

Slovenia

National courts**Constitutional Court of the Republic of Slovenia** (*Ustavno sodišče Republike Slovenije*)

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See Ombudsman.

Ombudsman

The position of the Ombudsman was created in the Republic of Slovenia in order to ensure general protection for human rights and fundamental freedoms.

The Ombudsman, his/her four deputies or his/her assistants receive applications from persons who consider that **a human right or fundamental freedom has been infringed by a decision of a public authority, a local self-government body or a legal person subject to public law**. The Ombudsman operates on the basis of the 1994 Human Rights Ombudsman Act (*Zakon o Varuhu človekovih pravic*).

The Ombudsman may:

ask the offending party to remedy the infringement or rectify the irregularity;

propose compensation for damage;

on your behalf and with your authorisation, **request that the Constitutional Court assess the constitutionality and legality** of certain provisions or acts;

submit a constitutional complaint on the grounds of the infringement of a right;

petition the Government or Parliament to amend laws and other provisions;

advise all the bodies in its jurisdiction to improve their functioning and the relations with their clients;

freely disseminate its opinion on a particular case relating to a breach of rights and freedoms irrespective of the type of procedure or the stage reached in the examination of the case before the body in question.

The Ombudsman may not act on behalf of, or **remedy an infringement or rectify an irregularity instead of, the relevant state body, local self-government body or legal person subject to public law**.

The party that committed the infringement or irregularity is also responsible for righting the wrong. The Ombudsman **may not examine cases that are being dealt with by the courts**, other than in exceptional cases.

The law gives the Ombudsman no authority in the private sector; therefore, the Ombudsman may not intervene where rights are breached by a private company, for example. In such cases, the Ombudsman may exert pressure on the state bodies, local self-government bodies or legal persons subject to public law which monitor the work of the private company or individual concerned.

The Ombudsman also monitors places of detention and the treatment of persons who have been detained or whose liberty has been restricted, in cooperation with non-governmental and humanitarian organisations.

The Ombudsman has the power to monitor, caution and advise but not to take official decisions.

The Ombudsman organises and arranges for children's advocates, who are members of a volunteer network that ensures equal access to advocacy services for all children.

The purpose of child advocacy is to help children express their opinion in all the legal proceedings and cases they may be party to, and to forward that opinion to the bodies and organisations in charge so that these may decide on a child's rights and benefits. A child advocate is not the child's legal representative. Help means providing children with psychosocial support, talking with them about their wishes, feelings and opinions, about the procedures and steps taken (in a manner that is appropriate for them), working with them to find the right solution, and accompanying them when they face the bodies and institutions that decide on their rights and benefits.

Contact details:

Human Rights Ombudsman of the Republic of Slovenia

Dunajska cesta 56 (4th floor)

1109 Ljubljana

Telephone: 01 475 00 50

Free helpline: 080 15 30

Fax: 01 475 00 40

Email: info@varuh-rs.si

<https://www.varuh-rs.si/>

Specialised human rights bodies

Children's Ombudsman (*Varuh otrokovih pravic*)

Part of the Ombudsman's institution, a specialised deputy of the Ombudsman.

Advocate of the Principle of Equality (*Zagovornik načela enakosti*)

The Advocate of the Principle of Equality seeks to prevent and eliminate discrimination in Slovenia.

APPEALS (COMPLAINTS): Handles your appeals or complaints in cases of alleged discrimination. Issues opinions, which are not legally binding, on whether you are being discriminated against in a particular situation, i.e. treated unequally because of personal circumstances. Issues recommendations to the offending party on how to right the wrong, eliminate the reasons for it and address the consequences. Through this type of informal mediation, the Advocate seeks to right the wrong and improve future practice. However, if a problem cannot be resolved in this way, the Advocate may propose official prosecution. Procedures before the Advocate of the Principle of Equality are free of charge and confidential.

ASSISTANCE: The Advocate provides assistance with legal protection against discrimination in other procedures, e.g. by advising on available legal remedies and how to use them before other State bodies.

ADVICE: You may ask the Advocate for an opinion on whether your action is, or could be, discriminatory, and for advice on how to act in order to avoid discrimination and uphold the right to equal treatment more effectively.

INFORMATION: The Advocate provides general information on the issue of discrimination and the situation in this area in Slovenia.

Contact details:

Advocate of the Principle of Equality (*Zagovornik načela enakosti*)

Železna cesta 16, 1000 Ljubljana

Telephone: +386 (0)1 / 473 55 31

Email: gp@zagovornik-rs.si

<http://www.zagovornik.si/>

All the basic information on the abovementioned website is also available in full in English, French, German, Italian, Hungarian, Serbian, Bosnian, Albanian and Romany.

<http://www.zagovornik.gov.si/si/o-zagovorniku/kdo-je-zagovornik/index.html>

<http://www.zagovornik.gov.si/si/o-zagovorniku/osebna-izkaznica/index.html>

Information Commissioner

The Information Commissioner handles reports of personal data breaches in accordance with the overarching 2004 Personal Data Protection Act (*Zakon o varstvu osebnih podatkov*) and sectoral laws governing specific aspects of personal data, such as the Identity Card Act (*Zakon o osebni izkaznici*). The Commissioner also acts by official duty, if he/she learns about a potential personal data breach, and conducts targeted inspections even without having received a report. Inspections are carried out by national personal data protection inspectors, who are employed by the Information Commissioner. The Information Commissioner may order that certain personal data be corrected, identify breaches involving the illegal acquisition or processing of personal data, and impose penalties (fines) on personal data controllers. An administrative complaint may be brought against the Commissioner's decisions before the Administrative Court of the Republic of Slovenia.

Contact details:

Information Commissioner

Zaloška 59

1000 Ljubljana

Telephone: 01 230 97 30

Fax: 01 230 97 78

Email: gp.ip@ip-rs.si

<https://www.ip-rs.si/>

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