

SLOVENIA 2016 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Slovenia is a parliamentary democracy and constitutional republic. Power is shared among a directly elected president (head of state), a prime minister (head of government), and a bicameral parliament composed of the National Assembly (lower house) and the National Council (upper house). The country held presidential elections in 2012 and parliamentary elections in 2014. Observers considered the elections free and fair.

Civilian authorities maintained effective control over the security forces.

The most significant human rights problem was ensuring the humane treatment of the thousands of migrants and asylum seekers who transited the country en route to Austria and Germany. The country's Romani population suffered societal discrimination and occasional harassment that aggravated their harsh living conditions, sustained their high unemployment rate, and led to social isolation. Judicial and administrative backlogs and inefficiency resulted in trial delays.

Other problems reported during the year included: prison overcrowding; delays in resolving property restitution cases; self-censorship of the press and the threat and use of defamation suits against journalists to stifle media criticism of officials and politicians; government corruption; domestic violence; trafficking in men, women, and girls, including for forced labor; discrimination against lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons; ineffective sanctions for violations of workers' rights; child labor; and ineffective enforcement of fair labor standards.

The government took steps to investigate, prosecute, and punish officials who committed abuses, whether in the security services or elsewhere in the government.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary Deprivation of Life and other Unlawful or Politically Motivated Killings

There were no reports that the government or its agents committed arbitrary or unlawful killings.

The government continued to address extrajudicial killings and the uncovering of an estimated 581 mass graves from the period during and immediately after World War II. In March the government approved a plan to register and mark approximately 70 of the mass graves across the country. Some political and opinion leaders faulted the government for slow progress in identifying victims and clarifying the circumstances of the killings.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and law prohibit such practices. During the year the Office of the Ombudsman for the Protection of Human Rights made numerous unannounced visits to prisons and police stations in conjunction with nongovernmental organizations (NGOs). In most instances observers noted a marked reduction in complaints of excessive use of force.

Prison and Detention Center Conditions

There were no significant reports regarding prison or detention center conditions that raised human rights concerns.

Physical Conditions: As of November 11, three persons had died in confinement, all from natural causes. Space limitations in Dob Prison restricted work options for some inmates. Independent monitoring organizations noted that the authorities confined many prisoners to their cells for long periods with limited opportunities for work or recreation.

Administration: Authorities investigated accusations of inhuman conditions and documented the results in a publicly accessible manner.

Independent Monitoring: The government permitted local and international human rights groups, the media, and other independent international bodies, such as the International Committee of the Red Cross, to monitor prison conditions. The ombudsman's office together with numerous human rights groups and other NGOs conducted visits to all prisons during the year. The government allowed designated NGOs to monitor independently the treatment of prisoners.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention, and the government generally observed these prohibitions.

Role of the Police and Security Apparatus

Police perform the country's basic law-and-order functions, including migration and border control, under the direct supervision of the Ministry of the Interior. The National Investigation Bureau and the Border Police fall under the general police administration in the Ministry of the Interior. The government, the Parliamentary Oversight Commission, the relevant district court, the ombudsman, the Court of Audits, and the Budget Supervision Office oversee the Slovenian Intelligence and Security Agency. In February the government deployed approximately 100 soldiers to the Slovenian-Croatian border to assist police with border control.

Civilian authorities maintained effective control over police, and the government has effective mechanisms to investigate and punish abuse and corruption. There were no reports of impunity involving security forces during the year. As of November 22, there had been no arrests or trials for such cases.

Arrest Procedures and Treatment of Detainees

Police generally made arrests with warrants issued by either a prosecutor or a judge based on evidence. Authorities may detain suspects for 48 hours before charging them. The law requires authorities to inform suspects of their rights immediately after arrest and to advise detainees in writing within six hours (or within three hours for minor offenses) of the reasons for their arrest. Suspects must have prompt access to a judge. Authorities generally released defendants on bail except in the most serious criminal cases. Upon arrest, detainees have the right to contact legal counsel of their choice and the right to counsel during interrogations. The government provided indigent detainees with free counsel. The law provides for prompt access to immediate family members and recognizes detention under house arrest.

Pretrial Detention: Although the law provides the right to a trial without undue delay, court backlogs at times resulted in lengthy trial delays. Once authorities charge a suspect, pretrial detention may last for up to four months, depending on the severity of the alleged crime. An investigative judge must certify the charges.

After trials begin, authorities may extend the total detention period for up to two years. Authorities must release persons detained more than two years while awaiting trial or pending conclusion of their trial.

Detainee's Ability to Challenge Lawfulness of Detention before a Court: Persons arrested or detained, regardless of whether on criminal or other grounds, are entitled to challenge in court the legal basis or arbitrary nature of their detention and obtain prompt release and compensation if found to have been unlawfully detained.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary, and the government generally respected judicial independence.

Trial Procedures

The constitution and law provide for the right to a fair public trial, and an independent judiciary generally enforced this right. Defendants enjoy rights to a presumption of innocence, to be informed promptly and in detail of the charges, to a fair and public trial without undue delay, and to legal counsel. While indigent defendants have the right to an attorney provided at public expense, the government did not establish a formal system for providing such legal counsel. The NGO Legal Information Center and the government's Free Legal Aid Office made free counsel available to indigents.

Defendants have the right to adequate time and facilities to prepare a defense, to free interpretation as necessary from the moment charged through all appeals, to access government-held evidence, to confront prosecution or plaintiff witnesses and present their own witnesses and evidence, to not be compelled to testify or confess guilt and to appeal. The law also provides safeguards against self-incrimination. These rights extend to all defendants.

The judicial system was overburdened and lacked administrative support, at times resulting in delays in the judicial process. The government made progress in improving the efficiency of the judiciary, reducing the court backlogs, and decreasing the average processing time.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

The constitution and law provide for an independent and impartial judiciary in civil matters, including damages for, or cessation of, human rights violations. Individuals may appeal court decisions involving alleged government violations of the European Convention on Human Rights to the European Court of Human Rights once they exhaust all avenues of appeal in domestic courts.

Property Restitution

Some cases involving the restitution of property seized during World War II and the communist era remained unresolved. The World Jewish Restitution Organization continued to engage the government regarding a small number of outstanding claims.

Several remaining confiscated properties appeared to be untouchable because the parties occupying the sites were politically influential and thwarted attempts to reach negotiated settlement. For example, since 1993 close ties between the local government's administrative unit and Radenska d.d., a major mineral water producer partially owned by the government, stymied a foreign family's claims to the Radenci Spa property located on the family's ancestral lands. Several active appeals worked their way through the administrative and judicial systems; while there were rulings on procedural matters, no court had yet ruled on any of the substantive issues involving restitution.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The constitution and laws prohibit such actions, and there were no reports that the government failed to respect these prohibitions.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution and law provide for freedom of speech and press, and the government generally respected these rights. An independent press, an effective judiciary, and a functioning democratic political system combined to promote

freedom of speech and press. Reports of political pressures on the media continued.

Freedom of Speech and Expression: The law prohibits hate speech, including incitement to intolerance as well as violence. The penalty for hate speech is two years' imprisonment. There were no reported prosecutions of hate speech during the year. A change in interpretation of regulations to identify the internet as a public space allows police to levy fines for online hate speech, although there were no reports that authorities exercised this authority.

Press and Media Freedoms: The print and broadcast media and publishers of books and online newspapers/journals are subject to the laws that prohibit hate speech, defamation, and libel.

Censorship or Content Restrictions: The Slovenian Association of Journalists and media analysts observed that standards of journalistic integrity suffered because of economic pressure; nonstandard forms of employment, such as freelance or student status; and reduced protections for journalists, leading some to practice self-censorship in order to maintain steady employment. Journalists noted efforts to investigate and publish stories about local corruption cases was particularly challenging because of economic and political pressure.

In January parliament adopted changes to the law that continued a quota requirement for Slovenian music on the radio. The amended law requires that a majority of the quota be filled during daytime hours, with a quarter of it dedicated to music less than two years old. Private radio station owners were critical of the changes.

Libel/Slander Laws: The law provides criminal penalties for defamation that harms a person's honor or name. In March an opposition member of parliament sent a series of tweets implying that two TV Slovenia journalists were prostitutes and the public broadcaster a brothel. Parliament debated the incident, and in response to defamation suits filed by the journalists, courts found the tweets to be defamatory and awarded the journalists 6,000 euros (\$6,600) each in damages.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority. According to data

from the International Telecommunication Union, 73 percent of individuals in the country used the internet in 2015.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

The constitution and law provide for the freedoms of assembly and association, and the government generally respected these rights.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

Abuse of Migrants, Refugees, and Stateless persons: While authorities sought to manage the transit of thousands of migrants and asylum seekers through the country efficiently and humanely, in February a representative from the Office of the UN High Commissioner for Refugees (UNHCR) expressed concerns about the appropriateness during the winter months of tent accommodations at the main migration center on the border with Austria. In September refugees at the government-operated Asylum Home staged a brief protest regarding delays in processing and the lack of information about their cases, living conditions, limited access to medical care, and problems with receiving their monthly stipends.

The government cooperated with UNHCR and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, and other persons of concern.

Citizenship: Based on a 2012 European Court of Human Rights (ECHR) decision, the government in 2013 introduced a system for providing just satisfaction (i.e., restitution for damages) for “erased” citizens of former Yugoslav republics who

lost their Slovenian residency in the 1990s. The law also governs the right of such persons to monetary compensation as well as to other forms of restitution for damages. In May the Council of Europe's Committee of Ministers determined that the country's approach to compensating "erased" persons met ECHR requirements. In November the ECHR ruled that the government's 2013 compensation plan was satisfactory and removed the collective lawsuit of 212 "erased" residents from its list of cases.

Protection of Refugees

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government established a system for providing protection to refugees.

On March 9, the country reinstated the Schengen zone border control rules on its border with Croatia, effectively closing the "Balkan route" and ending irregular migration that included government-sponsored trains from Croatia to Austria that allowed transit to potential refugees. Only the following categories of individuals were allowed to enter the country: foreigners who fulfilled conditions for entry (such as having a visa or coming from a visa-waiver country); persons who expressed an intention to file an application for international protection in the country; and individuals who were allowed entry on humanitarian grounds as provided in the Schengen Border Code. An estimated 97,990 migrants transited the country between January 1 and March 9.

Safe Country of Origin/Transit: The Dublin III regulation obligates the country, as a member state of the EU, to consider all EU countries to be safe countries of origin and transit. Under the regulation the government may return an asylum seeker entering the country from another EU country to the country of the person's first entry into the EU. Pursuant to a decision by the ECHR, the government did not return asylum seekers to Greece. On March 4, parliament adopted changes to the country's International Protection Act. According to this legislation, the government will automatically reject asylum applications from individuals coming from a "safe country" as unfounded.

Durable Solutions: On March 10, the government approved an EU plan to relocate 567 refugees from Italy and Greece and to resettle 20 refugees from other third countries. On August 4, the government also agreed to resettle 40 Syrians from Turkey.

Temporary Protection: The government also provided subsidiary protection to individuals who may not qualify as refugees and, as of October 31, provided it to approximately 24 persons.

Section 3. Freedom to Participate in the Political Process

The constitution and law provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: In 2014 the country held parliamentary elections in which the Party of Miro Cerar (subsequently known as the Modern Center Party) won a plurality of votes, leading to his being named prime minister. In 2012 the country held presidential elections, which former prime minister Borut Pahor won. Observers considered the elections free and fair.

Participation of Women and Minorities: No laws limit the participation of women and members of minorities in the political process, and women and minorities did participate.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal and civil penalties for corruption, conflicts of interest, and illegal lobbying by officials. According to an April survey, the public perception that bribery and corrupt practices were a serious issue had dropped by 26 points in the previous two years but was still 40 percent. Although the criminal justice system continued its efforts to detect, investigate, prosecute, and adjudicate high-level corruption cases, the law lacked proper enforcement mechanisms, and the criminal justice system lacked resources.

Corruption: In April 2015 the Constitutional Court repealed the guilty verdicts in a bribery case against Janez Jansa (a former prime minister) and two codefendants and ordered a retrial. The Ljubljana local court subsequently determined that the statute of limitations had passed and dismissed the cases. Jansa appealed the decision, asserting he wanted the case retried to pursue an acquittal. In November 2015 the Ljubljana Higher Court rejected Jansa's appeal.

During the year the Commission for the Prevention of Corruption (CPC) focused on the fight against systemic corruption as well as preventive anticorruption measures. In February the Organization for Economic Cooperation and Development Working Group on Bribery noted concerns about the CPC and stressed the commission's need for independence, adequate funding, and human resources.

Financial Disclosure: The highest-level officials in the government, parliament, and judiciary, or approximately 5,000 of the country's 80,000 public employees, are subject to financial disclosure laws. There are administrative sanctions for failing to respect these provisions. The government did not make this information available to the public, but it can become part of the public record in other procedures (i.e., criminal, tax cases, etc.). The CPC can issue advisory opinions regarding prosecution.

Public Access to Information: The law provides for public access to all government information, and the government provided such access to both citizens and noncitizens, including foreign media. While the law provides for release of information without charge, the government allows state bodies to charge for information to cover the cost of materials and labor. This resulted in an effective limitation of access to public information, since media and citizens received bills of as much as 1,500 euros (\$1,650) to obtain documents. In January the Ministry of Public Administration launched a web portal to provide information on public contracts awarded in country, including the contract value, the 10 largest contracting entities, and the most frequently awarded contracts.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials generally were cooperative and responsive to their views.

Government Human Rights Bodies: The constitution provides for an independent human rights ombudsman to monitor violations of human rights. Individuals may file complaints with the independent ombudsman to seek administrative relief in the case of a human rights violation by the government. The independent ombudsman was effective, adequately resourced, and reported to parliament annually on the human rights situation, and provided the government with

recommendations. In October the government established its first independent equal opportunities ombudsman, whose role was to raise awareness and help prevent all types of discrimination.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

Rape and Domestic Violence: Rape, including spousal rape and domestic violence, is illegal. The penalty for rape is one to 10 years in prison. SOS Helpline, an NGO that provided anonymous emergency counseling and services to victims of domestic violence, estimated that one in seven women was raped during her lifetime. Victims rarely reported spousal rape to authorities. Police actively investigated accusations of rape and prosecuted offenders. There were 23 reported rapes, three attempted rapes, and 28 other reported acts of sexual violence in the first half of the year. SOS Helpline estimated that only a small percentage of rape victims sought assistance or counseling due to concerns about the impact on themselves and their children. In July the government adopted amendments to the domestic violence act to ban corporal punishment and improve protection for victims. The changes expand the definition of domestic violence to include threats of violence, such as intimidation, and redefine family member status to include former partners, children of partners, and cohabitating partners.

The law provides from six months to 10 years' imprisonment for aggravated and grievous bodily harm. Violence against women, including spousal abuse, was generally underreported. When police received reports of spousal abuse or violence, they generally intervened and prosecuted offenders. SOS Helpline estimated 25 percent of women were victims of domestic violence at some point during their lives. SOS Helpline and the NGO Kljuc provided support hotlines, and SOS Helpline reported calls and e-mail queries.

There was a network of maternity homes, safe houses, and shelters for women and children who were victims of violence. The total capacity of this network was 450 beds--290 in safe houses and 160 in maternity homes. The police academy offered annual training on domestic violence.

Sexual Harassment: Sexual harassment is a criminal offense carrying a penalty from six months to eight years' imprisonment. In the first half of the year, 28 cases of sexual harassment were reported. Observers believed incidents of sexual harassment were underreported.

Reproductive Rights: Couples and individuals have the right to decide the number, spacing, and timing of their children; to manage their reproductive health; and to have the information and means to do so, free from discrimination, coercion, or violence.

Discrimination: The law provides the same legal status and rights for women and men. The law stipulates equal pay for men and women and provides for equal access to employment, credit, pay, owning or managing a business, education, the judicial process, marriage, divorce, child custody, and housing. Despite legal provisions for equal pay, inequities still existed.

Children

Birth Registration: Citizenship is derived from the parents with certain limitations. A child is granted citizenship at birth, provided that at the time of birth the child's mother and father were citizens, one of the child's parents was a citizen and the child was born on the territory of the country, or one of the child's parents was a citizen while the other parent was unknown and/or of unknown citizenship and the child was born in a foreign country. Naturalization is also possible.

Child Abuse: In the first half of the year, according to law enforcement authorities, there were 695 cases of domestic violence and 268 cases of parental negligence and child abuse.

There were 10 crisis centers for youth, with a combined capacity to accommodate 86 children. The government allowed children to stay at these centers until they reached the age of 21, if they were still in school.

Early and Forced Marriage: The minimum age for marriage is 18. Centers for social service can approve marriage of a person under the age of 18, together with the approval of parents or legal guardians. Child marriage occurred within the Romani community, but it was not a widespread problem.

Sexual Exploitation of Children: Statutory rape carries a sentence of three months to eight years, and the law sets the minimum age of consent for sexual relations at 15. If the government finds the victim to be especially vulnerable, the minimum sentence is five years, and the maximum, 15 years. If the perpetrator is a teacher, the penalty is from three to eight years in prison. The government generally enforced the law.

In the first half of the year, authorities received reports of 59 criminal acts of sexual abuse of a child under the age of 15. Children from Slovenia, neighboring countries, other European countries, and the Dominican Republic were subjected to sex trafficking within the country.

The law penalizes the possession, sale, purchase, or propagation of child pornography, and the government enforced the law effectively. The penalty for violations ranges from six months to eight years in prison.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at travel.state.gov/content/childabduction/en/legal/compliance.html.

Anti-Semitism

There were approximately 300 Jews in the country. Jewish community representatives reported some prejudice, ignorance, and false stereotypes of Jews propagated within society, largely through public discourse. There were no reports of anti-Semitic violence or overt discrimination.

The government promoted antibias and tolerance education in primary and secondary schools, and the Holocaust was a mandatory topic in the history curriculum.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, the judicial system, and the provision of other government services. The government generally enforced these provisions. The law mandates access to buildings for persons with disabilities, but modification of public and private structures to improve access continued at a slow pace, and some buildings were not accessible. The government continued to implement laws and

programs to provide persons with disabilities with access to buildings, information, and communications. The law provides social welfare assistance and early-childhood, elementary, secondary and vocational education programs for children with disabilities. It also provides vocational and independent living resources for adults with disabilities.

National/Racial/Ethnic Minorities

The constitution and law provide special rights and protections to indigenous Italian and Hungarian minorities, including the right to use their own national symbols and to have access to bilingual education. Each of these minorities has the right to representation as a community in parliament. The Romani community also benefits from protections under the constitution and law, which ensure Romani representation in 20 municipalities around the country but no designated seats in parliament. A 2014 European Commission against Racism and Intolerance (ECRI) report on the country stated that the government should review the Law Implementing the Principle of Equal Treatment to verify that it functions effectively as comprehensive antidiscrimination legislation. A 2015 Amnesty International report stated that the majority of Roma continued to experience discrimination and some faced eviction from their settlements due to municipal plans to develop the land on which they resided.

There were an estimated 8,000 to 12,000 Roma in the country, approximately 0.5 percent of the entire population. Discrimination against socially marginalized Roma persisted. Organizations monitoring conditions in the Romani community noted that the exclusion of Roma from the housing market remained a problem. Many Roma lived apart from other communities in illegal settlements lacking basic utilities, such as electricity, running water, sanitation, and access to transportation.

Government officials emphasized that the illegality of settlements remained the biggest obstacle to providing Roma access to adequate housing, water, and sanitation. Under the law only owners or persons with another legal claim to land, such as legal tenants, may obtain public services and infrastructure, such as water, electricity, and sanitation. Lacking alternatives for resettlement, Roma were also vulnerable to forced evictions and discrimination. The government resolved such cases through dialogue with the Romani community. In September the government allocated 30,000 euros (\$33,000) to provide drinking water (via cisterns) to three Romani settlements, providing a temporary solution to a systemic problem. A government-established commission to safeguard Roma continued to

function. The commission included representatives from the Romani community, municipalities, and the government.

Police conducted annual training for both officers and civilians to sensitize them to the problems of working in a multicultural environment. Representatives of the Romani community participated in the program, which improved communication between police and individual Roma. The police force trained several officers in the Romani language and continued preparing a Slovenian-Romani dictionary.

Official statistics on Romani unemployment and illiteracy were not available. Organizations monitoring conditions in the Romani community and officials employed in schools with large Romani student populations unofficially reported that high unemployment and illiteracy rates among Roma remained a problem. The government supported a project that trained 12 Romani health coordinators who engaged with Roma about public health issues and access to the health-care system. The project also established a Regional Council for the Health of Roma and included representatives from community health and social centers, municipalities, the Romano Veseli Association, and the National Institute for Public Health.

While education for children is compulsory through grade nine, school attendance and completion rates by Romani children remained low. Poverty, discrimination, lack of parental and familial permission or support, and language differences continued to be the main barriers to the participation of Romani children in educational programs. The Ministry of Education, Science, and Sport financed a variety of programs to support Romani families and their children. The government supported a financial literacy project to help equip Roma with improved financial management skills and provide increased awareness of consumer services.

Although segregated classrooms are illegal, a number of Roma reported to NGOs that their children attended segregated classes and that school authorities selected them disproportionately to attend classes for students with special needs. A few educators confirmed that in some cases these groups consisted almost entirely of Romani students and pointed to the practice as de facto segregation. The European Social Fund, working in conjunction with the Ministry of Education, Science, and Sport, funded 22 Romani educators to work with teachers and parents. According to the ministry, these educators had a positive effect on helping Romani children stay in school.

The government concluded the final year of a five-year national action plan of measures to improve educational opportunities, employment, and housing for Roma and started developing a new five-year national action plan. NGOs and community group representatives reported some prejudice, ignorance, and false stereotypes of Roma persisted within society, propagated largely through public discourse.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

While the law prohibits discrimination based on sexual orientation, societal discrimination was widespread. With only one team of doctors performing gender reassignment surgery, transgender persons often chose to seek treatment at private clinics abroad due to lengthy wait times at home. Some reported difficulties in accessing hormone therapies and scheduling second opinion medical appointments.

According to a 2014 survey, almost 50 percent of gay and lesbian respondents reported experiencing homophobic violence at least once. The law considers crimes against LGBTI persons to be hate crimes and prohibits incitement to hatred based on sexual orientation. In 2015, two LGBT rights NGOs conducted a survey on the needs of transgender persons in the country. The results indicated that 48 percent of respondents experienced discrimination on a daily basis due to their sexual identity.

In May the government adopted a new civil unions act that replaced the 2005 act on the registration of same-sex civil partnerships. The new legislation provides equality to gay couples, except for adoptions, in-vitro fertilization, and use of the term “marriage.” Same-sex partners have the right not to testify against their partners in court and have prison and hospital visitation rights. They are eligible to receive social benefits, such as unemployment insurance and survivor pensions, through their partners and the right to paid leave in the event of the partner’s death.

The Ministry of Labor, Family, Social Affairs, and Equal Opportunities; NGOs; and law enforcement authorities recorded but did not track the exact number of cases of violence against LGBTI persons. According to LGBTI sources, 90 percent of victims did not report such cases. In 2014 the ECRI found that hate speech on the internet increased, with LGBTI persons being one of the main targets. According to an NGO specializing in LGBTI rights, 49 percent of LGBTI individuals had at least once experienced violence or discrimination based on their

sexual orientation; approximately 44 percent of these experienced violence or bullying in schools.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of workers to form and join independent unions, bargain collectively, and conduct legal strikes. The law does not prohibit antiunion discrimination or require reinstatement of workers fired for union activity. In August, in the first ruling of its kind, a court ruled to protect the right of workers to unionize.

The law requires that, before collective bargaining can be applied to the sector as a whole, 10 percent of the workers in an industry must be unionized. The law also restricts the right to strike for police, members of the military, and some other public employees, providing for arbitration instead. Resources, inspections, and remediation efforts were adequate; penalties for violations range from 400 euros (\$440) to 4,000 euros (\$4,400) or more, depending on the size of the company, and were sufficient to deter violations. Judicial and administrative procedures were not subject to lengthy delays and appeals.

The government and employers generally respected freedom of association and the right to bargain collectively.

b. Prohibition of Forced or Compulsory Labor

While the law prohibits all forms of forced or compulsory labor, and the government generally enforced the law, forced labor occurred and was most prevalent in the wood industry, construction, exotic dancing, and prostitution. Resources, inspections, and remediation efforts were adequate. Penalties for violations range from one to 15 years' imprisonment and were sufficiently stringent to deter violations.

There were reports that traffickers subjected men, women, and children to forced work in commercial sex, the construction sector, and begging. A report commissioned by the government found that minors and migrant workers were particularly vulnerable to forced labor or trafficking conditions, and that fraudulent employment and recruitment of migrant workers occurred.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The minimum age for employment is 15. The law limits hours, mandates rest periods, prohibits working in hazardous locations, and specifies adult supervision for workers under 18. While no specific occupations are restricted, hazardous work locations (specified by the law) include underground and underwater and those involving harmful exposure to radiation, toxic or carcinogenic agents, extreme cold, heat, noise or vibrations. Penalties for labor law violations related to child labor violations range from a fine to one year in prison and were sufficient to deter violations. The government generally enforced child labor and minimum age laws effectively. Nevertheless, children younger than 15 in rural areas often worked during the harvest season and performed farm chores. Some children were also subjected to sex trafficking, forced labor, or begging.

d. Discrimination with Respect to Employment and Occupation

The law establishes a general framework for equal treatment and prohibits discrimination with respect to employment or occupation on the basis of race or ethnic origin, sex, color, religion, age, citizenship, disability, or sexual orientation. The government effectively enforced these laws. Women's earnings were 68 percent those of men; in comparable positions women's earnings were 97 percent those of men. The law specifically prohibits discrimination based on language or HIV-positive status; the ECRI noted the list of protected classes was nonexhaustive.

There were few formal complaints of discrimination, although there were some reports of employment discrimination based on gender, age, and with respect to migrant workers. Some discrimination occurred against Roma, and there were cases of employers not meeting the standards set by the labor laws regarding benefits and procedures for termination of employment. Penalties for violation range widely depending on the type and size of employer, from up to 20,000 euros (\$22,000) for companies to as low as 450 euros (\$495) for responsible agents in a company. These penalties were sufficient to deter violations. Employment discrimination against Roma was not limited to a specific sector. The government was attempting to address issues experienced by Roma (also see section 6, National/Racial/Ethnic Minorities).

e. Acceptable Conditions of Work

The national monthly gross minimum wage was 790 euros (\$869). The official poverty line is set at 616 euros (\$678) per month for single-member households.

The law limits the workweek to 40 hours and provides for minimum annual leave of 20 days and a mandatory rest period of at least one day per week. Collective agreements determined whether workers received premium pay for overtime. The law limits overtime to eight hours per week, 20 hours per month, and 170 hours per year. Special commissions under the Ministry of Health and the Ministry of Labor, Family, Social Affairs, and Equal Opportunities set occupational health and safety standards for workers. Workers may remove themselves from situations that endanger health or safety without jeopardy to their employment, and authorities effectively protected employees in this situation. Workers facing hazardous working conditions included professional divers, mountain rescuers, sailors, construction workers, and those working in mines. Workers facing exploitative working conditions included those working in construction and the wood industry, and as exotic dancers.

The law requires employers to protect workers disabled on the job. If incapacitated, such workers can perform other work corresponding to their abilities, obtain part-time work, and receive occupational rehabilitation and wage compensation.

The Ministry of Labor, Family, Social Affairs, and Equal Opportunities monitored labor practices and has inspection authority; police are responsible for investigating violations of the law. Authorities enforced the laws effectively, except in some cases involving migrant workers, who faced conditions of exploitation. The International Labor Organization's Committee of Experts on the Application of Conventions and Recommendations (ILO CEACR) observed that conflicts between laws governing inspection could lead to uncertainty about whether inspectors have a right of access to work sites. The law requires employers to make social security payments for all workers. The Free Legal Aid Society continued to report that employers of migrant workers usually did not deduct social security from paychecks, leaving those workers without a future pension or access to social services. The government employed 30 inspectors of labor contracts and 40 for occupational safety and health problems. The CEACR and NGOs also observed that there was an urgent need to increase the number of inspectors to keep up with the workload. Labor inspectors carried out labor contract and occupational safety and health inspections, found violations, and

issued penalties. In both fields the majority of violations took place in the wood processing industry, construction, and bars and restaurants. Penalties for violations range from 300 euros (\$330) to 20,000 euros (\$22,000) and were sufficient to deter violations.

There were no major industrial accidents during the year in which workers were injured.