



European Network of  
National Human Rights Institutions

# Implementing the Council of Europe Recommendation on National Human Rights Institutions: The State of Play

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**The situation in Slovenia**



# Slovenia Country Report

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## Overview

### Name of NHRI and mandate:

- Human Rights Ombudsman of the Republic of Slovenia (The Ombudsman)
- Multi-mandate NHRI, also: ombud-institution, NMM and NPM

### Sources:

- NHRI: ENNHRI, [State of the Rule of Law in Europe in 2022, Slovenia Country Report 2022](#); ENNHRI, [State of the Rule of Law in the European Union in 2023](#),
- Sub-Committee on Accreditation (SCA): [SCA Report December 2020](#)
- CoE Independent Bodies: [ECRI Country Report on Slovenia \(2019\)](#)

### Good practices and improvements:

- **CM Recommendation 1:** The Human Rights Ombudsman of Slovenia is an NHRI **accredited with A-status**.
- **CM Recommendations 2 and 356: strong constitutional mandate, including to contribute to effective justice:** The Ombudsman has a broad human rights mandate, including to contribute to an effective justice system, through complaints handling as well as the power to initiate reviews of constitutionality and to lodge constitutional complaints on behalf of individuals.
- **CM Recommendation 8: adequate access to information and policy-makers:** The Ombudsman reports that it has adequate access to information and policy makers during the policy-making process. Further, the enabling legislation of the Ombudsman makes it an obligation for authorities to provide information and assistance to the Ombudsman at their request and infers legal liability for a failure

to do so. Still, the Ombudsman reports that despite the existence of these legal provisions there are delays in authorities' responses to the NHRI's investigations.

### Key areas where improvement is needed:

- **CM Recommendation 4: broad and transparent selection and appointment of the leadership of the NHRI:** The NHRI's enabling legislation should be amended to ensure the formalization and application of a broad and transparent selection and appointment process that, in line with the recommendations of the SCA (2020), includes requirements for the wide advertisement of vacancies and broad consultation and participation in the process.
- **CM Recommendation 6: adequate budget and financial autonomy:** In line with the SCA recommendation (2020) and decision of the national Constitutional Court, the administrative procedures dealing with the designation of the budget for the Human Rights Ombudsman should be amended to safeguard the institution's independence and financial autonomy. The NHRI further reports that while amendments have been proposed by the government and the Ministry of Finance, a decision on its approval is still pending.
- **CM Recommendation 9: adequate follow-up of the NHRI's recommendations:** National authorities should ensure that, in line with the legal obligation to do so, the recommendations of the Ombudsman are implemented, including by developing processes to facilitate effective follow up in a timely fashion. Moreover, the NHRI reports that even when the obligation to follow up to the recommendations is respected, it does not always translate into the actual implementation of the Ombudsman's recommendations. The Ombudsman is particularly concerned that many of the rejected recommendations relate to the rights of people with disabilities and other vulnerable groups.
- **CM Recommendation 11 & 13: enabling environment for the NHRI's independent operation and protection against threats:** While measures are in place to protect the NHRI from threats and harassment, including functional immunity, the NHRI has faced in the past undue political pressures and attacks in the context of carrying out its mandate.

## Specific findings per Principle

The tables below include data on the assessment of the implementation of each Principle (i.e. the individual parts) within the Recommendation from three sources: the National Human Rights Institutions, the Sub-Committee on Accreditation of GANHRI and the Council of Europe independent bodies. Overall, the findings are considered in four overall groups: the establishment of NHRIs; the strengthening of NHRIs; a safe and enabling environment for NHRIs; and cooperation with and support for NHRIs.

### I. Establishment of NHRIs

<b>Principle 1</b>	Member States should ensure that NHRIs are in place and that they are established, accredited and function in full compliance with the Paris Principles
<b>Assessment of implementation by Sub-Committee on Accreditation (SCA) of GANHRI</b>	<i>SCA Report December 2020, p. 22</i>  The SCA recommends that the Ombudsman be re-accredited with A status.
<b>Principle 2</b>	Member States should provide a firm legal basis for NHRIs, preferably at the constitutional level, and/or in a law which defines the mandates and functions of such institutions, guarantees their independence and provides them with the means necessary to accomplish their functions effectively, both at national and international levels, bearing in mind existing standards and recommendations on NHRIs, in particular the Paris Principles and their interpretation developed by GANHRI's Sub-Committee on Accreditation.

<b>Assessment of implementation by the NHRI</b>	<p><i>Information provided by the NHRI in 2023.</i></p> <p>The institutions of Human Rights Ombudsman of Slovenia is entrenched in the constitution (Art. 159) and on a legislative basis through the Human Rights Ombudsman Act (Official Gazette of the Republic of Slovenia, No. 69/17 – official consolidated text). Article 4 of the mentioned Act provides that in its work the Ombudsman shall be independent and autonomous. Article 3 of the mentioned Act provides that in its work, the Ombudsman shall comply with the provisions of the Constitution and international legal acts on human rights and fundamental freedoms.</p>
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## II. Strengthening of NHRIs

<p><b>Principle 3.1</b></p>	<p>Member States should ensure that the <b>mandate</b> given to NHRIs to protect and promote human rights is <b>as broad as possible and in full compliance</b> with the Paris Principles and that it allows them, inter alia, to:</p> <ul style="list-style-type: none"> <li>- <b>monitor and analyse</b> the human rights situation in the country, <b>publish reports</b> on these findings and <b>address recommendations</b> to public authorities at national, regional and local levels and, when applicable, to private entities, and present an <b>annual report</b> to the relevant authorities, including before parliament, for its consideration.</li> </ul>
<p><b>Assessment of implementation by the NHRI</b></p>	<p><i>Information provided by the NHRI in 2023.</i></p> <p>Article 5 of the Human Rights Ombudsman Act provides that the Ombudsman shall report on their work to the National Assembly by means of regular annual or special reports.</p> <p>Article 50(b) of the same Act further provides that the Center for Human Rights as internal organisational unit within the Ombudsman, shall be established, with the task to, inter alia:</p> <ul style="list-style-type: none"> <li>- promote, inform, educate, train, prepare analyses and reports regarding individual fields of promoting and protecting human rights and fundamental freedoms;</li> <li>- organise consultations regarding the realisation, promotion and protection of human rights and fundamental freedoms;</li> <li>- participate in international organisations and associations at the European and global level which work in the field of realising, promoting and developing human rights and fundamental freedoms.</li> </ul>

<p><b>Principle 3.2</b></p>	<p>Member States should ensure that the <b>mandate</b> given to NHRIs to protect and promote human rights is as <b>broad as possible and in full compliance</b> with the Paris Principles and that it allows them, inter alia, to:</p> <ul style="list-style-type: none"> <li>- <b>freely address public opinion, raise public awareness</b> on human rights and <b>carry out education and training</b> programmes;</li> </ul>
<p><b>Assessment of implementation by the NHRI</b></p>	<p><i>Information provided by the NHRI in 2023.</i></p> <p>Article 7 of the Human Rights Ombudsman Act provides that the Ombudsman may address proposals, opinions, criticisms or recommendations to the authorities, which are obliged to discuss them and reply within the deadline set by the Ombudsman.</p> <p>Further Article 8 of the same Act states that The Ombudsman shall inform the public and the National Assembly of all findings and measures taken.</p> <p>The Ombudsman issues several opinions and statements in media, on its website and through social media.</p> <p>Based on Article 50(b) of the Human Rights ombudsman Act, upon its recommendation and analyses it cooperates with the Administration Academy to provide human rights training for public servants. The Ombudsman also cooperates with Police Academy and Judicial Training Center.</p>

<p><b>Principle 3.3</b></p>	<p>Member States should ensure that the <b>mandate</b> given to NHRIs to protect and promote human rights is as <b>broad as possible and in full compliance</b> with the Paris Principles and that it allows them, inter alia, to:</p> <ul style="list-style-type: none"> <li>- <b>fully address all alleged human rights violations</b> by all administrative authorities, other relevant State entities and, when applicable, private entities</li> </ul>
<p><b>Assessment of implementation by the NHRI</b></p>	<p><i>Information provided by the NHRI in 2023.</i></p> <p>Article 1 of the Human Rights Ombudsman Act provides that the Ombudsman is established to protect human rights and fundamental freedoms against state authorities, local self-government bodies and holders of public authority.</p> <p>The Ombudsman has proposed to the Government to extend its mandate also to public services, which is a proposal under the discussion with the Ministry of Justice.</p> <p>The Ombudsman has no mandate to directly address alleged human rights violations by private entities. However, it can make general statements or proposals. It host meetings with workers unions, various civil society organisations as well as private enterprises and entities to discuss human rights situation.</p>



<p><b>Principle 3.4</b></p>	<p>Member States should ensure that the <b>mandate</b> given to NHRIs to protect and promote human rights is as <b>broad as possible and in full compliance</b> with the Paris Principles and that it allows them, inter alia, to:</p> <ul style="list-style-type: none"> <li>- have <b>unfettered access to all relevant premises</b>, including places of deprivation of liberty, and to all relevant individuals, in order to be able to carry out a credible examination of all issues covered by their mandate and to all relevant information, subject to possible restrictions stemming from the protection of other rights and legitimate interests and with due respect for the confidentiality of information obtained;</li> </ul>
<p><b>Assessment of implementation by the NHRI</b></p>	<p><i>Information provided by the NHRI in 2023.</i></p> <p>The Ombudsman acts as National Preventive Mechanism (NPM) under the United Nations Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in Slovenia.</p> <p>Article 5(1) of the Act of Ratification of the Optional Protocol to the Convention against torture and other cruel, inhuman or degrading treatment or punishment (Official Gazette RS no. 114/06 – International Treaties no. 20/06) provides that the tasks and authorities of national preventive mechanism under this protocol shall be performed by the Human Rights Ombudsman. In carrying out monitoring at places of detention and checking the treatment of persons who have been deprived of their liberty, nongovernmental organisations registered in the Republic of Slovenia and organisations that have obtained the status of humanitarian organisations in the Republic of Slovenia, which deal with the protection of human rights or fundamental freedoms, especially in the field of preventing torture and other cruel, inhuman or degrading treatment of punishment, may cooperate with the Ombudsman in carrying out the tasks and authorities of the Ombudsman under this protocol. The Ombudsman issues an Annual NPM Report, which is presented to the Parliament.</p>

<p><b>Principle 3.5</b></p>	<p>Member States should ensure that the <b>mandate</b> given to NHRIs to protect and promote human rights is as <b>broad as possible and in full compliance</b> with the Paris Principles and that it allows them, inter alia, to:</p> <ul style="list-style-type: none"> <li>- <b>monitor existing and draft policies and legislation</b> with human rights implications before, during and after their adoption in order to <b>advise</b> the State about the impact of such policies and legislation on human rights and on the activities of human rights defenders, including by <b>making relevant and concrete recommendations</b>.</li> </ul>
<p><b>Assessment of implementation by the NHRI</b></p>	<p><i>Information provided by the NHRI in 2023.</i></p> <p>Article 45 of the Human Rights Ombudsman Act provides that The Ombudsman may submit to the National Assembly and the Government initiatives to amend acts and other regulations under their jurisdiction.</p> <p>The Ombudsman may submit proposals for improving operations and the treatment of clients to state authorities, institutions and organisations with public authority.</p>
<p><b>Principle 3.6</b></p>	<p>Member States should ensure that the <b>mandate</b> given to NHRIs to protect and promote human rights is as <b>broad as possible and in full compliance</b> with the Paris Principles and that it allows them, inter alia, to:</p> <ul style="list-style-type: none"> <li>- <b>contribute to an effective justice system</b> for all, through awareness-raising measures and facilitating access to rights and remedies and, as applicable, by providing legal assistance, being a party before the courts or, when applicable, receiving individual complaints;</li> </ul>

<p><b>Assessment of implementation by the NHRI</b></p>	<p><i>ENNHRI, State of the Rule of Law in Europe in 2022, pp. 3-4</i></p> <p>The Ombudsman has the mandate to contribute to access to justice for individuals, including through complaints handling and awareness-raising.</p> <p>The Ombudsman can also, if he deems that a regulation or general act issued for the exercise of public authority inadmissibly interferes with human rights or fundamental freedoms, initiate the procedure for the review of the constitutionality or legality of regulations or general acts issued for the exercise of public authority before the Constitutional Court.</p> <p>The ombudsman can equally lodge constitutional complaints with the consent of the person whose human rights or fundamental freedoms he is protecting in the individual case.</p> <p>The Ombudsman engaged in some strategic litigation initiatives in the field of the protection of migrants' rights and acted as amicus curiae in various court cases.</p>
<p><b>Principle 3.7</b></p>	<p>Member States should ensure that the <b>mandate</b> given to NHRIs to protect and promote human rights is as <b>broad as possible and in full compliance</b> with the Paris Principles and that it allows them, inter alia, to:</p> <ul style="list-style-type: none"> <li>- <b>encourage the signature, ratification of and accession</b> to international human rights treaties and <b>contribute to the effective implementation</b> of such treaties, as well as related judgments, decisions and recommendations as well as to <b>monitor States' compliance with them</b>.</li> </ul>

<p><b>Assessment of implementation by the NHRI</b></p>	<p><i>Information provided by the NHRI in 2023.</i></p> <p>There are no specific provision in the legislation regarding the mandate to encourage the signature, ratification of and accession to international human rights treaties. However, this is considered to be part of the general mandate of the Ombudsman. Ombudsman regularly calls upon signature, ratification or accession of international human rights treaties to which Slovenia is not a signatory or a party.</p> <p>Article 50(a) explicitly refers to the competence of the Ombudsman to discuss reports of the Republic of Slovenia submitted to international organisations regarding human rights and that the Ombudsman prepares independent reports about the realisation of international commitments of the Republic of Slovenia in the field of human rights.</p>
<p><b>Assessment of implementation by Sub-Committee on Accreditation (SCA) of GANHRI</b></p>	<p><i>SCA Report December 2020, p. 24</i></p> <p>The law does not explicitly mandate the Ombudsman to encourage the state to ratify or accede to international human rights instruments. However, the SCA acknowledges that the Ombudsman interprets its mandate broadly and carries out activities in this regard in practice.</p> <p>The SCA encourages the Ombudsman to advocate for an appropriate legislative amendment to make this mandate explicit.</p>

<p><b>Principle 4</b></p>	<p>The process of <b>selection and appointment of the leadership of a NHRI</b> should be competence based, transparent and participatory, in order to guarantee the independence and pluralist representation of these institutions. It should also be based on clear, predetermined, objective and publicly accessible criteria.</p> <p>The duration of the appointment should be clearly set out in the founding legislation, so that the leadership posts of the NHRI do not stay vacant for any significant period of time.</p>
<p><b>Assessment of implementation by the NHRI</b></p>	<p><i>Information provided by the NHRI in 2023.</i></p> <p>Article 12 of the Human Rights Ombudsman Act states that the Ombudsman shall be elected by the National Assembly by a two-thirds majority of all deputies for a term of six years. At the end of this term of office, they may be re-elected only once. This article is currently under discussion between Ombudsman and the Ministry of Justice, aiming to introduce a legislative proposal to adjust the length of the mandate in line with the Venice Principles.</p> <p>Article 14 of the Human Rights Ombudsman Act provides that during the candidacy, the provisions of the Constitutional Court Act which govern candidacies of constitutional court judges shall apply by analogy.</p> <p>This procedure includes the public presentation of the candidates in the initial stage of the proceeding by the President of the Republic, i.e. before the President proposed a candidate to the Parliament.</p> <p>Article 16 further provides that the term of office of a Deputy Ombudsman shall be six years. At the end of their term of office, the Deputy Ombudsman may be re-appointed.</p>

	<p>Article 17 of the Human Rights Ombudsman Act also provides that in the event of absence, death, end of the term of office, permanent or temporary inability to perform the duties of the office, the Ombudsman shall be replaced by the Deputy Ombudsman. Also this article might be reviewed.</p>
<p><b>Assessment of implementation by Sub-Committee on Accreditation (SCA) of GANHRI</b></p>	<p><i>SCA Report December 2020, p. 22</i></p> <p>The SCA is of the view that the process enshrined Act is not sufficiently broad and transparent. In particular, it does not require the advertisement of vacancies for members nor promote broad consultation and/or participation in the process.</p> <p>The SCA encourages the Ombudsman to advocate for the formalization and application of a process that would meet these requirements.</p>
<p><b>Principle 5</b></p>	<p>To ensure <b>independence</b>, the enabling legislation of a NHRI should contain an <b>objective dismissal process for the NHRI leadership</b>, with clearly defined terms in a constitutional or legislative text. The dismissal process should be fair and ensure objectivity and impartiality and should be confined to only those actions which impact adversely on the capacity of the leaders of NHRIs to fulfil their mandate.</p>
<p><b>Assessment of implementation by the NHRI</b></p>	<p><i>Information provided by the NHRI in 2023.</i></p> <p>Article 21 of the Human Rights Ombudsman Act states that early dismissal of the Ombudsman is subject to the Ombudsman’s own request, or if the Ombudsman is convicted of a criminal offence subject to a custodial sentence with imprisonment or due to the permanent loss of the capacity to perform their duties.</p>

	<p>The procedure for dismissing the Ombudsman shall commence at the proposal of one third of deputies.</p> <p>The National Assembly shall dismiss the Ombudsman if two thirds of the attending deputies vote for the dismissal.</p> <p>The same procedure applies also for Deputy-Ombudsman.</p>
<p><b>Principle 6</b></p>	<p>Member States should provide NHRIs with <b>adequate, sufficient and sustainable resources</b> to allow them <b>to carry out their mandate</b>, including to engage with all relevant stakeholders in a fully independent manner and freely determine their priorities and activities.</p>
<p><b>Assessment of implementation by the NHRI</b></p>	<p><i>ENNHRI, State of the Rule of Law in Europe in 2022, p.3; ENNHRI, State of the Rule of Law in the European Union in 2023, pp. 3-4.</i></p> <p>In the context of the SCA’s recommendation regarding the institution’s financial autonomy, it is worth mentioning that, on 10 December 2020, the Constitutional Court adopted the decision that certain provisions of the Public Finance Act, as much as they pertain to the National Council, Constitutional Court, Human Rights Ombudsman, and Court of Audit, are inconsistent with the Constitution (decision No. U-I-474/18 of 10 December 2020, Official Gazette of the Republic of Slovenia, no. 195/2020) (2). The Constitutional Court prescribed a deadline for its implementation, which expired on 23 December 2021. However, the Parliament has so far not adopted the needed amendments to the Public Finance Act nor has the Government proposed any changes to it.</p> <p>In March 2023 the Ministry of Finance and the Government proposed to the National Assembly the amendments to the Public Finance Act, which in Articles 2 and 3 also address necessary legislative changes regarding the mentioned Constitutional Court decision. The decision of the Parliament is</p>

	still pending.
<b>Assessment of implementation by Sub-Committee on Accreditation (SCA) of GANHRI</b>	<p><i>SCA Report December 2020, p. 23</i></p> <p>The Ombudsman reports that, it would benefit from additional funding in order to continue to carry out its functions effectively. The SCA encourages the Ombudsman to advocate for the funding necessary to effectively carry out the full breadth of its mandate.</p> <p>The SCA encourages the Ombudsman to advocate for appropriate modifications to applicable administrative procedures to ensure that its independence and financial autonomy is guaranteed.</p>
<b>Principle 7</b>	<p>NHRIs should have the <b>authority to determine their staffing profile and recruit their own staff</b>, as well as <b>sufficient resources</b> available, in order to fulfil their mandate, so as to permit the employment and retention of staff and to ensure that they receive adequate training.</p>
<b>Assessment of implementation by the NHRI</b>	<p><i>Information provided by the NHRI in 2023.</i></p> <p>Article 57 of the Human Rights Ombudsman Act provides that the Ombudsman shall commence work after the required expert staff have been appointed and premises and other material conditions provided.</p> <p>The Ombudsman has the autonomy in recruiting staff.</p>



<p><b>Principle 8</b></p>	<p>Member States should ensure that NHRIs enjoy <b>adequate access to information and to policy makers and legislators</b>, including timely consultations on the human rights implications of draft legislation and policy strategies.</p>
<p><b>Assessment of implementation by the NHRI</b></p>	<p><i>ENNHRI, State of the Rule of Law in Europe in 2022, p. 5</i></p> <p>The Ombudsman has adequate access to information and to policy makers and is generally involved in all stages of legislation and policy making with human rights implications.</p> <p><i>ENNHRI, State of the Rule of Law in Europe in 2022, pp. 5-6</i></p> <p>According to Article 6 of the Act State authorities, local community authorities and holders of public authority (hereinafter: authorities) should provide all information within their competence, regardless of the level of confidentiality, to the Ombudsman at their request, and facilitate the implementation of an investigation.</p> <p>Further Article 34 of the same Act provides that all state authorities shall be obliged to provide suitable assistance to the Ombudsman in the implementation of any investigation and provide suitable help if so requested. However, despite such legal obligations, there are still delays by the authorities in responding to Ombudsman’s investigations and recommendations. Such attitude has been strongly criticized on several occasions by the Ombudsman when presenting his Annual reports in the Parliament.</p> <p>According to Article 46 of the Act, at the Ombudsman’s request, the President of the National Assembly, the Prime Minister or ministers may also be obliged to meet with the Ombudsman within 48 hours. However, the Ombudsman has used such a possibility only in exceptional circumstances.</p>

	<p>Article 59 of the Act further provides that the failure by the responsible official to submit the Ombudsman the materials requested pursuant to Articles 6 and 36 recalled above constitutes a minor offence which may be the object of a sanction. The Ombudsman itself may decide in such cases whether the conduct constitutes a minor offence and impose fines. However, in practice, the Ombudsman has never used these powers so far.</p>
<p><b>Principle 9</b></p>	<p>Member States should <b>implement the recommendations of NHRIs</b> and are encouraged:</p> <ul style="list-style-type: none"> <li>- to make it a legal obligation for all addressees of NHRI recommendations to provide a reasoned reply within an appropriate time frame,</li> <li>- to develop processes to facilitate effective follow-up of NHRI recommendations, in a timely fashion and</li> <li>- include information thereon in their relevant documents and reports.</li> </ul>
<p><b>Assessment of implementation by the NHRI</b></p>	<p><i>Information provided by the NHRI in 2023.</i></p> <p>The addressees of the Ombudsman’s proposals, opinions, criticisms or recommendations are legally obliged to provide a timely and reasoned reply under Article 7 of the Human Rights Ombudsman Act (hereinafter: the Act).</p> <p>The recalled legal obligations to respond to the recommendations and requests of the Ombudsman, even when respected, do not however necessarily ensure the actual implementation of the Ombudsman’s recommendations. The Ombudsman included in his Annual Report for 2022 83 new</p>

	<p>recommendations (in 2021 86 new recommendations and in 2020 128 new recommendations. However, the Ombudsman notes at present more than 100 relevant past recommendations that remain either fully or partly unfulfilled (which is nevertheless an improvement comparing to 2022, when Ombudsman notified around 150 unimplemented past recommendations). Since the Ombudsman's recommendations are not legally binding, the Ombudsman notes that a large number of recommendations still remain fully or partially non-implemented. It is worrying that some Ombudsman's recommendations have been simply rejected by the Government (or respective Ministries) due to disagreement. The Ombudsman is also particularly concerned that many of the rejected recommendations relate to the rights of people with disabilities and other vulnerable groups.</p> <p>In addition to the mentioned recommendations, the Ombudsman, acting in the capacity of National Prevention Mechanism (NPM) made 571 recommendations to various institutions in 2022 (in 2021 501 recommendations and in 2020 329 recommendations). The responses from the relevant institutions are generally good. However, the NPM expects a faster response to the given recommendations, as only half of them were implemented by the time the annual report was prepared.</p>
<p><b>Principle 10</b></p>	<p>When member States grant NHRIs <b>additional competences</b> to perform functions foreseen by international conventions in the field of human rights, such as the United Nations Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Convention on the Rights of Persons with Disabilities, the NHRI should <b>have access to sufficient resources to develop the capacity to effectively discharge its functions</b>, including having appropriately qualified and trained staff.</p>

<b>Assessment of implementation by the NHRI</b>	<p><i>Information provided by the NHRI in 2023.</i></p> <p>The Ombudsman has a NPM mandate under the United Nations Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Ombudsman has access to additional resources in this regard.</p>
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### III. Safe and Enabling Environment

<p><b>Principle 11</b></p>	<p>Member States should ensure that NHRIs can <b>operate independently</b>, in an environment which is conducive to them carrying out their mandate in an effective manner and in a climate of <b>impartiality, integrity, transparency and fairness</b>.</p>
<p><b>Assessment of implementation by the NHRI</b></p>	<p><i>ENNHRI, State of the Rule of Law in Europe in 2022, p. 5</i></p> <p>Some concerns have emerged in concrete cases or when dealing with particular topics. To address this issue, the heads of four independent institutions including, the Human Rights Ombudsman of the Republic of Slovenia, The Court of Auditors, Commission for the Prevention of Corruption and the Information Commissioner – issued a joint public statement in June 2021 in which they noted with great concern that their institutions had been subjected to political pressures, which were reflected in direct and often coordinated attacks through the media and social networks. Nonetheless, an issue arose on the occasion of the reappointment of the Deputy-Ombudsman, whose mandate expires on 29 March 2022: the Deputy-Ombudsman’s reappointment was in fact rejected on 26 October 2021 due to the obstruction of the opposition, despite having full support by most of the parliamentary parties. The Deputy-Ombudsman was eventually re-appointed in a second voting session in the National Assembly, on 16 December 2021.</p>
<p><b>Assessment of implementation by Sub-Committee on Accreditation (SCA) of GANHRI</b></p>	<p><i>See further information about the SCA’s recommendations on the Ombudsman’s financial autonomy, in the section under Principle 4.</i></p>

<p><b>Principle 12</b></p>	<p>Member States should <b>foster awareness</b> and the co-operation of all relevant public authorities in relation to the mandate, independence and role of NHRIs, including through training and awareness-raising activities.</p>
<p><b>Assessment of implementation by the NHRI</b></p>	<p><i>ENNHRI, State of the Rule of Law in Europe in 2022, p. 5</i></p> <p>In general, relevant state authorities have good awareness of the Ombudsman’s NHRI mandate, independence and role.</p>
<p><b>Principle 13</b></p>	<p>Member States should take all measures necessary <b>to protect and support NHRIs</b> against threats and harassment and any other forms of intimidation, including through ensuring <b>functional immunity</b>. Any cases of alleged reprisals or intimidation against NHRIs, their membership and staff, or against those who co-operate or seek to co-operate with them, should be promptly and thoroughly investigated and the perpetrators brought to justice.</p>
<p><b>Assessment of implementation by the NHRI</b></p>	<p><i>See also Principle 11, indicating instances of threats and harassment.</i></p> <p><i>ENNHRI, State of the Rule of Law in Europe in 2022, p. 7</i></p> <p>As regards measures to protect and support the NHRI, heads of institution and staff against threats and harassment and any other forms of intimidation, such measures are in general to be considered sufficient.</p>

<p><b>Principle 14</b></p>	<p>Member States should ensure that <b>confidential information collected</b> by NHRIs in the context of their mandate is <b>privileged and is not unduly made public</b>.</p>
<p><b>Assessment of implementation by the NHRI</b></p>	<p><i>Information provided by the NHRI in 2023.</i></p> <p>Article 8 of the Human Rights Ombudsman Act states that the proceedings carried out by the Ombudsman shall be confidential.</p> <p>Further, Article 6(a) provides that:</p> <p>(4) To observe the principle of confidentiality of proceedings referred to in paragraph one of Article 8 of this Act, the data shall be stored permanently by the Ombudsman. Data from closed cases shall be relocated to the archival section of the collection and stored permanently by the Ombudsman for to the reason provided in the preceding sentence.</p> <p>(5) The case files referred to in paragraph one of this Article and cases referred to in Chapter IIIa of this Act shall be stored permanently by the Ombudsman in compliance with the principle of confidentiality of the proceedings.</p>

## IV. Co-operation and Support

<p><b>Principle 15</b></p>	<p>Member States should <b>take effective measures to enable NHRIs to communicate and co-operate</b> with, in addition to the various levels of administration in the member States, in particular:</p> <p>a. counterpart institutions, where appropriate through networking and exchange of information and practices, as well as through regular meetings such as those taking place within the framework of ENNHRI and GANHRI;</p> <p>b. civil society stakeholders, in particular non-governmental organisations and human rights defenders, who should enjoy easy and safe access to NHRIs as part of an enabling environment;</p> <p>c. other human rights structures, including regional, local and/or specialised institutions, notably Ombudsman institutions and equality bodies and their respective networks, where appropriate through jointly organised activities;</p> <p>d. international and regional organisations working in related or similar fields.</p>
<p><b>Assessment of implementation by the NHRI</b></p>	<p><i>Information provided by the NHRI in 2023.</i></p> <p>The Ombudsman cooperates with various stakeholders:</p> <ul style="list-style-type: none"> <li>- with ENNHRI and GANHRI and various NHRIs,</li> <li>- with IOI, AOM , European Ombudsman, ENO and various national Ombuds Institutions,</li> <li>- with other NPMs and regional, sub-regional and international NPMs networks, including with APT,</li> </ul>



	<ul style="list-style-type: none"> <li>- with civil society organizations at the national and local level as well as at the regional and international level,</li> <li>- with various authorities, including through external-membership in several inter-governmental working groups,</li> <li>- with UN human rights system (treaty-bodies and Charter bodies, i.e. Human Rights Council),</li> <li>- with the council of Europe (ECRI, GRETA, GREVIO, the Human Rights Commissioner, on implementation of ECtHR judgments, with ECtHR – third party intervention etc.),</li> <li>- with OSCE/ODIHR,</li> <li>- with the European union (the Commission, European Economic and Social Council, FRA).</li> </ul> <p>The Ombudsman also organizes joint activities with academia and/or civil society.</p>
<p><b>Assessment of implementation by CoE independent bodies</b></p>	<p><i>ECRI Country Report on Slovenia 2019, p. 14 (Para.22)</i></p> <p>Without affecting their distinct mandates and powers, strict co-ordination should be ensured between the Advocate and the Human Rights Ombudsman to address overlaps, enable joint actions and optimize the effective use of resources. In particular, they should develop a common interpretation of the anti-discrimination legislation and make co-ordinated use of their competences and powers in this area.</p>