individuals face severe challenges, including poverty, lack of healthcare, and homelessness. The absence of adequate legal frameworks also prevents institutions, such as social work centres and healthcare providers, from effectively addressing their needs.

For years, the Ombudsman has highlighted the denial of social protection rights and services to foreigners without permanent residency and has repeatedly recommended legislative amendments to address this issue. The Ombudsman urges the authorities to take swift and systemic action to ensure an appropriate legal status for those affected.

Recommendation:

Take swift and systemic action to ensure appropriate legal status and access to social protection rights for those still without it who were affected by the so-called erasure.

ⁱ When to turn to The Human Rights Ombudsman?, https://www.varuh-rs.si/fileadmin/user_upload/pdf/zlozenke_nase/zlozenka_praviceANG_web.pdf

ⁱⁱ More information available at: <https://www.stat.si/StatWeb/en/News/Index/10159>

ⁱⁱⁱ <https://www.stat.si/StatWeb/en/News/Index/10283>

^{iv} As of 2024, the Ombudsman has not conducted monitoring of conditions at the Asylum Home.