Slovenia 2025

Information from: The Human Rights Ombudsman of the Republic of Slovenia

Independence, effectiveness, resilience and establishment of NHRIs

International accreditation status and SCA recommendations

The Human Rights Ombudsman of the Republic of Slovenia was re-accredited with A-status in December 2020. Among the recommendations, the SCA encouraged the Slovenian NHRI to advocate for the formalization and application of a selection and appointment process that includes requirements to broadly advertise vacancies, maximise the number of potential candidates from a wide range of societal group and educational qualifications, promote broad consultation and participation, and assess applicants based on pre-determined, objective and publicly available criteria.

The SCA encouraged the Slovenian NHRI to advocate for the funding necessary to effectively carry out the full breadth of its mandate. The SCA also encouraged the NHRI to advocate for appropriate modifications to applicable administrative procedures to ensure that its independence and financial autonomy is guaranteed.

Finally, while the SCA acknowledged that the Slovenian NHRI interprets its mandate broadly and carries out activities encouraging the state to ratify or accede to international human rights instruments, it encouraged the Ombudsman to advocate for legislative amendments to make this mandate explicit.

The GANHRI re-reaccreditation procedure within SCA is expected to take place in 47th Session (20 April – 1 May 2026).

Follow-up to international and European actors' recommendations on NHRIs and relevant developments

The recommendations of the SCA of the Global Alliance of National Human Rights Institutions (GANHRI) for Slovenia from December 2020 refer to the procedure for selecting and appointing the Ombudsman and deputies, the financial autonomy of the institution, and competence to encourage ratification

or accession to human rights treaties.

Regarding the SCA recommendation on financial independence of the Slovenian NHRI, the recommendation on ensuring requisite safeguards for budgetary autonomy of the independent bodies was formally implemented through the adoption of the Amendments to Public Finance Act in late June 2023 (Official Gazette of the Republic of Slovenia, No. 67/2023), also based on the Constitutional Court Decision (decision No. U-I-474/18 of 10 December 2020, Official Gazette of the Republic of Slovenia, no. 195/2020) and has been respected in the process of the adoption of the budget of the Ombudsman for 2025.

No other legislative changes in response to the SCA recommendations have been adopted to date; however, the Ministry of Justice has initiated procedures to prepare the necessary legislative amendments.

The need for a transparent and merit-based proceedings for the selection and appointment of a new Ombudsperson

While all international and European standards provide the need for a transparency of merit-based proceedings for selecting a new Ombudsperson, who is also the head of the NHRI, the Ombudsman provides herein some comments on the selection procedure. The selection procedure started within the prescribed public call by the President of the Republic in accordance with the Human Rights Ombudsman Act in August 2024. However, after the deadline for the public call, which expired on 14 October 2025, the process proved to be neither transparent nor prompt. The President never disclosed the full list of candidates. According to the news, 14 candidates applied. The President also appointed an expert commission to assess the candidates, which had no legislative basis and its role was therefore not clear. There has been no public awareness about such an internal commission and its assessment nor the exact evaluation criteria were made public and to the knowledge of the Ombudsman, also not to the members of the Parliament during informal consultations. The President did appear to take a more active role in January 2025, when she initiated the first round of a dialogue with representatives of the Parliamentary groups. She proposed four possible candidates from those who applied within the deadline, however, these negotiations showed that none of them would be able to secure the required two-thirds absolute majority in Parliament. The President maintained that her selection of the four possible candidates was based purely on merit, including candidates' expertise, past experience, commitment to human rights, and energy. It remains unclear, however, why the rest of the candidates that applied, has not met sufficiently the criteria, two former Ombudspersons included, to be consulted with the Parliamentary groups. The President eventually made an informal proposal to the Parliamentary Groups on her own initiative to elect one of the current Deputy Ombudsmen. However, even with this proposal, the required two-thirds

absolute majority in Parliament was not secured.

These events confirm that the current legislation gives huge discretionary powers to the President of the Republic to propose a candidate for an Ombudsman to the Parliament, without any specific procedural guarantees or merit-based selection proceedings. The selection of the new Ombudsman is still ongoing in May 2025. So far no candidate has actually been formally proposed to the Parliament for its consideration, while the mandate of the former Ombudsman expired on 24 February 2025.

Regulatory framework

The national regulatory framework applicable to the NHRI changed since January 2024. In March 2025, the Ministry of Justice circulated a (new) draft proposal, in the form of a working document, for Amendments to the Human Rights Ombudsman Act, based on June 2023 draft, which was subject to public consultations by August 2023. The Ombudsman provided feedback on both draft versions via letters formally submitted to the Ministry of Justice. While the Ombudsman had been in a dialogue with the Ministry of Justice aiming to amend the Human Rights Ombudsman Act in line with the UN Paris Principles and SCA's recommendations as well as the Venice Principles on the protection and promotion of the Ombudsman Institution adopted by the Council of Europe (the Venice Principles), it also expressed its view, in its letter of 25 March 2025, that it would not be legitimate that the proceedings continue in times, when the selection procedure of a new Ombudsman is ongoing and the institution has no head, but one of the deputies temporary leads the institution as an acting head of the institution. The Ombudsman, nonetheless, expects that its proposals and recommendations will be taken into account in a final proposal of amendments by the Government to the Parliament.

Change in the appointment of the Ombudsman and the deputies

The proposed amendments have addressed some aspects of the appointment of the Ombudsman and the deputies, including specific procedure for the appointment of a newly proposed Ombudsman for Children. It is envisaged that the Ombudsman for Children would operate within the Ombudsman institution, while holding a separate mandate. The Slovenian Ombudsman is already a multi-mandate institution, currently holding the mandates of a general Ombudsman, a National Human Rights Institution (NHRI), a National Preventive Mechanism (NPM), and, to some extent, that of an Ombudsman for Children. Among the envisaged changes are also modifications to the term of office of the Ombudsman and the deputies - from six to eight years. Furthermore, the Ombudsman's function would be limited from the current maximum of two terms to just one, and the election would be carried out by secret ballot. These are provisions that would significantly alter the existing rules concerning the election and position, especially of the head of the institution. Such changes,

while the procedure for the election of a new Ombudsman is still pending, should in view of the Ombudsman not be adopted before the election of a new Ombudsman in the Parliament.

These kinds of changes are particularly unwelcome in a situation where all the legally prescribed deadlines have already been exceeded (despite the former Ombudsman's mandate expiring on 24 February 2025) and the transparency of the procedure so far has been diminished to an unprecedented extent. There is no reason why a similar logic should not apply here as that emphasized, for instance, by the Venice Commission in its Code of Good Practice in Electoral Matters—that while changing electoral systems is not in itself objectionable, it becomes problematic if such changes are made (too) frequently or less than one year before the elections – and even if no specific manipulative intent lies behind such changes, they tend to be perceived as driven solely by immediate political interests.

It should also be recalled that already a year ago - when the legal deadlines had not yet been exceeded - the Ombudsman warned that "amending the law at such a late stage would in any case give the impression that the law was being partially adapted in anticipation of the election of a new head of the institution." For these reasons alone, the Ombudsman proposes that—regardless of the existing explanation provided under Article 5 of the proposed amendment, which states that "the conditions for appointment must be based on the provisions in force at the time of election, meaning that the limitation to one term will in future prevent re-election of anyone who has already served as Ombudsman"—an explicit provision should be included among the proposed transitional and final provisions, clarifying that the limitation on re-election under the amended Article 12 shall apply only to those elected under this new arrangement.

Change the nature of vote in the election of the Ombudsman

Of particular concern is the proposed change from a public to a secret vote in the election of the Ombudsman. The proposal refers in its rationale to the fact that this would be "the same as for Constitutional Court judges (Article 10 of the Constitutional Court Act) or members of the Court of Audit (fourth paragraph of Article 8 of the Court of Audit Act)." In this context, the Ombudsman has already emphasized "that there are also solutions regarding the appointment process of the Ombudsman and deputy Ombudsmen which would not represent a step backward for the institution and would not contradict the Venice Principles or the very nature of a parliamentary Ombudsman. In this regard, the Ombudsman institution holds a distinct position compared to other (oversight) institutions essential to the system of checks and balances, such as the Constitutional Court or the Court of Audit." Similarly, the Council of Europe Commissioner for Human Rights has also highlighted the unique role of national human rights institutions. Finally, the

proposal does not consistently equate the Ombudsman with these two sui generis constitutional categories in all aspects – for example, not in relation to the term of office, which is shorter for the Ombudsman, despite the fact that his/her election requires a significantly higher majority in the Parliament.

It is a fact that at the supranational level, all valid standards, documents, and positions of various authorities on Ombudsman institutions or national human rights institutions stress the necessity of transparency in the process of selecting the new head of the institution. Changing the nature of the vote from public to secret by the nature of things itself inevitably diminishes transparency and can in no way be deemed to be increasing it.

Failure to address the recommendation on the competence to encourage ratification or accession to human rights treaties

It is worrying that the proposal has failed to address the SCA recommendation on the lack of specific legal grounds on the competence to encourage ratification or accession to human rights treaties. The Ombudsman supports this recommendation and proposed in its contribution during public consultations to adequately implement such recommendation. In practice, the Ombudsman regularly (more or less successfully) calls for ratification or accession to human rights treaties, i.e. for many years the Ombudsman has pleaded for ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (OPICESCR), which Slovenia has not yet ratified and the responsibly Ministries make several unsubstantiated arguments and excuses – while Slovenia ratified all other individual complaint mechanisms under other human rights treaties.

Draft amendments extending the competencies of the NHRI to include public service providers

The Ombudsman welcomes the proposal in a draft amendment to the Human Rights Ombudsman Act on the extension of its competencies to include public service providers. However, the Ombudsman reiterates its proposal that, following the example of provisions in certain other laws (such as the Access to Public Information Act – ZDIJZ, the Protection of Documents and Archives and Archival Institutions Act – ZDZ, etc.), the Ombudsman's jurisdiction should be clearly defined to include, at a minimum, concessionaires. Consideration should also be given to extending jurisdiction to public funds, agencies, and similar bodies.

The Ombudsman made several recommendations that its regulatory framework be extended in a manner that it would include also an independent monitoring under the CRPD Article 33/2, on anti-trafficking and to hold the full mandate as Ombudsman for Children. It is open to discussing some further responsibilities under the EU legal framework, taking into account that additional resources are provided.

NHRI enabling and safe space

Awareness of the NHRI's mandate

The Slovenian Ombudsman states that the awareness of state authorities of the NHRI's mandate, independence and role could still be improved. At the end of his term in February 2025, Ombudsman Peter Svetina also highlighted the importance of strengthening the mandate and powers of independent institutions – an issue he had frequently raised in direct interactions with decision-makers. The Ombudsman has observed and raised concerns about inappropriate attitudes towards the functioning and decision-making of the Commission for the Prevention of Corruption (KPK) and the courts in specific cases. The Ombudsman also stresses the importance of respect for other independent institutions, including the NHRI, by public authorities and political actors.

Access to information and policy makers

In general, the Ombudsman has access to information and to policy makers and is involved in all stages of legislation and policy-making with human rights implications. However, it notices a rather regular lack of information or inclusion in the consultation processes in the early stages of legislation and policy-making, where there has been several occasion in which the Ombudsman has not been consulted even regarding its own mandate proposed in draft laws (i.e. in a new proposal of the Public Media Act). The Ombudsman recommends to the authorities to include in all stages of the legislative and policy-making also the groups and institutions, which the drafts directly concern and to include a human rights impact assessment in each legislative proposal.

Access to resources to carry out the full breath of the mandate

The Ombudsman budget for 2025 is 4.414.512 EUR, which is considered to be mostly sufficient for conducting its current work. The staffing quota in the overall personnel plan was increased in 2023, however, there is a need for further personnel to implement all additional mandates. In the budget for 2025 and 2026, financial and material resources have been secured for the current number of staff. In light of this, it is difficult to provide an estimate of additional funding for the national budget, as the number of staff required to address the additional tasks has not yet been defined.

For proposed new mandates, the Ombudsman points out that, in order to meet these commitments, the institution itself must also assess, anticipate, define, and ensure the provision of the necessary material resources. In particular, regarding whether new staff will be required to carry out the procedures and activities, whether the personnel are adequately trained, whether additional

training will be needed, and whether financial and material resources will be required. Considering that the draft law provides for a significant number of additional responsibilities, further staffing—as well as financial and material resources—will undoubtedly be necessary. Additionally, it would be necessary to procure work equipment for the new staff, potentially rent and furnish new premises, and provide resources for organizing awareness-raising events and campaigns, designing and printing publications (leaflets with information about the rights of persons with disabilities and the mechanism's mandate), publishing at least three thematic reports per year, and a brief annual report on the mechanism’s activities. Resources would also be needed to ensure accessible information formats (e.g. sign language, Braille, easy-to-read, and other adapted formats), to cover travel costs for trainings and visits to institutions, and international travel costs related to participation in international organizations and networks.

In any case, the Ombudsman also draws attention to Recommendation CM/Rec(2019)6 of the Committee of Ministers to Member States on the development of the ombudsman institution (Council of Europe, 16 October 2019), which states: "Member States should consider giving ombudsman institutions a mandate to carry out tasks provided for in relevant international human rights conventions, such as acting as the National Preventive Mechanism under the Optional Protocol to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and/or as independent mechanisms under the United Nations Convention on the Rights of Persons with Disabilities, or strengthening such mandates where appropriate. Where the ombudsman institution holds such mandates, it should have access to sufficient resources to develop the capacities necessary to effectively fulfil its functions. This should include appropriately qualified, trained and educated staff." For example, with regard to the proposed protection of persons with disabilities, the Ombudsman estimates that salaries and other related expenses would be required for at least six staff members (in addition to the head – i.e. the Deputy Ombudsman).

Responses to NHRI recommendations

There have been no legislation, state measures or practices put in place since 2022 to ensure timely and reasoned responses to NHRI recommendations. There is an unofficial procedure in place that the Government submits its written responsive report to the regular Annual Report of the Ombudsman, which is discussed in the Parliament. However, the Ombudsman is concerned regarding the slow implementation of its recommendations, especially when they concern more than one Ministry and regarding needed structural changes (regarding health system, deinstitutionalization etc.).

In 2024, the Ombudsman handled 6,288 cases (compared to 6,225 in 2023;

5,949 in 2022; almost 6,900 in both 2020 and 2021; and approximately 4,600 in 2019 and earlier). A total of 3,137 initiatives were addressed (2,224 in 2023). In 167 initiatives, the Ombudsman found that allegations of human rights violations, fundamental freedoms, or other irregularities were well-founded. A total of 174 violations of human rights and fundamental freedoms (as defined in the Constitution of the Republic of Slovenia) or other irregularities were identified. These include violations of the principles of fairness and good governance, unjustified delays in proceedings, and clear abuses of authority under the Human Rights Ombudsman Act (ZVarCP). In addition to these 174 violations, there were 158 cases in the area of child advocacy which—although not classified as formal violations—were treated as well-founded initiatives. Thus, the total number of well-founded initiatives recorded in 2024 amounts to 325. The higher number of identified violations compared to well-founded initiatives is the result of multiple violations being established within individual initiatives. The majority of violations were found in the following areas: 57 violations of the principle of good governance (Article 3 of the ZVarCP), 12 cases of unjustified delay in proceedings (Article 24 ZVarCP), 12 violations of the right to equal protection of rights (Article 22 of the Constitution), 10 violations of the right to equality before the law (Article 14), 9 violations of the right to social security (Article 50), 9 violations of the right to healthcare (Article 51), 8 violations of the principle that Slovenia is a legal and social state (Article 2), 6 violations of the rights of persons with disabilities (Article 52), and 6 violations of the rights of the child (Article 56). Violations of human rights, fundamental freedoms, or other irregularities were identified across a range of public authorities. The highest number of violations was found at the Ministry of Labour, Family, Social Affairs and Equal Opportunities (19 cases), followed by various other public bodies (15 cases), the Ministry of Health (13), municipal authorities (11), the courts (11), prison institutions (10), police stations (9), the Pension and Disability Insurance Institute (7), administrative units (6), and an equal number of cases (6 each) at the Ministry of the Interior and the Ministry of Education. The justification and explanation of these statistical data are provided in the thematic sections of the Ombudsman’s 2024 Annual Report, with relevant analysis included in each respective chapter.

Functional immunity of the leadership and staff of the NHRI

The leadership and staff of the NHRI enjoy functional immunity and there are sufficient measures necessary to protect and support the NHRI, heads of institution and staff against threats and harassment and any other forms of intimidation (including SLAPP actions) in place.

Threats faced by the NHRI

There have been several public expectations expressed by various actors regarding the work and operation of the Ombudsman. One such example includes political and other forms of pressure concerning when, how, and to

which publicly prominent events the Ombudsman is expected to respond. For this reason, four state independent institutions (the Ombudsman, the Court of Audit, the Anti-Corruption Commission and the Advocate of the Principle of Equality) met several times to discuss threats to their independence and other relevant issues of common concern.

NHRI's recommendations to national authorities

The Ombudsman's key recommendations to national authorities on how to strengthen the independence and effectiveness of the NHRI include two recommendations, already made in its 2022 baseline report on the NHRI:

- Broad and transparent selection and appointment of the leadership of the NHRI (CM Recommendation 4): 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, including for a selection of an Ombudsman for Children, with specific competences.
- Adequate follow-up of the NHRI's recommendations (CM Recommendation 9): 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.

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Human rights defenders and civil society space

Laws and measures negatively impacting civil society and Human Rights Defenders

In recent years, Slovenia has seen an increase in civic engagement and

advocacy, particularly on issues related to reproductive rights, migrants, media freedom, anti-corruption, and social justice. However, despite these democratic developments, the country still lacks a dedicated and comprehensive legal framework to ensure the recognition and protection of **human rights defenders (HRDs)**. This shortfall is particularly notable in light of the growing number of cases involving **strategic lawsuits against public participation (SLAPPs)** and **political or legal pressures** against individuals and organizations engaging in human rights-related work.

Practices negatively impacting civil society and human rights defenders

The Ombudsman’s human rights monitoring and reporting found evidence of practices that could negatively impact on civil society space and/or reduce human rights defenders’ activities, mainly in the form of verbal or physical attacks on civil society organisations and/or human rights defenders, their work and environment, negative attitudes/campaigns towards/perceptions of civil society and/or human rights defenders by public authorities and the general public, online and/or offline threats or harassment, intimidation, harassment or violence before, during or after protests, as well as strategic lawsuits against public participation – SLAPPs.

Based on the information from the past three years in Slovenia, the institution's human rights monitoring has identified the following practices that could negatively impact civil society space and reduce human rights defenders' activities.

Verbal attacks by political figures against CSOs

Instances have been reported where civil society organizations faced verbal attacks. For example, in 2024, civil society groups in Slovenia criticized statements made by political figures following meetings with foreign leaders, perceiving them as undermining the role of civil society.

Negative attitudes towards CSOs

There have been cases where public authorities, politicians or affiliated groups have exhibited negative attitudes towards civil society organizations. In recent years, Slovenia has witnessed pressures on civil society organizations, particularly those engaged in human rights, environmental protection, migration, and media freedom. These pressures have manifested through public delegitimization, financial restrictions, administrative obstacles, and political attacks on civil society actors who act as critical voices in democratic discourse.

SLAPPs against journalists and media outlets

Journalists and media outlets have been subjected to SLAPP (Strategic Lawsuits Against Public Participation) lawsuits, which are considered forms of harassment aimed at silencing critical reporting. In 2024, the Slovenian Journalists' Association condemned such lawsuits against media organizations, highlighting the chilling effect on freedom of expression. SLAPP lawsuits have been used mainly against media outlets and journalists, aiming to suppress investigative journalism and critical reporting. These legal actions pose a significant threat to the freedom of the press and, by extension, civil society.

Rising concerns of environmental CSOs about drinking water safety and alleged irregularities during the implementation of the project on construction of the sewage canal in Ljubljana

The construction of the C0 sewage canal in Ljubljana has sparked significant reactions from civil society, particularly due to concerns about drinking water safety and alleged irregularities in the project’s implementation. The project envisions the construction of 88.3 kilometres of sewage pipeline, aiming to connect around 17,500 residents to the public sewage system and eliminate approximately 4,500 septic tanks, thus increasing overall sewage coverage in the area to 98 percent.

Opponents of the project, including landowners and environmental organizations, have raised several concerns. One of the main issues is the canal’s route, which crosses a water protection area that supplies drinking water to approximately 90 percent of Ljubljana. Critics argue that in the event of an accident or earthquake, there could be a serious risk of contamination of the aquifer. In addition, they point to alleged legal and administrative irregularities, including questions over whether proper environmental permits were obtained for construction on such a sensitive area.

In recent years, several protests and civic actions have taken place. Landowners in the Ježica area protested against new construction markings along the canal route, which led to police intervention and the detention of one protester. Farmers have also staged a protest involving around 50 tractors, arguing that the construction threatens drinking water and is proceeding without adequate legal authorizations. Environmental NGOs, including the 8th of March Institute, have called on the City of Ljubljana to halt construction until environmental impact assessments are completed. They also urged the national government to amend the Environmental Protection Act to require mandatory assessments for infrastructure projects located in water protection zones. Health professionals also joined in the public debate. Approximately thirty doctors from the University Medical Centre Ljubljana signed an open letter opposing the canal’s route through the protected water area, citing potential health risks to the population if water sources were contaminated. Despite public opposition and widespread media coverage, the City of Ljubljana has continued with the construction. Mayor of the City of Ljubljana has insisted

that the project complies with legal requirements and claims that concerns about drinking water safety are unfounded. However, the Court of Justice of the European Union recently ruled of 30 November 2023 (C-300/21) that the city's wastewater management system does not comply with EU law, which adds complexity to the broader context of the C0 canal debate. In conclusion, the C0 canal project remains a highly controversial issue in the capital city of Ljubljana, with civil society strongly emphasizing the need to protect drinking water resources and ensure legal and transparent processes in the implementation of major infrastructure projects.

The need for adequate resources and capacities to monitor and address issues related to CSOs

The Ombudsman has emphasized the need for adequate resources and capacities for the NHRI to monitor and address issues related to civil society space. At the Bled international conference on the Effectiveness of Ombudsman Institutions and NHRIs in tackling contemporary challenges in December 2024, organised by the Ombudsman, concerns were raised about the lack of capacity in smaller countries to effectively monitor and respond to challenges faced by civil society.

The monitoring indicates that certain practices, such as SLAPP lawsuits and negative campaigns, have been employed in Slovenia during the past three years, posing challenges to civil society and human rights defenders. Continuous vigilance and proactive measures are essential to safeguard the space and activities of civil society organizations and defenders.

Women human rights defenders and female journalists facing unique challenges and threats

While specific gendered aspects were not prominently highlighted, it is recognized that women human rights defenders and female journalists may face unique challenges and threats, including gender-based harassment and discrimination. Ensuring their protection requires a gender-sensitive approach in monitoring and addressing issues affecting civil society space.

In Slovenia, two significant recent events have been linked to the issue of abortion: the March for Life and the "My Voice, My Choice" campaign organized by the 8th of March Institute. Both events took place without any reports of strategic lawsuits against public participation (SLAPPs) or attempts by local or national authorities to interfere with the freedom of assembly, association.

The March for Life is a civil initiative that aims to raise awareness about the value of human life from conception to natural death. In 2024, marches were held in Koper, Maribor, and Ljubljana. The Parliamentary political party unsuccessfully submitted requests to the municipal councils in Koper, Maribor, and Ljubljana, urging them to ban the "March for Life" rallies. President of the

Republic emphasized that freedom of speech is a universal right, even when we disagree with the views being expressed. At the same time, she underlined that the right to abortion is a constitutional right, which she will always support. In connection with the "March for Life", an incident occurred in October 2023 involving a member of the Youth Advisory Board to the President of the Republic. Together with others, she protestingly removed the flags that the event organizers had placed on Kongresni trg (Congress Square). As a result of this incident, the President terminated cooperation with her, stating that she condemned the inappropriate way of communicating with those who hold different opinions.

The "My Voice, My Choice" campaign was launched in 2024 by the 8th of March Institute as a European Citizens' Initiative aimed at securing safe and accessible abortion across Europe. The campaign succeeded in collecting over 1.2 million signatures in March 2025. There were no reports of state interference, limitations, or legal pressures on the organizers or participants that would indicate suppression of freedom of expression or association. The 8th of March Institute has, however, been subjected to numerous insults and attacks by various politicians in recent years. One of the most notable cases involved former Minister of the Interior Aleš Hojs, who claimed on Twitter that the institute had "gone down in history as the NGO responsible for the water shortages in the Primorska and Karst regions" due to allegedly misleading the public. In response, the 8th of March Institute filed a lawsuit against Hojs, stating that his claims were false and defamatory, and seeking EUR 3,000 in damages for harm to their reputation. In addition to this, the Institute has frequently been the target of malicious online comments and threats, sometimes fuelled by inflammatory statements from political figures. Two years ago, the Institute's director, Nika Kovač, was even the victim of a physical attack, and their campaign stand was vandalized during a public outreach event. Moreover, the 8th of March Institute has initiated legal actions against some politicians. For example, they took legal steps against two SDS party MPs, who had publicly accused the Institute of involvement in sending threatening letters to coalition politicians. The Institute demanded that such statements be legally prohibited in the future, arguing that they were baseless and harmful, and also sought to establish liability for reputational damage. Despite these pressures and attacks, the 8th of March Institute continues its work in the field of human rights and social equality.

The 8th of March Institute and its director, Nika Kovač, have been subjected to multiple threats and attacks in recent years. Nika Kovač received several threatening messages, including explicit death threats containing graphic descriptions of violence. She was also physically assaulted in the centre of Ljubljana, where an unknown man pushed her and threatened her dog. A member of one of the parliamentary political parties was convicted for threatening activists from the 8th of March Institute after posting on social media that he would be "waiting, ready with a double-barrelled shotgun."

These threats and attacks highlight the serious pressures faced by civil society organizations in Slovenia.

The Ombudsman consistently emphasizes that freedom of peaceful assembly and association, along with freedom of expression, are core pillars of a democratic society. These fundamental rights are guaranteed by Article 42 of the Slovenian Constitution and Article 11 of the European Convention on Human Rights. The Ombudsman has stressed that the state must ensure conditions for the exercise of these rights and foster an environment in which individuals can freely express their views and unite around shared goals. The state must not only refrain from interfering with these freedoms but actively ensure that they can be effectively exercised in practice.

Lack of legislation protecting human rights defenders

Slovenia has not adopted any legislation that specifically acknowledges the role of human rights defenders or provides safeguards tailored to their work. While general constitutional rights (e.g., freedom of expression, association, and assembly) are guaranteed under the Constitution, there is no legal provision that formally defines who qualifies as a human rights defender, in line with the UN Declaration on Human Rights Defenders (1998); the rights and protections to which defenders are entitled in the context of their advocacy work; obligations of state authorities to prevent reprisals and ensure an enabling environment; and preventive and remedial mechanisms in cases of threats, harassment, or violence. As a result, human rights defenders often find themselves vulnerable to arbitrary administrative procedures, online abuse, smear campaigns, and legal intimidation without access to structured protection.

Lack of legal framework to combat SLAPPs

Although SLAPPs have been identified in public discourse and even litigated in specific cases involving civil society and media organizations (such as the 8th of March Institute or the portal N1), Slovenia still does not have a legal framework specifically designed to combat SLAPPs. The existing civil and criminal procedures do not differentiate between abusive lawsuits aimed at silencing public participation and legitimate legal claims. Consequently, courts lack clear procedural tools to dismiss SLAPPs at an early stage; victims must often bear the burden of long, expensive, and emotionally exhausting proceedings; there is no institutionalized support mechanism (e.g., legal aid, financial relief) for individuals or NGOs targeted by such lawsuits; there are no penalties or sanctions for actors who intentionally misuse the legal system to intimidate or silence critics. The lack of such tools undermines freedom of expression and has a chilling effect on public participation and watchdog functions in Slovenian democracy.

Lack of effective response mechanisms to harassment faced by CSOs

and human rights defenders

Public officials, including members of parliament or local government representatives, have in several instances made disparaging or accusatory remarks about NGOs, branding them as foreign agents or political operatives.

The Ombudsman also notes that there is also no rapid response mechanism, nor institutional recognition of the particular vulnerabilities they face. In practice, law enforcement and prosecutors may lack the sensitivity or training to recognize harassment as retaliation against human rights work; there is no coordinated response from state institutions; victims of online abuse, doxxing, or smear campaigns often report being left to fend for themselves. While the Ombudsman frequently issues public statements, conducts cases/initiatives, and publishes annual reports highlighting threats to fundamental freedoms, it is not formally equipped to provide legal protection to defenders; initiate enforcement procedures to stop harassment or retaliatory actions; and act as a national protection mechanism for civil society and human rights defenders, as encouraged under UN guidelines.

Activities of NHRIs to support civil society space and Human Rights Defenders

In 2024, the Ombudsman undertook several initiatives to promote and protect civil society space and human rights defenders, primarily through awareness-raising campaigns and the organization of joint meetings and roundtables. For example, the Ombudsman hosted a roundtable on deinstitutionalisation, held consultations on the situation of the elderly, and organised discussions on the implementation of the Corporate Sustainability Due Diligence Directive (CSDDD), all in cooperation with civil society organizations. The Ombudsman also holds regular thematic annual meetings with representatives of trade unions and various non-governmental organizations, focusing on addressing pressing issues as well as the status and situation of these stakeholders.

NHRI’s recommendations to national authorities

The Ombudsman's key recommendations to national authorities on the protection of human rights defenders and civil society space include the following:

- The Government should ensure transparent, merit-based procedures for the allocation of funds to non-governmental organizations and must respect the outcomes of such procedures.
- The authorities should adopt, in a transparent manner, a legal framework specifically aimed at combating SLAPPs, in line with EU law—particularly by transposing the EU Anti-SLAPP Directive within the

prescribed deadline.

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Functioning of justice systems

Based on the human rights monitoring and reporting, the Ombudsman identified significant challenges affecting access to justice and/or effective judicial protection in areas such as, independence and impartiality of judiciary, delays in court proceedings, access to legal aid, as well as respect for fair trial standards.

The issue of unresolved cases at the Administrative Court of the Republic of Slovenia

The Ombudsman is concerned regarding the issue of unresolved cases at the Administrative Court of the Republic of Slovenia. The information regarding the expected timeframe in which a case, addressed by the Ombudsman, is anticipated to be scheduled for resolution may, in the Ombudsman's opinion, be a cause for concern. It could primarily reflect the long-standing and unresolved issue of case backlogs at the Administrative Court, which has persisted for years despite various measures introduced by the judicial administration to reduce the number of pending cases - measures that, so far, have not yielded adequate results.

The Ombudsman recommends that all stakeholders responsible for addressing the issue of court backlogs at the Administrative Court adopt organizational, staffing, and legislative measures that can contribute to an improvement of the current situation and, ultimately, to the elimination of case backlogs at the Administrative Court. The Ombudsman would like to reiterate also its standing recommendation to the courts that, in every case they handle, they should strive to conduct proceedings without undue delays or unjustified interruptions, and, in particular, within the time limits already prescribed by law.

The Ombudsman recalls that, for more than 15 years, the envisaged Juvenile Justice Act has still not been proposed and adopted, even though this was already foreseen for in the then new Criminal Code in 2008.

The Judgment of the European Courts of Human Rights in the case of X and Others v. Slovenia and its impact on fair trial standards

On 19 November 2024, the European Court of Human Rights found several violations in a publicly very exposed case of X and Others v Slovenia (Applications nos. 27746/22 and 28291/22). The Ombudsman submitted its third-party intervention in this case regarding fair trial standards (Article 6 of the European Convention of Human Rights). The Ombudsman submitted that there were no legal grounds for (re)assigning cases pending before the court according to the lowest number of pending cases already assigned to each judge. The rules for allocating cases were clearly defined in respect of both instances where judges were absent for lengthy periods and where individual judges were suffering from an overload of work. In both cases, a criterion for allocation was the daily sequence of the filing of initial procedural motion with regard to the alphabetical order of the first letters of judges' surnames. In the Ombudsman's view, when a departing judge was assigned to the Supreme Court for a period of three years and was at the time in question completely exempt from performing the function of a district court judge, his or her pending cases had to be reallocated to another judge, in accordance with section 158 of the Judicial Order. In his view, the pre-defined rules excluded anyone exercising their discretion to appoint a particular judge to hear a specific case.

The European Court for Human Rights followed the Ombudsman's observations and found several violations of Article 6 and 8 of the Convention. On Article 6, the Court considered that the decree issued by the President of the Ljubljana District Court on the basis of which the applicants' case was assigned to Judge P. was in flagrant violation of national legislation and the Judicial Order. This may have legitimately undermined the first applicant's confidence in the case assignment process and it impaired the very essence of the right to a "tribunal established by law". The Court observes in this connection that, although the first applicant had the opportunity to challenge in her appeal and constitutional complaint the refusal of her request for the recusal of Judge P. the review conducted by the domestic courts – including the Constitutional Court – did not adhere to Convention standards. As previously noted, the domestic courts failed to duly consider the fact that the applicants' case had been assigned to Judge P. in clear violation of criteria established under domestic law and – at the constitutional level – set out in Article 23 of the Constitution. Consequently, Judge P. remained in charge of the applicants' case for over four years, and her replacement in 2023 was due not to her being recused but because her mandate was nearing its end.

The Court also noted that, in the present case, the complaints relating to the requirements of the "tribunal established by law" and "independence and impartiality" stem from the same underlying problem – that is, the irregularities in the assignment of the applicants' case to Judge P. As the Court has found above, the irregularities in question were of such gravity that they undermined the very essence of the right to be tried by a tribunal established in accordance with the law.

The Ombudsman believes that the enforcement of the mentioned ECtHR judgments is specifically important also to uphold rule of law and fair trial standards by judiciary, therefore it expects that the Judicial Order is amended respectfully in order to meet Conventional standards, and that the proper implementation of the case would contribute to the protection of children rights in family law proceedings. Consequently the implementation if this case need special attention.

NHRI's recommendations to national authorities

The Ombudsman's key recommendations to national authorities regarding the independence of the judiciary are the following:

- The legislator should only with due consideration and solely in justified cases where no alternative legislative solution is feasible adopt legal solutions that expand the jurisdiction of the Administrative Court (and consequently the Supreme Court).
- All stakeholders responsible for addressing the issue of case backlogs at the Administrative Court should adopt appropriate organisational, staffing, and legislative measures that could contribute to improving the situation and, ultimately, to eliminating the court's backlog.
- The enforcement of the judgment of the European Court of Human Rights in the case of X and Others v. Slovenia should be carried out transparently and effectively, including through the adoption of general measures such as regulatory amendments, where necessary.

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Information from: The Human Rights Ombudsman of the Republic of Slovenia

Media freedom, pluralism and safety of journalists

Based on the human rights monitoring and reporting, the Ombudsman identified significant challenges affecting media freedom.

Regulation of hate speech and the draft Media Act

Despite the Ombudsman was not invited to submit comments on the draft Media Act (ZMed-1) during the public consultation process, the Ombudsman proactively decided to submit an opinion within the public consultation, focusing in particular on the regulation of so-called hate speech after

independently reviewing the draft of the act. This opinion was submitted to the Ministry of Culture on 31 January 2024. In this opinion, the Ombudsman proposed that consideration be given to whether there are areas where it would be necessary and appropriate to foresee alternative methods of sanctioning so-called hate speech, provided that such measures do not constitute an impermissible interference with the right to freedom of expression.

The new version of the draft law, submitted by the Government to the Parliament on 31 December 2024 for further proceedings, has introduced new provisions, including a fine of up to 20,000 Euros for serious misdemeanours related to incitement of hate speech in the media (Article 102, point 4), and a fine of up to 10,000 Euros if a media outlet fails to adopt or publish rules on user comments (Article 103, points 6–8). The Ombudsman emphasizes that - also in line with the case law of the European Court of Human Rights - restrictions and sanctions related to the prevention or punishment of forms of expression that disseminate, incite, justify, or advocate hatred based on intolerance must be proportionate to the legitimate aim pursued (as established, for example, in the judgment Erbakan v. Turkey). In the Ombudsman's view, the proposed regulation lacks sufficient justification and explanation, which raises legitimate doubts about the proportionality and legitimacy of the fines.

On the other hand, the draft law does not provide for a mandatory removal of content in cases where a violation of Article 53 is established. This article addresses the prohibition of incitement to violence or hatred and incitement to commit terrorist offences. However, the draft also fails to clearly define what constitutes so-called hate speech. It refers to Article 297 of the Criminal Code (incitement to hatred, violence and intolerance) but without further clarification on how the proposed misdemeanour differs from the existing criminal offence or how it applies within the media context. This ambiguity could result in violations of the ne bis in idem principle (no double punishment for the same offence). The Ombudsman stresses that the ZMed-1 proposal should more clearly differentiate between misdemeanours and criminal offences and that it should also be considered whether the Agency for Communication Networks and Services of the Republic of Slovenia (AKOS) is the appropriate body to determine violations of Article 53.

The Ombudsman expects that the provisions of any law - including the draft ZMed-1 - should be developed in accordance with human rights and fundamental freedoms and that they should guarantee media freedom and independence, both of which are essential conditions for a democratic and pluralistic society. According to the Ombudsman, the ZMed-1 draft should constitute a legal framework that enables free operation of the media, plurality and transparency of media ownership. The revision of the law - which the Ombudsman has been calling for over several years - must also appropriately

regulate how the public interest is protected and must establish measures for safeguarding the ethics of public discourse, particularly with regard to the removal and sanctioning of illegal content and hate speech.

The European Commission against Racism and Intolerance (ECRI) and other international bodies have repeatedly expressed concern that the prosecution of hate speech in Slovenia - especially in the media and online - is ineffective. The Ombudsman has, since 2019, recommended to the Ministry of Culture that it should do everything within its competence to prohibit the dissemination of hatred in the media, determine ways of protecting the public interest (e.g. through inspections and misdemeanour supervision), prepare measures for correcting irregularities (e.g. immediate removal of unlawful content), and establish appropriate sanctions for media outlets that allow the publication of hate speech. Unfortunately, the new draft law still fails to fully take this recommendation into account.

The Ombudsman's Analysis of Prosecutorial Practice on the Prosecution of the Criminal Offence of Public Incitement to Hatred, Violence, and Intolerance (Article 297 of the Criminal Code) in the Period 2008–2018, published in 2021, also showed that such forms of hate speech are rarely prosecuted in Slovenia. In addition, the penalties imposed on perpetrators are often lenient, raising doubts about the deterrent effect of the current legal framework. The Ombudsman does not see the very inclusion of hate speech regulation in the media law as problematic, but stresses that such regulation must pass the test of proportionality and legitimacy.

Based on the mentioned analysis, the Ombudsman issued two further recommendations to the competent ministries (pp. 37-38), which have not been implemented. In 2021, the Ombudsman recommended that the Ministry of Justice, the Ministry of the Interior, and the Ministry of Culture should promptly begin drafting the appropriate legal basis to effectively prevent hate speech online, including on social media (noting that the Media Act may not be the only appropriate legislation for this area). In the same year, the Ombudsman also recommended to the Ministry of Justice to amend legislation to allow for subsidiary prosecution in cases of criminal offenses under Article 297 of the Criminal Code—not only by the directly harmed individual but also by representatives of the affected group or by authorized organizations. This recommendation was rejected by the relevant authorities on the grounds of disagreement.

Follow-up on the recommendations concerning media freedom issues by European actors

According to the information on the Ministry's webpage, the Ministry of Justice has started with preparations to transpose the Directive to Protect Public Participants from Abusive Litigation (EU Anti-SLAPP Directive) into national law

by 2026, which presents an important opportunity to fill existing legal gaps and build institutional safeguards. The Ombudsman, however, lacks specific powers or procedures to intervene in cases involving SLAPPs or threats to human rights defenders. From its general observation, it follows that there is no data collected and no focal point which would detect cases of SLAPPs or prevent such proceedings or give free of charge advice to the victims. The Ombudsman expects that the Ministry of Justice would transpose the mentioned directive in a transparent manner, involving various institutions and civil society, already in the initial stages of the preparation of draft legislation.

NHRI’s recommendations to national authorities

The Ombudsman's key recommendation to national authorities regarding the freedom of the media is the following:

- The National Assembly should consider introducing appropriate amendments to the proposed Media Act (ZMed-1), currently under deliberation, to ensure the effective implementation of provisions prohibiting the dissemination of hate speech in the media. Particular attention should be given to safeguarding the public interest, determining corrective measures to address violations, and defining sanctions to be imposed on media outlets that permit the publication of hate speech.
- The authorities should also establish an appropriate legal framework to enable the effective prevention of hate speech on the Internet and social media platforms.

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Information from: The Human Rights Ombudsman of the Republic of Slovenia

Other challenges to the rule of law and human rights

The operation of the Ombudsman as a mechanism of checks and balances

The operation of the Ombudsman is considered as one of the mechanisms of checks and balances. In 2024, the Ombudsman handled 6,286 cases, which is slightly more than in 2023 (6,225). Among these, 3,135 were complaints (2,411 of which were opened in 2024), and 2,478 complaints were concluded. Of the

concluded cases, 325 were found to be well-founded, including those processed together with the Children's Advocacy (13.12%). In 167 well-founded complaints (excluding those related to advocacy), the Ombudsman identified 174 violations of human rights and fundamental freedoms, the principles of good administration, and fairness. The vast majority of violations pertained to the principle of good administration (57), followed by the protection of rights (12), equality before the law (12), and unjustified delays in procedures (10). Among the violators, the Ombudsman found the most violations committed by the Ministry of Labour, Family, Social Affairs and Equal Opportunities, followed by the Ministry of Health, municipalities, courts, and penal institutions. The Ombudsman is concerned regarding the slow implementation of several of its recommendations with around 100 unimplemented past recommendations.

Lower budget for the Equality Body and lack of leadership for the Ombudsman and the Central Bank

The Ombudsman has also noted from the media and public discussions that the equality body (Advocate of the Principle of Equality) received a significantly lower budget than requested. Additionally, it is important to note that two independent state institutions - the Ombudsman and the Central Bank - are currently without leadership. Taken together, these developments could be seen as exerting pressure on checks and balances institutions by the executive and legislative branches, ultimately weakening their effectiveness.

Follow-up to European actors' rule of law recommendations

The Ombudsman noticed some progress made in implementing the recommendations, contained in the European Commission's 2024 EU Rule of Law Report, regarding the parliamentary inquiries, the independence of the judiciary, the anti-corruption framework and legislative and non-legislative safeguards to improve the protection of journalists, particularly online, as well as the funding for public service media that is appropriate for the realisation of its public service remit while guaranteeing its independence.

The process for preparing and enacting laws

The Ombudsman remains concerned that the Ministries and the Government do not allocate sufficient time for consultations on draft laws.

NHRI's recommendations to national authorities

The Ombudsman's key recommendation to national authorities regarding other challenges to the rule of law is the following:

- The Government and its ministries, as the competent authorities for drafting legislation and regulations, should act transparently and in accordance with the principles of good governance during the drafting

process. This includes reasonably involving individuals and entities to whom the regulation or draft recommendation directly applies, prior to the public consultation phase, and adhering to international and national standards governing public participation in the legislative process.

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