



# **Convention on the Rights of the Child**

Distr.: General  
17 May 2013

English only

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## **Committee on the Rights of the Child**

**Sixty-third session**

27 May-14 June 2013

### **Implementation of the Convention on the Rights of the Child**

**List of issues concerning additional and updated information in relation  
to the combined third and fourth periodic reports of Slovenia  
(CRC/C/SVN/3-4)**

**Addendum**

**Written replies of Slovenia to the list of issues\***

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\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document has not been edited.

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## Part I

### Reply to the issues raised in part I, paragraph 1, of the list of issues (CRC/C/SVN/3-4)

1. The family legislation is currently regulated by a 35-year-old act, the Marriage and Family Relations Act.<sup>1</sup> When enacted, it was a good and modern act, but it contains certain inconsistencies and deficiencies. However, family legislation can be improved. The new Family Code adopted by the National Assembly of the Republic of Slovenia on 16 June 2011 was the subject of a referendum. In accordance with proceedings anticipated by Slovenian legislation, the National Assembly announced the results of the referendum on the Family Code at its extraordinary session on 24 April 2012. It was established that 45.45 per cent of voters had voted for the Code and 54.55 per cent had voted against; thus the Code was rejected. In accordance with Article 25 of the Referendum and Popular Initiative Act,<sup>2</sup> the National Assembly may not pass an act the content of which would be contrary to the decision of voters a year after the results of a referendum have been declared. Nevertheless, Slovenia made improvements in the field of children's rights. In the field of foster care (amendments to the Provision of Foster Care Act<sup>3</sup> and Expert guidelines in the field of foster care), domestic violence (Action plan for the prevention domestic violence 2010-2011 and Action plan for the prevention domestic violence 2012-2013) and advocacy of children's rights (implementation of the project "Advocate – a Child's Voice").

### Reply to the issues raised in part I, paragraph 2, of the list of issues

2. Slovenia, like the majority of United Nations Member States, signed the document "A World Fit for Children", which was adopted at a special session of the United Nations General Assembly. The document consists of the Declaration and the Plan of Action, which bind the State signatories to prepare national action plans on the basis of analyses. The Programme for Children and Youth 2006-2016 was adopted by the Government of the Republic of Slovenia on 5 October 2006 (hereinafter referred to as PCY).

3. A review of funds per policy which includes the PCY for 2010 shows that the largest share of funds for implementing the Programme for Children and Youth were dedicated to healthcare policy (EUR 42 million) and family policy (EUR 25 million), and the smallest share to spatial policy (EUR 0.02 million). With regard to intended funds, most were spent on cultural policy, and the least on the policy against drugs.

4. Within the framework of ensuring conditions for the healthy lives of children and youth, the main highlights were dedicated to reducing inequality regarding health in living, school and local environments, including youth in designing, implementing and evaluating health programmes and realising the priority starting points when drafting preventive and curative programmes and measures to improve the health of children and youth. Also given special emphasis were the financing of non-governmental organisations for programmes intended to support the family, encourage harmonisation between professional and family lives, ensure equal access for all children in educational programmes and an inclusive approach, the suitable treatment and protection of children who are victims of violence and all types of abuse, and to encourage programmes of non-governmental organisations on creative ways to spend free time and the inclusion of the quality of living space for the younger population in strategic spatial documents.

<sup>1</sup> Marriage and Family Relations Act (Official Gazette of the RS, No. 69/04 - UPB1).

<sup>2</sup> Referendum and Popular Initiative Act (Official Gazette of the RS, No. 26/07 - UPB2).

<sup>3</sup> Act Amending the Act Concerning the Pursuit of Foster Care (ZIRD-A)(109/12).

5. With the realisation of two-year action plans, Slovenia actively implements the principles of the Convention on the Rights of the Child and directs various policies and programmes with a comprehensive approach which also consider the rights and needs of children and youth. An updated Programme for Children and Youth 2006-2016 is being prepared.

**Reply to the issues raised in part I, paragraph 3, of the list of issues**

6. Slovenia has one of the lowest at-risk-of-poverty rates in the EU (13.6 in 2011). However, the data shows that the at-risk-of poverty rate is increasing (11.3 in 2009, 11.2 for children; 12.7 in 2010, 12.6 for children and 13.6 in 2011, 14.7 for children) and is reflected in the decrease<sup>4</sup> of disposable income of households as a result of the crisis. Therefore, it must be stressed that the annual at-risk-of-poverty threshold in Slovenia (for 2011) was EUR 7,199, which places Slovenia in the middle of the EU-27. Data on at-risk-of-poverty rates of various socio-economic categories of persons and households show that households with no active working family members (39.9 per cent of persons below the poverty threshold) and especially those with dependent children (74.5 per cent) were in the worst position in 2011. With regard to the type of household, single-person (40.0 per cent) and single-parent households (30.8 per cent) and couples with three or more children (18.2 per cent) were in the worst situation. We estimate that the number of people at risk of poverty and/or social exclusion will be at least the same as in 2011 or even somewhat higher in 2012. On the basis of the aforementioned, it can be concluded that unemployed of parents, low educational level, flexible and inflexible forms of employment and low income are the key characteristics of the poorest families. Child poverty is also affected by the type of family; single-parent families and families with several children are more at risk (income is divided between several children, and subsidies are insufficient to enable regular standards as in the case of fewer children). In addition, poverty within families is not distributed equally – children from families which are not non-deprived are underprivileged if means are spent on other purposes.

7. The indicators of income inequality (Gini coefficient and quintile share) – which in Slovenia are among the lowest in the EU – have shown an increase in inequality in 2010, which continued in 2011.<sup>5</sup> It is expected that the social effects of the crisis will still be evident in 2012. The social State with its redistributive function undoubtedly contributes to relatively low income inequality, because it alleviates the hardship of low-income households with various forms of social transfers. Without the functioning of the social State, conditions in Slovenia would be much worse, because the at-risk-of-poverty rate would almost double and inequality of income distribution would also increase.

8. New social legislation came into force in 2012 (Financial Social Assistance Act<sup>6</sup> and Exercise of Rights to Public Funds Act)<sup>7</sup> which ensures a more transparent and efficient system for allocating social transfers and simplifies the process of exercising rights (single entry point, uniform application); it also limits the conditions for exercising rights from public funds which depend on material status (income and property) of individuals and families. The minimum income sum, which in 2012 amounted to EUR 260, is thus being

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<sup>4</sup> According to the EU-SILC 2011, the average equivalised disposable net income and median of the income have somewhat increased if compared to the EU-SILC 2010, and the threshold is also somewhat higher. However, more people are below the at-risk-of-poverty threshold in 2011 (60 per cent of median of equivalised disposable net income) than in 2010.

<sup>5</sup> The Gini coefficient remained the same in 2011 as in 2010 (23.8 per cent); the quintile share ratio increased from 3.4 to 3.5.

<sup>6</sup> Financial Social Assistance Act (Official Gazette of the RS, No. 40/2012).

<sup>7</sup> Exercise of Rights to Public Funds Act (Official Gazette of the RS, Nos. 62/10, 40/11, 40/12-ZUJF, 57/12-ZPCP-2D).

increased with the new social legislation. The new social legislation regulates the following rights: child benefit, cash social assistance, minimum pension support, State scholarships, reduced kindergarten fees, additional meal subsidy (elementary school pupils and secondary school students), lunch subsidy (elementary school pupils), rent subsidy, exemption from payment for social security services, contribution to payment for a home care assistant, right to cover the difference to the full value of healthcare services and right to payment of contributions for compulsory health insurance.

9. In May 2012, the Fiscal Balance Act<sup>8</sup> (FBA) was adopted, which intervened temporarily in the field of social protection.<sup>9</sup> The following rights were amended:

- the right to reduced kindergarten fees (free kindergarten for the second child was abolished),
- the right to a subsidised meal (general subsidy and one income class for additional subsidy were abolished),
- the right to child benefit (deletion of upper two income classes for entitlement to child benefit),
- freezing of the last class of State scholarships was extended until the 2014-2015 academic year,
- maternity benefit has not been modified and will remain 100 per cent of the basic wage for the first three months, while parental benefit (nine months after three months of maternity leave) has been reduced, so the benefit for full absence from work will amount to 90 per cent of the basis instead of 100 per cent. The benefit will amount to 100 per cent if the basis does not exceed EUR 763.06 (minimum wage). The upper limit of parental benefit is no longer two and a half times the average wage, but twice the average wage (which amounts to EUR 2,862.84 gross per month after the passing of the FBA),
- property census for the right of the benefit for a large family has been set at the level of the 6th class of child benefit; thus far, this has been a general benefit (the limit was EUR 631.93 per family member),
- child maintenance is not harmonised up to the year which succeeds the year in which economic growth exceeds 2.5 per cent of gross domestic product,
- parental allowance has increased from EUR 196 to EUR 251 per month,
- in accordance with Article 153, transfers to individuals and households which are harmonised on the basis of the Act Regulating Adjustments of Transfers to Individuals and Households in the Republic of Slovenia<sup>10</sup> are not harmonised from the adoption of this Act, and until 31 December 2014, with the exception of the basic amount of minimum income from the first indent of Article 5 of the Act

<sup>8</sup> Fiscal Balance Act (Official Gazette of the RS, Nos. 40/12, 55/12 Skl.U: U-I-162/12-5, Up-626/12-5, 96/12 – ZPIZ-2, 104/12-ZPRS1314, 105/12-ZUJF).

<sup>9</sup> In the field of parental protection and family benefits, the rights of children and parents are regulated by the Parental Protection and Family Benefit Act (PPFBA) (Official Gazette of the RS, No. 97/2001; amendments: 76/2003, 110/2003-UPB1, 56/2005, 111/2005, 21/2006, 47/2006, 110/2006-UPB2, 114/2006-ZUTPG, 122/2007, 10/2008) – amendments to the Parental Protection and Family Benefit Act are in preparation.

<sup>10</sup> Act Regulating Adjustments of Transfers to Individuals and Households in the Republic of Slovenia (Official Gazette of the RS, Nos. 114/06, 59/07 – Zštip, 10/08 – ZvarDod, 7/08, 98/08-ZIUZGK, 62/10 – ZUPJS, 85/10 and 94/10 – ZIU).

Regulating Adjustments of Transfers to Individuals and Households in the Republic of Slovenia.

10. In the 2009-2010 academic year, the State provided subsidised meals to all secondary school students on the basis of the Subsidised Secondary School Students Meals Act.<sup>11</sup> A hot meal was on average eaten by 79 per cent of students. The State provided funds for subsidised meals for elementary school pupils with poor social status. Subsidised meals were received by 37 per cent of pupils.

11. In the 2010-2011 academic year, the School Meals Act<sup>12</sup> was passed, which regulated the organisation of school meals for pupils and students, their right to subsidised school meals, the amount of subsidy, conditions and procedure for the allocation of school meal subsidy and supervision of the implementation of the Act. With the adoption of the Exercise of Rights to Public Funds Act<sup>13</sup> in July 2010 and the Act Amending the Exercise of Rights to Public Funds Act,<sup>14</sup> social work centres decide on the right to additional meal subsidies for pupils and students and lunch subsidies for pupils and students according to uniform regulations and procedures which regulate the exercise of rights to public funds. The individual provisions of the School Meals Act ceased to apply immediately. With the adoption of the Fiscal Balance Act,<sup>15</sup> the general subsidy for meals in the amount of two-thirds of a meal price to which all pupils and students who applied for a meal were entitled and the additional subsidy for a meal in the amount of one-sixth of a meal price were abolished on 1 September 2012. An additional subsidy for meals in the amount of one-third of a meal price has been preserved, to which pupils and students whose income per family member amounts to up to 42 per cent of the average monthly income per person from net payment are entitled. In exceptional cases, social work centres may also consider other facts and circumstances which are the result of long-term illness, death in the family, parents' sudden loss of employment, natural or other disasters. Regardless of the criteria, a meal subsidy can be granted to pupils/students in foster care and asylum seekers. 1.3 per cent of pupils registered in the educational system are entitled to a lunch subsidy in this academic year; 1.6 per cent in the previous year. In order to provide meals for as many children as possible and to simplify the procedure, the National Assembly of the RS adopted amendments to the School Meals Act on 28 December 2012, which were drafted by the Ministry of Education, Science and Sport in cooperation with the Ministry of Labour, Family, Social Affairs and Equal Opportunities. The Act enters into force on 1 February 2013.

12. With the new regulation entering into force on 1 February 2013, somewhat more than 80,000 pupils or almost 50,000 new pupils will have the right to a meal subsidy in elementary school. About 12,000 children will acquire the right to a lunch in elementary school, or almost 15,000 pupils in total. The number of recipients of a meal in secondary school will also increase substantially. On the basis of estimates drafted so far, almost 35,000 students in total acquired the right to a meal, or 20,000 students more than the current number.

13. The Ministry of Education, Science and Sport has also drafted a policy on school textbooks, as it wants to:

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<sup>11</sup> Subsidised Secondary School Students Meals Act (Official Gazette of the RS, No. 45/08).

<sup>12</sup> School Meals Act (Official Gazette of the RS, Nos. 43/10, 62/10, 27/12).  
[http://zakonodaja.gov.si/rpsi/r02/predpis\\_ZAKO5652.html](http://zakonodaja.gov.si/rpsi/r02/predpis_ZAKO5652.html).

<sup>13</sup> Exercise of Rights to Public Funds Act (Official Gazette of the RS, No. 62/2010).

<sup>14</sup> Act Amending the Exercise of Rights to Public Funds Act (Official Gazette of the RS, No. 40/2011).

<sup>15</sup> Fiscal Balance Act (Official Gazette of the RS, No. 40/2012).

- alleviate parents' financial burden: the Ministry dedicated funds to provide free lending of textbooks from textbook funds for all pupils and is encouraging a reduction in the use of workbooks and other teaching material and thus related costs.
- reduce the weight of schoolbags and introduce electronic textbooks and e-material.
- increase the role of experts in ensuring the harmonisation of textbooks with syllabuses and ensure their quality.

14. The State budget provides funds for lending textbooks from textbook funds organised by elementary schools. Such borrowing is free of charge for 96 per cent of all pupils (4 per cent decide not to borrow books from textbook funds). If parents are unable to pay for workbooks, free workbooks are provided for children (from school funds). Parents at each school determine which workbooks are affordable.

15. Secondary schools decide whether they will keep textbook funds. The State subsidises the cost of textbooks. If parents are unable to pay for wear and tear, they are entitled to financial aid when borrowing textbooks and purchasing workbooks.

16. Local communities provide funds for the free transportation of elementary school pupils, and secondary school students are provided with funds for subsidised transportation from the State budget. In accordance with Article 81 of the Organisation and Financing of Education Act,<sup>16</sup> subsidised transportation is provided for all secondary school students and students of short cycle higher education, who receive education at a location which is over 5 km from their place of residence; whereby, the sum of subsidised transportation may amount to 70 per cent of the cost of transportation. In the 2010-2011 academic year, 39 per cent of students received transport subsidies.

17. We estimate that measures adopted in 2012 and 2013 may somewhat affect the social status and social inclusion of individuals and families, particularly among the lower middle class, and will have no effect on the most vulnerable individuals and families (those with the lowest income). The State remains committed to providing a minimum income, social inclusion, comprehensive access to services and the fastest possible employment of people on the margins of the labour market.

#### **Reply to the issues raised in part I, paragraph 4, of the list of issues**

18. The Children's Parliament is a project to educate children and adolescents on democracy; it is not a formal political body. As a form of democratic dialogue, parliaments are held at three levels: in all Slovenian elementary schools, at municipal and regional levels, and at the so-called national Children's Parliament. The project has been under way since 1990 and is one of the original forums for encouraging children to express their opinions on questions which they propose (as a public discussion forum) according to a democratic procedure. Pupils from the majority of Slovenian elementary schools participate in the programme, with the support of their mentors and volunteers. It is also a form of cooperation between children in a social environment and a way to acquire knowledge on human and civil rights. The project is run by the Slovenian Association of Friends of Youth, a non-governmental non-profit organisation. The Children's Parliament is for elementary school pupils, assisted by head-teachers, mentors, teachers and counsellors at

<sup>16</sup> Organisation and Financing of Education Act (Official Gazette of the RS, Nos. 16/07-UPB5, 101/07; Constitutional Court Decision: 36/08, 22/09; Constitutional Court Decision: U-I-205/07-10, 55/09; Constitutional Court Order: U-I-356/07-13, 58/09 (64/09 amended, 65/09 amended), 16//10; Constitutional Court Decision: U-I-256/08-27, 47/10; Constitutional Court Decision: U-I-312/08-31, 20/11, 34/11; Constitutional Court Decision: U-I-205/10-23, 40/12-ZUJF, 57/12-ZPCP-2D).

schools, while volunteers of the Slovenian Association of Friends of Youth provide assistance outside the school.

19. The Children's Parliament was established on the initiative of pupils in order to provide them with a public platform where they can present their opinions, ideas and dilemmas regarding issues which are relevant to growing up in the environment in which they live, receive education and spend their free time. While doing so, the pupils expect the attention of school and local authorities and governmental and non-governmental organisations, which must listen to the initiatives of youth. The first discussion at the Children's Parliament concerned environmental issues. In the ensuing years, the topics included drug and other addictions, children's free time, pupil-teacher relations and the role of the media. The number of participating schools and local communities is growing continuously.

20. The Children's Parliament functions in the form of sessions which enable the participation of all elementary school pupils. The sessions take place at elementary schools in class communities and in the school parliament. Pupils at each school select a delegation for the municipal children's parliament. A delegation for the regional children's parliament is chosen at the municipal children's parliament, where the representatives present their peers' interests at the national children's parliament, which takes place at the National Assembly of the Republic of Slovenia. This session is conducted like sessions of the National Assembly. Pupils participate in a debate on a selected topic. Representatives of the Government of the RS and deputies are also invited to the session. Thus children learn to participate in their local environment and at State level, where they have an opportunity to communicate directly with politicians and ministers.

21. Relating to children's recommendations, the Slovenian Association of Friends of Youth collects the opinions of the competent authorities and prepares an annual joint report. Some recommendations and decisions of children's parliaments have been fully or partially realised e.g. school for parents, establishment of 24-hour TOM helpline, opening of day care centres for children and youth, informative leaflets and brochures for victims of abuse and other information on free time and ecology. Through the children's parliament, the children are informed on ways to participate in their local environment and encouraged to become involved.

#### **Reply to the issues raised in part I, paragraph 5, of the list of issues**

22. The elimination of all forms of discrimination against children from ethnic groups is one of the most important tasks of education. The regulations (in addition to children from socio-economically less encouraging environments and children undergoing treatment in hospital) define the following groups of children, pupils and students who, due to personal, socio-economic and cultural circumstances, require assistance or special measures in kindergartens or schools:

- in the areas where the two minorities live, the members of the Italian and Hungarian national community have the constitutional right to be educated in their own language and to form and develop education; the rights are defined in more detail in Act Implementing Special Rights of Members of the Italian and Hungarian Ethnic Communities Regarding Education and Training. For members of the Italian national community, the language of instruction is Italian, and Slovenian is a curriculum subject; for the Hungarian national community in the Prekmurje region, education in kindergartens and schools is conducted simultaneously in Slovenian and Hungarian. Educational programmes for both groups are adjusted (syllabuses, curricula, catalogues of knowledge); educational programmes are equipped with accomplishment instructions. Schools issue bilingual certificates and other statements. In kindergarten units, two childcare workers are simultaneously present



six hours a day. Due to the adjustment of the syllabus (additional subject), the weekly burden of pupils or students may result in two additional hours of instruction in comparison to other schools. More favourable norms obtain than in majority schools in elementary and secondary schools in the formation of classes and groups. In the first three grades of elementary school, two teachers are constantly present during classes in bilingual schools (one speaking Slovenian and one Hungarian).

- the members of the Roma community are a special group whose rights are regulated by an Act determined already in the Constitution of the RS. The realisation of special rights is minutely defined in the Roma Community Act<sup>17</sup> and for education, the rights are regulated by the Kindergarten Act and Elementary School Act. The Strategy for the Education of Roma in the Republic of Slovenia was adopted in 2004 and amended in 2011. An annex to the curriculum of kindergartens for working with Roma children and Instructions for the implementation of the elementary school programme for Roma pupils were adopted. In kindergarten departments with Roma children, the best child-adult ratio in the first age group is four children per adult, and seven children per adult in the second age group. Roma Culture is an optional subject in elementary schools. More favourable norms apply in the formation of elementary schools classes where at least three pupils are Roma than in regular classes (21 pupils maximum). Two teachers are present most of the time in the first grade of elementary school. A elementary school may employ an additional teacher or counsellor who is available for Roma pupils for study and other help. A school frequented by more than 45 Roma pupils may employ two additional teachers.

23. The Ministry of Education, Science and Sport finances several projects for the inclusion of a Roma assistant in the work of schools. The person is usually Roma and helps children overcome emotional and linguistic barriers and serves as a mediator between the kindergarten or school and the Roma community. The first such project was “Successful integration of Roma children into education (2008-2011)” which was coordinated by the Roma Union of Slovenia between 30 May 2008 and 31 August 2011. For the introduction of Roma assistants in schools, school project teams were established which included Roma assistants in addition to leading and/or expert workers. The training of thirty Roma assistants was organised, and at the end of the project, they received national vocational qualifications. The results of their work are displayed in better relations between children and teachers, parents and schools. The pupils (more than one thousand were included) attended classes more regularly and were more successful. Materials on the Roma language, history and culture were produced. The education of Roma parents was implemented. The project echoed in the broader European space, receiving a special mention at the competition for the 2010 RegioStars Awards given by the European Commission.

24. The project, “Successful integration of Roma children into education I (2011-2014) II”, which was selected at a tender of the European Social Fund in July 2011, is building on the results of the previous project of the Roma Union of Slovenia, the current project of the Institute for Ethnic Studies, solutions of the Strategy and its 2011 amendment. The project began on 1 September 2011 and ends on 31 August 2014. The contractual value of the project, which is managed by Kočevje Public University, is EUR 1,675,680. With this project, we wish to upgrade and raise the quality of Roma assistants’ work, which would contribute to achieving higher standards of knowledge among Roma children in elementary school and their greater inclusion at secondary level. To achieve this objective, the further education of Roma assistants is required; thus the activities are also intended to improve their educational level, because this is the only way to ensure the conditions for the

<sup>17</sup> Roma Community Act (Official Gazette of the RS, No. 33/07).

systemic management of the position of Roma assistants within the national framework. The inclusion of Roma assistants in school life and work has to be carefully planned; each school has to form an integration and work plan for their Roma assistant(s) in cooperation with the assistants. Teaching materials and aids for children and pupils also have to be prepared.

25. In 2010, the second tender by the European Social Fund was implemented – “Increasing the Social and Cultural Capital in Areas populated by members of the Roma community.” The project is being implemented by a consortium of seven partners, led by the Institute for Ethnic Studies. The activities began on 1 June 2010 and will conclude at the end of August 2013. The contractual value is EUR 3,562,000. The objectives of the project include:

- the development of innovative and creative forms of educational work in the Roma community, with a special emphasis on pre-school education;
- the organisation of study assistance for Roma pupils and students in order to raise the quality of study, scholastic attainment and understanding, and encourage motivation and active, independent study;
- the development and implementation of various forms of extra-curricular activity for Roma children, youth and parents in the Roma community;
- the education and training of teachers, social and other expert workers and expert workers in non-governmental organisations for work with Roma children and adolescents.

One of the innovative features of the project is the establishment of so-called Roma educational incubators, which can be defined as a comprehensive programme including various forms of work with Roma children, youth and their parents in their environments i.e. in Roma settlements.

26. At the end of 2011, the project included 30 kindergartens and schools. Almost 700 Roma pre-school children, pupils and students were involved in the study assistance and other forms of educational work and pre-school and extra-curricular activities. Thirty-five service providers implemented study assistance; 35 pre-school, extra-curricular and other activities were organised; seven different forms of professional training were implemented, in which more than 150 expert workers participated.

27. Immigrants (foreigners): the rights of child immigrants are defined in more detail in the Kindergarten Act<sup>18</sup>, Elementary School Act,<sup>19</sup> Gimnazije Act<sup>20</sup> and Vocational Education Act,<sup>21</sup> the Asylum Act<sup>22</sup> provides refugees and asylum seekers the right to education.

28. On the basis of the strategy on the inclusion of child immigrants in the educational system, which was adopted in 2007, the Guidelines for the education of immigrant children in kindergartens and schools were drafted in 2009 and amended in 2012. The guidelines determine strategies, adjustments for work and ways of cooperation and the integration of child immigrants and their parents; the objective is to help kindergartens and schools in

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<sup>18</sup> Kindergarten Act (Official Gazette of the RS, Nos.100/05-UPB2, 25/08, 98/09-ZIUZGK, 36/10, 62/10-ZUPJS, 94/10-ZI, 40/12-ZUJF).

<sup>19</sup> Elementary School Act (Official Gazette of the RS, Nos. 12/96, 33/97, 54/00, 59/01, 71/04, 23/05-UPB1, 53/05, 70/05-UPB2, 60/06 (63/06 amended), 81/06-UPB3, 102/07, 107/10, 87/11, 40/12-ZUJF).

<sup>20</sup> Gimnazije Act (Official Gazette of the RS, No. 1/07-UPB1).

<sup>21</sup> Vocational Education Act (Official Gazette of the RS, No. 79/06).

<sup>22</sup> Asylum Act (Official Gazette of the RS, No. 134/03-UPB1).

planning educational work with child immigrants. In pre-school, elementary school, secondary school and higher education, refugees have the same rights as Slovenian citizens. In accordance with the curriculum in kindergartens, childcare workers implement activities for children whose mother tongue is not Slovenian, which stimulate their ability to speak Slovenian. When entering school, pupils and students may participate in Slovenian language courses. In agreement with parents, elementary schools may adjust methods and deadlines for testing children's knowledge and grading. Teachers may evaluate children's progress with regard to their progress; the adjustments apply for two academic years at the most. A syllabus for a Slovenian language course for secondary immigrant school students was adopted (70 hours). Pupils and students who are asylum seekers receive a free meal at school and can borrow textbooks from school textbook funds free of charge. In agreement with the State of origin, the Ministry of Education, Science, Culture and Sport has been supporting remedial classes for the mother tongues and cultures of child immigrants in elementary schools for many years. German, Croatian, Macedonian, Russian, Dutch, Greek and Albanian language and cultural courses were implemented in the 2010-2011 academic year.

29. The Ministry of the Interior prepared a web portal with information which foreigners need for living and working in Slovenia. The portal also includes information on free Slovenian language courses and courses on Slovenian history, culture and the Constitution for third country nationals. Child immigrants also receive help from associations and other non-governmental organisations e.g. the Centre for Psychosocial Assistance to Refugees, which operates under Slovene Philanthropy, and advises, informs, provides psychosocial assistance and advocacy, cares for unaccompanied minors, organises Slovenian language courses, study assistance, social activities and other forms of assistance during integration.

30. The Ministry of the Interior and the police pay special attention to educating police officers and criminal police officers working in multi-ethnic communities. They also focus on the prevention of hate speech and implement various activities to improve the situation of Roma children and their social inclusion in the broader environment. The work of the Ministry and police was commended explicitly by the Human Rights Ombudsman in her 2011 annual report.

#### **Reply to the issues raised in part I, paragraph 6, of the list of issues**

31. In 2010, the Act Regulating the Legal Status of Citizens of Former Yugoslavia Living in the Republic of Slovenia<sup>23</sup> was enacted in the Republic of Slovenia, and entered into force on 24 July 2010. The Act redefines the issue of permanent residence permits also for the children of the "erased" who were born in the Republic of Slovenia after 25 June 1991 and who have actually resided in the Republic of Slovenia since their birth.

32. With regard to the recognition or enforcement of rights in other fields, the Republic of Slovenia explains the purpose of this Act was to mitigate the arrangement of the status (acquisition of permanent residence permit) for citizens of the former Yugoslav republics and also for the children of the "erased", which differs from the arrangements under the Aliens Act which applies to other foreigners. Thus this Act does not regulate other rights or compensations. The "erased" who were issued permanent residence permits, or the children of the "erased" who were issued permanent residence permits, can become entitled to rights regulated by sector-specific laws for aliens and are conditioned by the possession of permanent residence permits or registered permanent residence in the Republic of Slovenia.

<sup>23</sup> Act Regulating the Legal Status of Citizens of Former Yugoslavia Living in the Republic of Slovenia (Official Gazette of the RS, No. 50/10).

33. With regard to compensation for damages, the Republic of Slovenia explains that, according to the applicable legislation on compensation for damages incurred by the “erased” or all affected persons due to the erasure from the Permanent Population Register, the amount of compensation is decided by courts when assessing individual actions for damages in accordance with the general provisions of the law of torts.

34. In the decision handed down in *Kurić and Others v. Slovenia* (application no. 26828/06) on 26 June 2012, the Grand Chamber of the European Court of Human Rights directed the Republic of Slovenia to establish a compensation scheme and systematically arrange the payment of damages to those whose fundamental human rights were violated due to the erasure.

35. Due to the ruling of the Grand Chamber of the European Court of Human Rights in *Kurić and Others v. Slovenia*, the Republic of Slovenia will prepare a special compensation scheme. For this purpose, the Government of the RS established a special interministerial working group to resolve issues relating to the “erased” in October 2012, the task of which is to devise appropriate solutions for implementing the ruling.

#### **Reply to the issues raised in part I, paragraph 7, of the list of issues**

36. **The Marriage and Family Relations Act**<sup>24</sup> in several provisions explicitly refers to the best interests of the child as the basic principle for actions and treatment concerning children. The parents work in the child’s best interests if they satisfy his/her material, emotional and psycho-social needs. The Marriage and Family Relations Act stipulates that for the purpose of guaranteeing and promoting the rights of the child and the best interests of the child, the family is entitled to special social protection, and that the State always provides care for minors when their healthy development is endangered and when other children’s benefits so require. A social work centre may remove a child from its parents and place the child in care with another person or institution if the parents neglect the child’s care and protection, or if this is in the best interests of the child for other important reasons. With the removal, other right and duties of the parents regarding the child do not cease.

37. In the new draft Family Code a provision on prohibiting the corporal punishment of children, was proposed by the Ministry of Labour, Family and Social Affairs. The provision obliges parents, other persons, State authorities, public service providers and holders of public authority when ensuring a child’s best interests, not to expose him/her to any form of corporal punishment. To eliminate all forms of corporal punishment of children, the Family Violence Prevention Act<sup>25</sup> was passed in 2008, which highlights explicitly the prohibition of physical violence (and also other forms of violence). According to this Act, children are a specially protected category, because all the competent authorities must, when they encounter violence against children, act particularly quickly and efficiently, and thus the Act specifically determines that violence against children is constituted by their mere presence in a situation of violence committed against other family members. The Act also envisages different types of victim care and protection (restraining order, surrendering a flat etc.) and cooperation with the perpetrator, with the provisions for penalties being defined in the criminal law (either as minor offences or as criminal offences). If the corporal punishment is severe or frequent, the act will be qualified as domestic violence under this Act; otherwise, the competent social work centre or court can take a breach of this provision into consideration by imposing a possible restriction of parental rights, or as it is now called, parental care.

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<sup>24</sup> Marriage and Family Relations Act (Official Gazette of the RS, No. 69/04 - UPB1).

<sup>25</sup> Family Violence Prevention Act (Official Gazette of the RS, No. 16/08)

38. Notwithstanding that there is no special provision criminalising the corporal punishment of children, Slovenia has several penal provisions which enable sanctioning of various types of violence against children with regard to how they are inflicted (e.g. brutal conduct, cruel treatment, compelling a child to undertake a harmful practice or work, mendicancy, all types and forms of sexual abuse, etc.) and in the case of prohibited consequences (e.g. death, infliction of physical injury, disability, encouragement to suicide), regardless of the type of guilt (negligence or intent). The anticipated sanctions for these acts are financial penalties and imprisonment (between 15 days to 15 years; in particularly severe cases, up to 30 years).

39. In the field of foster care, the Provision of Foster Care Act<sup>26</sup> stipulates in Article 43 that if the centre of social work establishes that a foster carer acts contrary to the best interests of the foster child, the centre must submit to the ministry (the Ministry of Labour, Family, Social Affairs and Equal Opportunities) a written proposal with a suitable explanation for the withdrawal of authorisation. The amendment to the Act (the Official Gazette of the RS, No. 109/2012), which entered into force on 1 January 2013, additionally protects the child's interests or ensures special protection of a child from abuse. Thus the provision in Article 6 of the Act now states that a foster carer cannot be a person who has been deprived of parental rights, legal capacity or who lives with a person who has been deprived of parental rights. The Act is also supplemented with an additional condition or limitation i.e. that a foster carer cannot be a person who has been convicted of a wilful criminal offence which is being prosecuted ex officio or who lives with such a person. When deliberating conditions, a social work centre must acquire a certificate from the criminal records ex officio from the ministry responsible for justice.

40. By adopting the Act Amending the Criminal Code,<sup>27</sup> Slovenia introduced some changes and amendments to the legislation, including the corporal punishment of children and minors. The Act Amending the Criminal Code (KZ-1B) entered into force on 15 May 2012. Within this framework, the provision from Article 192<sup>28</sup> of the Criminal Code which regulates the criminal act of "Neglect and Maltreatment of Minors" was amended in a manner which now explains explicitly that this criminal act applies to all cases where such conduct is perpetrated against persons under the age of 18. The wording of the aforementioned article, which applied until 15 May 2012, permitted an interpretation that its provisions applied only when the victims of such acts were children under the age of 14.

41. **The corporal punishment of children, pupils and students is also prohibited in educational institutions.** In recent years, in cooperation with public educational institutions, the Ministry of Education, Science and Sport has been striving to improve and increase the inclusion of content which would contribute to overcoming stereotypes in curricula documents and to include content in school curricula which are related to the issues of violence (prevention and treatment).

<sup>26</sup> Act Concerning the Pursuit of Foster Care (the Official Gazette of the RS, Nos. 110/02, 56/06- Constitutional Court Decision, 114/06 - ZUTPG, 71/08 - ZUTPG-A)

<sup>27</sup> Act Amending the Criminal Code (KZ-1B; Official Gazette of the RS, No. 91/11).

<sup>28</sup> After the KZ-1B entered into force, Article 192 of the KZ-1 states: Neglect and Maltreatment of Minors (1) A parent, guardian, foster parent or other person who seriously breaches his obligations to a minor shall be sentenced to up to three years in prison. (2) A parent, guardian, foster parent or other person who forces a minor to work excessively or to perform work unsuitable to his age, or give up his work, or who out of greed inures a minor to begging or other conduct harmful to his proper development, or who maltreats him shall be sentenced to imprisonment for not more than five years.

42. **The Rules on the Treatment of Domestic Violence for Educational Institutions**<sup>29</sup>

were adopted on 18 December 2009 and entered into force on 2 January 2010 after being harmonised with discipline experts, expert workers and the broader public. Educational institutions have been informed on the Rules, and intensive educational courses on implementation of the Rules are taking place in Slovenia. For better cooperation, particularly between educational institutions and social work centres and also the police, an agreement relating to the implementation of tasks for the protection of children which derive from the Family Violence Prevention Act is in the process of adoption with regard to domestic violence. The Rules and the agreement are a form of protocol for educational institutions i.e. they determine the conduct of employees in educational institutions when they detect violence against children in children's families, forms of help for children who are victims of violence in educational institutions and the cooperation of educational institutions with other institutions (social work centres, the police, prosecution service etc.) in cases of violence against a child in his/her family. The Rules on cooperation between the police and other authorities in the detection and prevention of domestic violence (Official Gazette of the RS, No. 25/2010) which regulate the conduct of the police when treating domestic violence and which also include violence against children were issued in 2010.

43. From the end of 2008 until 2011, the Ministry of Education and Sport financed two projects on the treatment and prevention of violence; the first was intended for the preparation and implementation of a model to identify and prevent violence within elementary schools (a model that can be used in schools was drafted); the second project included networking of (elementary) schools which applied prevention in this period and which, in addition to expert workers and pupils, included parents in their work. In the field of social and civic competencies, several projects have been financed especially from the European Structural Funds in the last three years which contribute to overcoming stereotypes. One such example is the New Opportunity project, where expert workers in secondary schools acquired knowledge on mediation.

44. Public institutions in the field of education (the National Education Institute of the Republic of Slovenia – emphasis on counselling; the CPI with the project Punishment in School with an issued publication, which falls in the context of resolving educational questions and violations of school rules in secondary vocational and technical schools, School for Headteachers with Networks of learning schools (Strategies for violence prevention) also discussed the prevention of violence.

45. Training for expert workers (on personal relations, harmony, non-violence, educational functioning of school, etc.) were financed. Between 2010 and 2011, education in the field of social and civic competencies was implemented by the Faculty of Education, which was financed from the European Structural Funds and the Ministry of Education, Science and Sport. Within the project "Professional training of professionals in education" in 2008, 2009, 2010 and 2011 in the field of social and civic competencies, expert workers were educated on various issues which also included identifying and preventing various forms of violence.

46. The subject of the public procurement "Co-financing of professional training of professionals in education on identifying and preventing violence between 2010 and 2012" financed by the European Structural Funds and the Ministry of Education, Science and Sport involved co-financing the training of key expert workers in education when discussing violence in the family in accordance with the Rules on the Treatment of Domestic Violence for Educational Institutions. The training of professionals in education on the treatment of domestic violence was implemented by the Institute of Criminology

<sup>29</sup> Rules on the Treatment of Domestic Violence for Educational Institutions (Official Gazette of the RS No. 104/09).

until July 2012 (more on the training at <http://projekti.inst-krim.si/>). The integrated educational programme included all important contents for the suitable empowerment of professionals who share their newly acquired knowledge in the form of training for trainers (TforT) at their educational institutions. With the project “Professional training of professionals in education in the field of strengthening competencies for the prevention of violence”, Institut za psihološko svetovalne razvojne projekte (Institute for Psychological Counselling Projects) worked on strengthening the skills of expert workers in education for the successful identification and prevention of violence. The project included five training programmes for the implementation of primary prevention programmes:

- informing and actively involving the staff in educational institutions so that they understand better the issue of violence, acquire and strengthen skills to identify violence, to respond appropriately to violence and offer help to victims of violence.
- equipping and enhancing children’s and adolescents’ knowledge with important information and skills for self-protection.
- informing and actively involving expert workers in preventive work with families.
- informing and actively involving parents so that they understand better the issue of violence, acquire and strengthen skills to identify violence, respond appropriately to violence and offer help to victims of violence.
- strengthening of social networks with the help of volunteers as an important prevention factor.

Both projects implemented free training for expert workers from all parts of Slovenia.

47. Several publications on violence prevention and treatment (in schools and families) have been published recently.

#### **Reply to the issues raised in part I, paragraph 8, of the list of issues**

48. In the last five years, the Republic of Slovenia has taken important steps in the area of legislation. We passed the Mental Health Act,<sup>30</sup> which in addition to health policy defines social care or activities in the field of mental health for persons with mental health problems. Currently we are editing the Resolution on mental health. The purpose of the Resolution on the National Programme for Mental Health until 2016 is to maintain and improve the health of the entire population, with a special emphasis on support for vulnerable groups, and with the final objective of raising the quality of life of Slovenian citizens. One of the important aspects of the Resolution is the cooperation and integration of different sectors in order to enable access to services, and to harmonise and offer efficient services to all users. The promotion of the mental health of children and greater care for children have thus acquired special significance within the health care of children as well as within the mental health of the society as a whole. The proposal of the Resolution on the National Programme for Mental Health was first publicly debated between 7 September and 16 November 2009, and subsequently between 6 April and 3 May 2011. Many comments were received from psychiatric experts after the second public debate, so the Minister of Health appointed a new working group, which is led by the Medical Director of the largest psychiatric hospital in Slovenia. Due to major changes to the text, the proposed programme will undergo a third public debate in 2013. Notwithstanding the programme not being officially confirmed by the National Assembly, several important projects of the programme have already been carried out. It was thus systemically arranged that all psychiatric hospitals began to implement community psychiatric treatment in June

<sup>30</sup> Mental Health Act (Official Gazette of the RS No. 77/08).

2012, and in 2013, community psychiatry is expected to be implemented by multidisciplinary teams in medical centres in four regions where access to mental health services is estimated as poor (Krško, Prekmurje, Dolenjska and Koroška).

49. Slovenia has several good programmes for enhancing mental health and for preventing psychiatric problems. An example of good practice in the field of enhancing mental health is the Healthy Lifestyle model coordinated by the Institute of Public Health, where experts endeavour to implement content on mental health in school curricula through linking various subjects (see more at [http://www.zdravjevsoli.si/index.php?option=com\\_content&view=article&id=30&Itemid=27](http://www.zdravjevsoli.si/index.php?option=com_content&view=article&id=30&Itemid=27)). The programme “This Is Me” led by the Institute of Public Health in Celje is a good starting point for enhancing the mental health of children and adolescents and also for preventing mental problems. Young people can find expert information relating to their problems at the internet portal and have the opportunity to exchange their opinions with peers.

50. Mental health centres (public institutions) provide mental health care of children, adolescents and families in cases of intellectual disabilities, study problems and other children’s disabilities. Counselling centres for children, adolescents and parents (public institutions) are directed towards protecting the mental health of children and adolescents, and family centres (non-profit non-governmental organisations and private institutions) co-financed by the Ministry of Labour, Family, Social Affairs and Equal Opportunities on the basis of public procurements are intended to offer various forms of help (e.g. therapeutic counselling aid, supplying information on a certain issue in the form of lectures, seminars, workshops and help in overcoming conflicts encountered by families or individuals in their everyday life (e.g. domestic violence, divorce, poor communication between family members, and similar)). In 2010, the programmes of family centres acquired a total of EUR 753,259.90. More than one third (37.1 per cent) of all funds received were from the Ministry of Labour, Family, Social Affairs and Equal Opportunities. The remaining funding comes from municipalities (15 per cent), contributions by users (18.5 per cent), donations (13.5 per cent) and other sources (15.6 per cent).

#### **Reply to the issues raised in part I, paragraph 9, of the list of issues**

51. As mentioned above, Slovenia adopted extensive amendments to the Criminal Code by adopting the Act Amending the Criminal Code<sup>31</sup> on 15 May 2012, which contains new and amended provisions regulating issues such as combating child trafficking, sexual exploitation and child pornography. The amendments were also implemented because of the harmonisation of criminal offences with European acts in this field.<sup>32</sup>

#### **The amendments adopted with the amended KZ-1B are highlighted**

##### **Trafficking in human beings**

###### *“Article 113*

(1) Whoever purchases another person, takes possession of them, accommodates them, transports them, sells them, delivers them or uses them in any other way, or recruits, exchanges or transfers control over such person, or acts as a broker in such operations, for the purpose of prostitution or another form of sexual exploitation, forced labour, enslavement, service, exploitation for criminal offences or trafficking

<sup>31</sup> Act Amending the Criminal Code (Official Gazette of the RS, No. 91/11).

<sup>32</sup> Council of Europe; Lanzarote Convention; EU Directive 2011/92/EU and EU Directive 2011/36/EU.



in organs, human tissue or blood shall be given a prison sentence of between one and ten years, irrespective of the possible consent of such person.

(2) If an offence from the preceding paragraph was committed against a minor or with force, threats, deception, kidnapping or exploitation of a subordinate or dependent position, or by giving or receiving payments or benefits to achieve the consent of a person having control over another person, or in order to force a victim to become pregnant or be artificially inseminated, shall be given a prison sentence of between three and fifteen years.

(3) Whoever carries out an offence from paragraphs 1 and 2 of this Article as a member of a criminal organisation to commit such offences, or if a large pecuniary benefit was gained through committing the offence, the perpetrator shall be subject to the same punishment as specified in the preceding paragraph.

### **Sexual Assault on a Person below Fifteen Years of Age**

#### *Article 173*

(1) Whoever has sexual intercourse or performs any other act of sexual nature with a person of the same or opposite sex under the age of fifteen years shall be sentenced to imprisonment for not less than three and not more than eight years.

(2) Whoever commits the offence under the preceding paragraph against the defenseless person under the age of fifteen or by using force or threatening him/her with imminent attack on life or limb, or, by acting in this way, achieves that the aforementioned act is committed with another person, shall be sentenced to imprisonment for not less than five and not more than fifteen years.

(3) A teacher, educator, guardian, adoptive parent, parent, priest, doctor or any other person who through the abuse of his position has sexual intercourse or performs any other act of sexual nature with a person under the age of fifteen and whom he is entrusted to teach, educate, give medical treatment, protect or care for shall be sentenced to imprisonment for not less than three and not more than ten years.

(4) Whoever, under circumstances under paragraphs 1, 2 or 3 of this Article, in any other way violates the sexual integrity of the person under the age of fifteen years shall be sentenced to imprisonment for not more than five years.

(5) The act referred to in paragraph 1 of this Article shall not be illegal if it is committed with a person of comparable age and if it corresponds to the mental and physical maturity of this person.

### **Solicitation of persons under fifteen years of age for sexual purposes**

#### *Article 173a*<sup>33</sup>

(1) Whoever proposes, by using information or communication technologies, a meeting to a person under fifteen years of age for the purpose of committing a criminal offence referred to in paragraph 1 of Article 173 or producing pictures or audiovisual or other items of a pornographic or other sexual nature, and where this proposal has been followed by material acts leading to such a meeting, shall be sentenced to up to one year in prison.

<sup>33</sup> New Article introduced with KZ-1B.

(2) The act referred to in the preceding paragraph shall not be illegal if it is committed for the purposes of committing the act referred to in paragraph 1 of Article 173 and under conditions referred to in paragraph 5 of Article 173 of this Code.

### **Exploitation through Prostitution**

#### *Article 175*

(1) Whoever participates for exploitative purposes in the prostitution of another or instructs, obtains or encourages another to engage in prostitution with force, threats or deception shall be given a prison sentence of between three months and five years.

(2) Whoever participates, for purpose of exploitation, in the prostitution of a minor, or makes recourse to the prostitution of a minor, or whoever instructs, obtains or encourages a minor to prostitution by force, threat, deception, recruitment or solicitation shall be sentenced to between one and ten years in prison.

(3) If the offences referred to in paragraphs 1 or 2 of this Article were committed against several persons or within a criminal association, the perpetrator shall be sentenced to between one and twelve years in prison.

### **Presentation, Manufacture, Possession and Distribution of Pornographic Material**

#### *Article 176*

(1) Whoever sells, presents or publicly exhibits documents, pictures or audiovisual or other items of a pornographic nature to a person under fifteen years of age, enables them to gain access to these in any other way or presents them a pornographic or other sexual performance shall be given a fine or a prison sentence of up to two years.

(2) Whoever, by force, threat, deception, exceeding or abusing powers, recruitment or solicitation, or for purpose of exploitation, instructs, obtains or encourages a minor for producing pictures, audiovisuals or other items of a pornographic or other sexual nature, for participation in a pornographic or other sexual performance or is knowingly attending such performance, shall be sentenced to between six months and eight years in prison.

(3) The same punishment as referred to in the preceding paragraph shall be imposed on whoever, for himself or any third person, acquires, produces, disseminates, sells, imports, exports pornographic or other sexual material depicting minors or their realistic images, or supplies it in any other way, or possesses such material, or obtains access to such material by means of information and communication technologies, or discloses the identity of a minor in such material.

(4) If an offence from paragraphs 2 or 3 of this Article was committed within a criminal organisation for the committing of such criminal offences, the perpetrator shall be given a prison sentence of between one and eight years.

(5) Pornographic or other sexual material from paragraphs 2, 3 or 4 of this Article shall be seized or its use appropriately disabled.”

52. Few potential victims of child trafficking are identified in Slovenia. The process of identification of children victims of human trafficking begins with non-governmental organisations or the police, who receive information on victims of human trafficking.

Initially, the police and the non-governmental organisation cooperates with a social work centre and other organisations in order to provide help to the child. As soon as the child is identified as a victim of human trafficking, especially when unaccompanied minors are concerned, a guardian is appointed to accompany the child through the entire procedure and offer the child suitable care and accommodation (social work centre, asylum centre, aliens centre, etc.), healthcare and information in a language which the child understands. In the case of unaccompanied minors, the Republic of Slovenia is a transit country for the majority of children who are unaccompanied. Soon after arrival, they leave the country and continue their journey to the countries of Northern and Western Europe. As a rule, children who are victims of human trafficking (in transit countries) are returned to their country of origin, unless their guardians or other organisations do not agree to their return.

53. We would like to stress that the problem of child trafficking is included in the comprehensive treatment of human trafficking. Activities in this field are harmonised within the framework of an interministerial working group on trafficking in human beings, which prepares an action plan every two years, which is then confirmed by the Government of the Republic of Slovenia. Various prevention programmes financed from sectoral governmental services or ministries are implemented on the basis of the action plan. Thus non-governmental organisations which implement projects to raise awareness among pupils and students are selected through public procurements. The Ministry of Education, Science and Sport in cooperation with the National Education Institute of the Republic of Slovenia prepares systemic solutions relating to educational programmes which would include preventive elements from the field of trafficking in human beings or children.

54. With regard to compensation for child victims of the aforementioned criminal offences, Slovenia adds that a general compensation scheme for all victims of violent criminal offences is arranged on the basis of provisions from the Crime Victim Compensation Act.<sup>34</sup> A child who is the victim of an intentionally committed violent offence (i.e. a criminal offence committed involving a direct physical attack on life or limb with the use of force or violation of sexual integrity which under the Criminal Code carries a sentence of imprisonment of one or several years) is entitled to monetary compensation from the aforementioned national scheme if all formal and material conditions are met. If the child victim is granted monetary compensation from the national scheme, the victim may still claim full compensation from the perpetrator of the offence. If the applicable court then grants such compensation and the convicted perpetrator actually pays it, the State can claim reimbursement of the funds paid from the national scheme. If such compensation cannot be claimed from the perpetrator (if he/she has no funds), the child victim retains the full amount of compensation allocated from the national scheme on the basis of the Crime Victim Compensation Act.

#### **Reply to the issues raised in part I, paragraph 10, of the list of issues**

55. The Criminal Code (hereinafter referred to as KZ-1)<sup>35</sup> stipulates in Article 375 (transitional provision) that until the establishment of special penal laws for minors under the second paragraph of Article 5 of the KZ-1, the provisions of the second paragraph of Article 70, the provisions of Articles 71 to 94, the provisions which refer to juvenile detention in the fifth paragraph of Article 47, the first, second and fourth paragraphs of Article 49, and the provisions of the third paragraph of Article 100, the first paragraph of Article 102, point 3 of the fourth paragraph of Article 103, the sixth paragraph of Article 109, the second paragraph of Article 113 and Article 115 of the Penal Code<sup>36</sup> (hereinafter

<sup>34</sup> Crime Victim Compensation Act (Official Gazette of the RS, Nos. 101/05 and 86/10).

<sup>35</sup> The Criminal Code (Official Gazette of the RS, No. 50/12 – official consolidated text).

<sup>36</sup> Penal Code of the Republic of Slovenia (Official Gazette of the RS, Nos. 63/94, 70/94 – amendment,

referred to as KZ) shall apply to minors; the provisions from the Penal Code which apply to adults shall apply only if they are not contrary to the aforesaid provisions of the KZ-1.

56. With regard to the current provisions of the KZ-1, only the enumerated provisions of the Criminal Code (hereinafter referred to as KZ) from the transitional provision of Article 375 of the KZ-1 apply to juvenile criminal offenders, which do not include a provision on the expulsion of aliens from the country (Article 40 of the KZ). Nevertheless, it is true that the third paragraph of Article 72 of the KZ stipulates that on an older minor who is criminally liable, the sentence of expulsion of an alien from the country can be passed as a secondary sanction, but considering the fact that the Criminal Code of 2008 (Official Gazette of the RS, No. 55/08 and 66/06 – amended), i.e. the KZ-1, deleted the sentence of expulsion of an alien from the country for adult perpetrators of criminal offences from the Slovenian criminal justice system, the KZ-1 has no material basis for passing a sentence of expulsion from the country on any alien, adult or minor (in Article 40, the KZ stipulated that expulsion of an alien from the country may be imposed for a period of between one and ten years from when the duration of expulsion was considered, and that time spent in prison was not considered in the duration of the penalty).

57. With regard to the aforementioned, we believe that if a court passed a secondary sentence of expulsion from the country on an alien who is a minor, this would be unlawful with regard to the current legislation, as it would infringe on the principle of legality from Article 45 of the KZ-1 on sentencing, which according to the transitional provision of Article 375 of the KZ-1 is applicable (also) to juvenile criminal offenders. If the court nevertheless decides on such a secondary sentence for an older minor, the Criminal Code would be infringed in this case to the detriment of the “accused”, which is a violation that is ex officio monitored by the appellate court (point 2 of the first paragraph of Article 383 of the Criminal Procedure Act in connection with Article 485 of the Criminal Procedure Act; Official Gazette of the RS, No. 32/12 – official consolidated text).

58. In Article 82, the Aliens Act<sup>37</sup> stipulates that alien minors unaccompanied by parents or other legal representatives who are illegally resident in the Republic of Slovenia and are in the process of deportation must be immediately assigned a guardian for special case by a social work centre. In agreement with the guardian, the alien minor is accommodated in suitable institutions responsible for the accommodation and care of unaccompanied alien minors. If this is not possible, the unaccompanied alien minors are accommodated at the Aliens Centre. Strict police supervision may not be imposed on an unaccompanied alien minor. Supervision may be imposed exceptionally, but only when the alien minor is accompanied by parents.

59. The task of the guardian is to study all the circumstances and propose a solution which is in the best interests of the unaccompanied alien minor. When seeking solutions, the guardian must consider all the relevant international legislation to which the Republic of Slovenia is a signatory, including the United Nations Convention on the Rights of the Child. An alien minor may not be returned to his/her country of origin or to a third country if no suitable reception is ensured there. Prior to possible deportation, it must be ascertained that the alien minor will be returned to his/her parents, legal representative or guardian or a suitable institution in the country to which he/she is to be deported, and which is responsible for the accommodation and care of minors.

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23/99, 40/04 and 95/04).

<sup>37</sup> Aliens Act (Official Gazette of the RS, No. 50/11).

## Part II

### Reply to the issues raised in part II (a) of the list of issues

#### New bills or laws, and their respective regulations

##### International protection and immigration

60. The Aliens Act<sup>38</sup> entered into force on 28 July 2011. The new act transposed European legislation on immigration into national legislation. Regarding alien minors, Article 82 of this Act which determines the procedure for alien minors should be mentioned in particular. In addition to the provisions which determine the appointment of a guardian for special case to alien minors unaccompanied by parents, legal representatives or guardians and which define special safeguards in the procedure for deporting alien minors (for details, see Point 10), close cooperation between the police and social work centres must also be mentioned. The cooperation of the police and social work centres in this field is determined by the Protocol on cooperation between social work centres and the police when implementing aid to unaccompanied alien minors according to Article 82 of the Aliens Act.

61. In the field of unaccompanied minors, the Act Amending the International Protection Act<sup>39</sup> provides a more detailed procedure for determining a minor's age. The competent authority may order an examination by a medical expert of a minor. The minor and his/her legal representative must be informed of the examination in writing and in a language that the minor understands. The examination may be implemented only with the approval of the minor and his/her legal representative. In the notification, the competent authority must state the possible consequences of unjustified refusal of the examination on the final decision on the international protection of the minor applicant for international protection.

##### Family and social affairs

62. The Act Amending the Provision of Foster Care Act (ZIRD-A)<sup>40</sup> was passed, in which, in addition to the aforementioned novelties, some matters regarding foster care payments were amended, i.e. single receipt upon the placement of a child (if the social work centre assesses that an additional purchase of clothes and equipment is required upon placement) and cancellation of the possibility of raising the amount of material costs (by 25 per cent of material costs) for the placement of a child, which has no time limit under the current arrangement; the amount of material costs was raised i.e. from EUR 272.74 to EUR 291.27 (in accordance with the amended basket of living costs); implementation of a lower foster care allowance if a child has a regular income i.e. in two amounts (by 25 per cent or 50 per cent of material costs) – foster care allowance is reduced if a child has a regular income (e.g. child maintenance, family pension) depending on the amount by 25 per cent or 50 per cent of material costs; establishment of the raising of the foster care allowance by 25 per cent of the basic amount of material costs if a child is placed in an institution and in weekend foster care and has no child maintenance or family pension; harmonisation of foster care allowance, which according to the applicable legislation consists of means for material costs and a cash receipt in the amount of child benefit allocated to the lowest

<sup>38</sup> Aliens Act (Official Gazette of the RS, No. 50/11).

<sup>39</sup> Act Amending the International Protection Act (Official Gazette of the RS, No. 83/2012).

<sup>40</sup> Act Amending the Act Concerning the Pursuit of Foster Care (ZIRD-A) (Official Gazette of the RS, No. 109/12).

income class for the first child in accordance with the new arrangement of child benefit in the Exercise of Rights to Public Funds Act.

63. The following documents were adopted in the field of prevention of domestic violence in accordance with the Family Violence Prevention Act<sup>41</sup>: the Rules on the organisation and work of multidisciplinary teams and regional services and on the activities of social work centres in dealing with domestic violence,<sup>42</sup> the Rules on cooperation between the police and other authorities in the detection and prevention of domestic violence,<sup>43</sup> the Rules on the treatment of domestic violence for educational institutions<sup>44</sup> and the Rules on procedures for dealing with domestic violence in the implementation of health activities,<sup>45</sup> which were issued by the Ministry of Health in agreement with the Ministry of Labour, Family, Social Affairs and Equal Opportunities.

64. New social legislation was adopted in the summer of 2010: the Exercise of Rights to Public Funds Act<sup>46</sup> and the Financial Social Assistance Act.<sup>47</sup> The exercise of rights to public funds (child benefits, State scholarships, social assistance, reduced kindergarten fees, meal and lunch subsidies etc.) has been implemented since 1 January 2012 on the basis of the Exercise of Rights to Public Funds Act, which introduced a single entry point for the exercise of rights to public funds (social work centres) and a new uniform application form for the acquisition of all these rights. The Financial Social Assistance Act improves the current arrangement of cash social assistance, which is now adjusted to individual beneficiaries in accordance with the duration of the entitlement, beneficiaries' ability to work, their age and work activity. The Act also adjusts the basic minimum income to the currently calculated minimum costs of living.

65. At its session on 15 January 2013, the Committee on Labour, Family, Social Affairs and Disability of the National Assembly of the Republic of Slovenia adopted an amendment to the proposed act on the amendment of the Exercise of Rights to Public Funds Act and an amendment to the proposed act on the amendment of the Financial Social Assistance Act which regulate the consideration of humanitarian aid as income when determining entitlement to rights to public funds.

66. The novelty introduced in the spring of 2010 is that the Motor Vehicles Tax Act<sup>48</sup> stipulates in Article 5 that families with three or more children are exempt from tax on motor vehicles which are purchased for the purpose of transporting families i.e. for one motor vehicle with five or more seats which is purchased once within three years by one of the parents who has three or more children who have not reached the age of 18.

67. On 21 February 2013, the Government of the Republic of Slovenia adopted the Proposal of the Resolution on the National Programme of Social Protection for the period

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<sup>41</sup> Family Violence Prevention Act (Official Gazette of the RS, No. 16/08).

<sup>42</sup> Rules on the organisation and work of multidisciplinary teams and regional services and on actions of the social work centres in dealing with domestic violence (Official Gazette of the RS, No. 31/09).

<sup>43</sup> Rules on cooperation between the police and other authorities in the detection and prevention of domestic violence (Official Gazette of the RS, No. 25/10).

<sup>44</sup> Rules on the Treatment of Domestic Violence for Educational Institutions (Official Gazette of the RS, No. 104/09).

<sup>45</sup> Rules on procedures for dealing with domestic violence in the implementation of health activities (Official Gazette of the RS, No. 38/11).

<sup>46</sup> Exercise of Rights to Public Funds Act (Official Gazette of the RS, Nos. 62/10, 40/11, 40/12-ZUJF, 57/12-ZPCP-2D).

<sup>47</sup> Financial Social Assistance Act (Official Gazette of the RS, Nos. 61/10, 40/11, 110/11-ZDIU12, 40/12-ZUJF).

<sup>48</sup> Motor Vehicle Tax Act (Official Gazette of the RS, Nos. 52/1999, amendments: 2/2004-ZPNNVSM, 42/2004, 97/2004-UPB1, 47/2006, 72/2006-UPB2, 9/2010).

2013-2020. The Resolution will be also discuss in the National Assembly before approval. The basis for the drafting of the National Programme of Social Protection is the Social Protection Act.<sup>49</sup> The Resolution on the National Programme of Social Protection for the period 2013-2020 is the third of this kind; the first Resolution on the National Programme of Social Protection was adopted in 2000 (for the period 2001-2005) and the second in 2006 (for the period 2006-2010). This Resolution on the National Programme of Social Protection refers to a longer period (until 2020) than the previous two documents and is more strategically oriented and harmonised with the European Strategy until 2020 and Slovenia's commitments in this context (reducing poverty). In addition to five chapters, it contains three annexes i.e. an assessment of the realisation of the previous National Programme of Social Protection (for the period 2006-2010), key circumstances and impact factors on the functioning of the social protection system and on determining the goals of its development up to 2020, and indicators for monitoring the realisation of the goals of the National Programme of Social Protection for the period 2013-2020. The three main goals of the development of the social protection system up to 2020 are: reducing the risk of poverty and enhancing the social inclusion of groups at risk and vulnerable groups; improving the availability and diversity of, and ensuring access to and attainability of, services and programmes; improving the quality of services, programmes and other forms of assistance (by enhancing the efficiency of the providing organisations' management, increasing their autonomy and management with quality, and ensuring the increased impact of users and representatives of users on planning and implementing services).

## Education

### *Kindergartens*

68. Due to an increase in the number of children (higher birth rates and improved concern of the country for the increased inclusion of children in kindergartens), the Kindergarten Act<sup>50</sup> was amended in 2010 with a provision which enables the organisation of two kindergarten units in buildings not originally intended for such use and which acquire an operating permit. Thus municipalities were able to resolve the problem of space quickly and at relatively low cost. The Fiscal Balance Act (2012) stipulates that, for the younger child, parents with two or more children in a kindergarten pay 30 per cent of the payment determined in accordance with the law as a reduced kindergarten fee, and exempts them from payment for each additional younger child.

### *Formal education*

69. The amendments to the Elementary School Act<sup>51</sup> (ZOs, 2011; Official Gazette, No. 87/2011) redefine children with special needs: "Pupils with special needs are pupils who require an adapted implementation of programmes in elementary schools with additional expert assistance, or adapted programmes in elementary schools or a special programme of education. With regard to the type and degree of impairment, handicap or disorder, these pupils are considered in the act which regulates the placement of children with special needs." This definition no longer includes gifted children and pupils with learning difficulties. These two groups are discussed in two new articles of the Act. According to Article 11, gifted children are those who have above-average intellectual abilities or exceptional achievements in special fields of study, art or sport. Schools ensure these pupils

<sup>49</sup> Social Security Act (Official Gazette of the RS, Nos. 3/2007 – official consolidated text 2, 23/2007 – amended, 41/2007 – amended, 114/2006 - ZUTPG, 57/12).

<sup>50</sup> Kindergarten Act (Official Gazette of the RS, Nos. 100/05-UPB2, 25/08, 98/09-ZIUZGK, 36/10, 62/10-ZUPJU, 94/10-ZIU, 40/12-ZUJF).

<sup>51</sup> Elementary School Act (Official Gazette of the RS, No. 87/2011).

suitable conditions for education by adjusting content, methods and forms of work, and provide additional classes, other forms of individual and group assistance and other forms of work. Pupils with learning difficulties require adapted implementation of elementary school programmes with additional expert assistance or adapted programmes in elementary schools or a special programme of education. With regard to the type and degree of impairment, handicap or disorder, these pupils are considered in the act which regulates the placement of children with special needs. The 2011 amendment (Article 8 of the ZOsn), which is very important for aliens and immigrants, stipulates that courses in Slovenian language and culture are to be organised for the children of Slovenian immigrants in the countries where they reside in accordance with international treaties. Upon their inclusion in elementary school, Slovenian language and culture courses are organised for children resident in the Republic of Slovenia whose mother tongue is not Slovenian and also courses in their own language and culture in cooperation with their countries of origin. Since 2011, it is no longer necessary for immigrant pupils from other countries to be graded in individual subjects at the end of their first academic year in elementary school in the Republic of Slovenia, and they may advance to the next grade. The teachers' panel decides on their advancement at the proposal of the form teacher. The Fiscal Balance Act<sup>52</sup> stipulates that, as of the 2012-2013 academic year, a pupil may select two hours of optional subjects per week or three if his/her parents agree (three or a maximum four hours were applicable previously). In accordance with this Act, an expanded programme of extended stay, morning care, additional classes, remedial classes, extra-curricular activities and optional foreign language, which replaced out-of-school classes, will be introduced on 1 September 2013.

70. The Rules on the code of conduct in secondary schools<sup>53</sup> entered into force in September 2010 and stipulate students' rights, obligations and restrictions during classes, the manner of establishing rights, fulfilling obligations and sanctions for violations, and are compliant with the schools' general rules. The Rules also stipulate how schools are to implement their provisions.

### *Health*

71. On the basis of the Decree on fixing the level of excise duty on beer, intermediate products and alcohol<sup>54</sup> and amendments to the Excise Duty Act,<sup>55</sup> the Government substantially raised excise duties on alcohol and tobacco products from 2009 to 2012. In this period, the duty on beer increased by more than 60 per cent, on spirits by 72 per cent and on intermediate products by 92 per cent. Excise duties on tobacco products also increased in this period, which is important from the aspect of the health care of adolescents.

72. Between 2010 and 2012, the Health Care and Health Insurance Act<sup>56</sup> and the Health Services Act<sup>57</sup> were amended. In Slovenia, compulsory health insurance provides children and adolescents with access to health care. The Act Amending the Health Care and Health Insurance Act (2011) introduced the exception to the rule that the right to the health care services of sole traders, farmers and persons who are not in a permanent employment

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<sup>52</sup> Fiscal Balance Act (Official Gazette of the RS, No. 40/12).

<sup>53</sup> Rules on the code of conduct in secondary schools (Official Gazette of the RS, No. 60/10).

<sup>54</sup> Decree on fixing the level of excise duty on beer, intermediate products and alcohol (Official Gazette of the RS, No. 52/10).

<sup>55</sup> Excise Duty Act (Official Gazette of the RS, Nos. 25/09, 41/09, 19/10, 35/10-UPB6, 56/10, 76/10-UPB7, 85/10, 97/10-UPB8, 48/12, 109/12).

<sup>56</sup> Health Care and Health Insurance Act (Official Gazette of the RS, Nos. 62/10-ZUPJS, 87/11, 40/12-ZUJF).

<sup>57</sup> Health Services Act (Official Gazette of the RS, No. 40/12-ZUJF).



relationship and have not paid health insurance contributions, and family members under their insurance, is suspended. With the passage of the amending act, the rights to health care services for children are thus not suspended even if their parents in independent occupations have not paid their health insurance contributions.

#### *Justice*

73. In this context, Slovenia refers to the aforementioned Act Amending the Criminal Code<sup>58</sup> and its solutions, which were presented in more detail in the replies to questions 7 and 9 in Part I of this list of issues.

74. It is also necessary to observe that in 2011 Slovenia amended the Criminal Procedure Act<sup>59</sup> and that the amendments came into force already in May 2012. The mentioned Novella of ZKP-K inter alia allows suspension of the prosecution of a criminal offence due to special circumstances also in cases of the criminal offence of Family Violence (second and fourth paragraphs of Article 191 of the Criminal Code) and Neglect and Maltreatment of a Minor (second paragraph of Article 192 of the Criminal Code). In general, the suspension of the criminal procedure is possible, if the suspect binds himself or herself over to act as instructed by the State prosecutor and to perform certain actions to allay or remove the harmful consequences of the criminal offence. The amendments to the Criminal Procedure Act introduced an agreement on the admission of guilt between the State prosecutor and the accused, but they explicitly prohibit the possibility of concluding such an agreement with minors involved in criminal proceedings.

### **Reply to the issues raised in part II (b) of the list of issues**

#### **New institutions (and their mandates) or institutional reforms**

75. Special family departments at the district courts in Ljubljana, Kranj, Krško, Novo mesto, Maribor and Murska Sobota were established. Celje District Court has a family subsection within the civil department. The district courts in Nova Gorica, Koper, Slovenj Gradec and Ptuj do not have such departments, but have judges who deal in particular with family matters.

76. The National Assembly of the Republic of Slovenia passed an amendment to the act on the ratification of the Convention on Civil Aspects of International Child Abduction and thus transferred the special jurisdiction of implementation from the Ministry of the Interior (Police) to the Ministry of Labour, Family and Social Affairs, which has been the new central authority of the Republic of Slovenia since 21 December 2012. The purpose of the transfer was to comply with the provisions of Articles 3 and 11 and the second paragraph of Article 18 of the United Nations Convention on the Rights of the Child stating that the executive body is an institution without explicit repressive powers. Simultaneously, the translation of the Convention was updated and the term “kidnapping of a child” was replaced by “unlawful removal of a child”.

<sup>58</sup> Act Amending the Criminal Code (KZ-1B; Official Gazette of the RS, No. 91/11).

<sup>59</sup> Criminal Procedure Act (ZKP-K; Official Gazette of the RS, No. 91/11).

## **Reply to the issues raised in part II (c) of the list of issues**

### **Recently introduced policies, programmes and action plans and their scope and financing**

77. In the period between 2010 and 2012, two action plans were adopted in the field of preventing domestic violence: the “Action plan to prevent domestic violence for the period 2010-2011” and the “Action plan to prevent domestic violence for the period 2012-2013”. The new action plan will particularly emphasise actively raising the awareness of the population on human rights, the identification of different types of violence and measures against them. In addition, several tasks will include suitable training of expert workers who encounter vulnerable social groups in their work. In 2012, programmes related to preventing violence were allocated EUR 1,921,669.35, of which approx. 85 per cent were designated for accommodation programmes and about 15 per cent for counselling programmes (counselling for victims of violence, telephone counselling, counselling for persons causing violence and similar). Several municipalities prepared protocols on cooperation between competent institutions at the local level.

78. A fundamental curricular document, the White Paper on Education in the Republic of Slovenia, was published in 2011. The objectives of the White Paper include the availability of four-year secondary school education for all who wish to, and are able to attain this level, enhancing the relationship between formal and informal education and the planned equality and justice in education.

79. On 11 August 2010, the Council of Experts of the Republic of Slovenia for General Education adopted the Guidelines for healthy nutrition in educational institutions for all educational institutions, which are observed in schools to improve nutrition among children, pupils and students.

80. In the field of health, the Resolution on the National Programme of Food and Nutrition Policy 2005-2010 was adopted and the Resolution on the National Healthcare Plan 2008-2013 “Satisfied users and performers of medical services”.

81. At its regular 10th session on 12 April 2012, the Government of the Republic of Slovenia adopted the 2012-2013 Action Plan of the Interdepartmental Working Group for countering trafficking in human beings (Action Plan 2012-2013). The action plan of IWG is designed as a continuation of good practice of especially those projects which have proven effective and the nature of which requires continuity. Activities mainly in the field of prevention, international and regional cooperation are further elaborated. In 2010, activities for prevention and the rehabilitation of victims of human trafficking received EUR 105,000, and in 2011 and 2012, EUR 105,000 and EUR 103,550 respectively.

82. Slovenia adds that, in 2010, in order to increase the efficiency of the judicial system and eliminate court backlogs, the Slovenian Government extended the implementation of the Lukenda Project for a further two years. Among other things, this greatly contributed to improving the general operations of Slovenian courts and to reducing the number of old unresolved cases in particular. The number of unresolved cases decreased by 20 per cent in the period 2008-2011. The number of old unresolved cases (i.e. cases older than ten years) decreased by 40 per cent and the average time for resolving a case was shortened by two months (from seven or eight months to five or six months).

## Reply to the issues raised in part II (a) of the list of issues

### Recent ratifications of human rights instruments

83. On 28 February 2012, the Minister of Foreign Affairs of the Republic of Slovenia, Karl Erjavec, signed the Optional Protocol to the Convention on the Rights of the Child on a communications procedure in Geneva, which was unanimously adopted by the United Nations General Assembly on 19 December 2011.

## Part III

### Reply to the issues raised in part III (1) of the list of issues

#### Statistical data on the numbers of children living in foster care, disaggregated by sex, age, geographic location and socioeconomic background

84. According to data from the Ministry of Labour, Family, Social Affairs and Equal Opportunities, the number of children in foster care up to the age of 18 is decreasing. In 2004,<sup>60</sup> for example, 942 children were in foster care (the total of all persons in foster care was 1,219), and 824<sup>61</sup> children were in foster care in 2010 (the total of all persons in foster care was 1,137). The latest data available are for the end of December 2012,<sup>62</sup> when 1,041 persons were in foster care, among whom 770 were children under the age of 18. On average, 1.7 children are placed per foster family. At the end of December 2012, 272 children/persons lived in families which implement fostering as relatives.

#### Number of foster families and children/persons in foster care (December 2010, 2011, 2012)

		<i>December 2010</i>	<i>December 2011</i>	<i>December 2012</i>
TOTAL number of children/persons in foster care	Total	1,137	1,090	1,041
	Women	581	555	538
	Men	556	535	503
NUMBER OF FOSTER FAMILIES	Total	807	781	774
	Women	722	700	692
	Men	85	81	82
Number of foster carers who implement professional fostering		125	119	119
Number of foster carers with foster children		674	655	618
Number of foster carers currently with no foster children		133	126	156

<sup>60</sup> Because the Act Concerning the Pursuit of Foster Care entered into force in 2003, data on this field became available from 2004 onwards.

<sup>61</sup> Source: Ministry of Labour, Family and Social Affairs. The data between 2004 and 2010 refer only to children up to the age of 18.

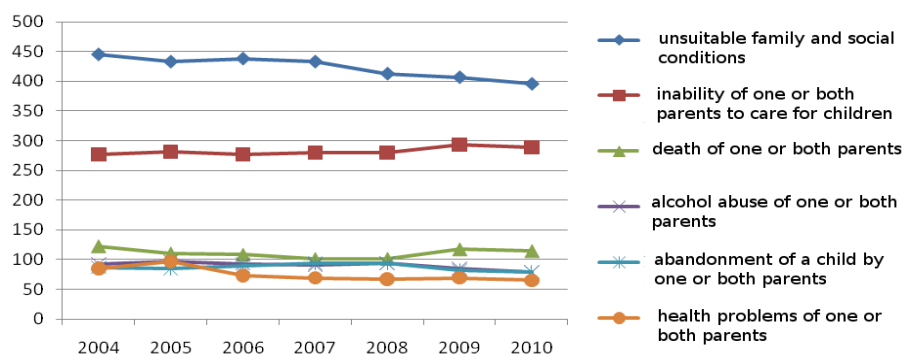
<sup>62</sup> Source: Ministry of Labour, Family and Social Affairs. The data refer to all persons in foster care i.e. also to those older than 18 whose foster care contract was extended due to the continuation of schooling or because they were unable to lead an independent life or to work.

	December 2010	December 2011	December 2012
Vacancies in foster families	180	172	198

Source: Ministry of Labour, Family, Social Affairs and Equal Opportunities

85. About 350 children are placed in foster care due to unsuitable family and social conditions. The second most frequent reason for foster care is the inability of one or both parents to care for their children; more than 250 children are placed in foster care for this reason. Data show that the reasons for foster care also include the death of one or both parents, alcohol abuse of one or both parents, and abandonment of a child by one or both parents and health problems of one or both parents. Regardless of the reference year, the number of foster care cases with respect to individual reasons remains more or less the same.

**Figure 1:**  
**Number of foster care cases with regard to the most frequent reasons for care between 2004 and 2010**



Source: Ministry of Labour, Family, Social Affairs and Equal Opportunities, Social Protection Institute of the Republic of Slovenia

86. Foster care most frequently ends with a child's return to the primary family. It also ends frequently due to the coming of age of the child or his/her employment. Foster care seldom ends due to adoption, the placement of a child in a juvenile institution or a special educational centre or the death of the child. About 135 people leave foster care annually (on average 137); the highest numbers were in 2005 and 2007, i.e. about 150.

### Reply to the issues raised in part III (2) of the list of issues

#### Statistical data for the last three years on the conviction rates for non-payment of child maintenance.

87. In 2009, the Guarantee, Maintenance and Disability Fund of the Republic of Slovenia paid maintenance compensation in a total amount of EUR 2,783,104 to 3,134 children (the average number of children) and EUR 3,003,948 to 3,244 children (the average number of children) in 2010. The Fund paid maintenance compensation to 3,458 children (the average number of children) in a total amount of EUR 3,283,156 in 2011. From 1 April 2012, the amount of maintenance compensation for a child up to 6 years of age is EUR 72.46, for a child between 6 and 14 years of age EUR 79.70 and for a child above 14 years of age EUR 94.19. 4,393 children (the average number of children) received maintenance compensation in 2012. In December 2012, the average maintenance

compensation was EUR 81 per a child. According to the police, the number of criminal offences due to non-payment of maintenance increased by more than a third in the last year. Only 1,658 cases were recorded in 2008, 2,771 in 2011 and in 2012, as many as 3,777. A total of EUR 3,000,948 was paid from the maintenance fund for maintenance compensation in 2010, EUR 3,283,156 in 2011 and EUR 3,560,387 in 2012. The increase is also due to the annual increase in maintenance compensation in April. The compensation will not increase this April due to the Fiscal Balance Act.

88. According to the Statistical Office of the Republic of Slovenia,<sup>63</sup> 57 people were sentenced due to non-payment of child maintenance in Slovenia in 2009 (the criminal offence of “non-payment of maintenance”),<sup>64</sup> 88 persons in 2010 and 59 people in 2011.

### Reply to the issues raised in part III (3) of the list of issues

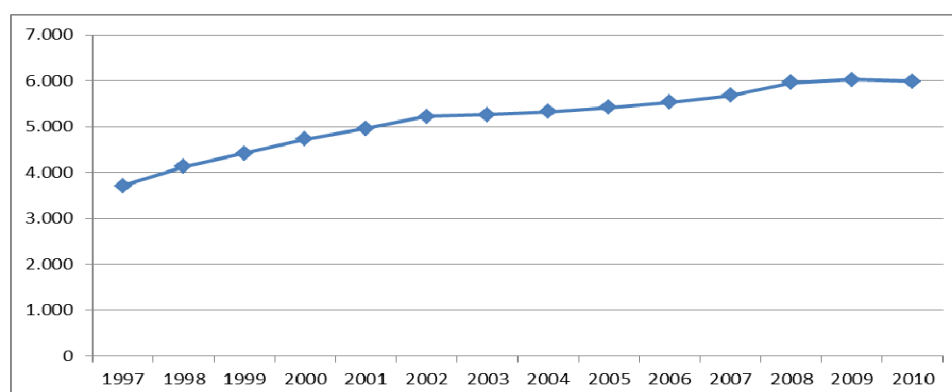
#### Number of children with disabilities, disaggregated by age, sex, geographic location, socioeconomic background and type of disability, covering the last three years

##### (a) Living with their families

89. Data on how many children with special needs live with their families are not collected; however, we have data on the number of parents who receive a child care allowance. According to the Parental Protection and Family Benefit Act,<sup>65</sup> the child care allowance is a right which may be exercised by one of the parents for a child who requires special care and protection. The parents of children with special needs who are in institutions, foster care or in training are not entitled to child care allowance. The average monthly number of children whose parents receive child care allowance rose between 1996 and 2009, and fell somewhat in 2010.<sup>66</sup> 2,619 beneficiaries received child care allowance in 1996, 6,022 in 2009, 5,992 in 2010, 6,493 in 2011 and 6,043 in 2012 (a monthly average of EUR 708,085 was disbursed on child care allowance in 2012).

Figure 2:

#### Number of beneficiaries of child care allowance



Source: Ministry of Labour, Family, Social Affairs and Equal Opportunities, website, Statistics, 2012, Social Protection Institute of the Republic of Slovenia

<sup>63</sup> Statistical Office of the Republic of Slovenia; webpage: <http://www.stat.si/eng/index.asp>

<sup>64</sup> In the Penal Code (Article 203 of the KZ, which was in force until 1 November 2008), as well as in the new Criminal Code (Article 194 of the KZ-1).

<sup>65</sup> Parental Protection and Family Benefit Act (Official Gazette of the RS, Nos. 110/2006 - UPB2, 10/08, 62/10-ZUPJS, 40/12-ZUJF).

<sup>66</sup> Source: Statistical Office of the Republic of Slovenia; available at <http://www.irssv.si/otroci/> (15 March 2012).

**(b) Living in institutions**

90. In 2011, 1,300 children with special needs were accommodated in institutions for children and adolescents with special needs i.e. 380 children and adolescents with emotional or behavioural disorders; 1,200 children were placed in (institutional) care homes and 120 in day care. Two-thirds of children resident at institutions for children and adolescents with special needs were included in elementary school education and one-third in secondary school education.<sup>67</sup>

91. Somewhat fewer than 350 children were staying in care homes of centres for training,<sup>68</sup> work and care, and more than 120 children and adolescents with moderate, severe and profound intellectual disabilities were included in day care. Children and adolescents at centres are educated according to a special elementary school programme. The mandatory course is for nine years, and consists of three levels. The children may continue their education for six additional years until the age of 21. In 2011, two-thirds of all children were included in the mandatory course of the elementary school programme and one-third of all children were participating in additional optional education or in the 4th and 5th levels. In 2011, almost one half of all staff employed at centres consisted of medical and nursing staff, and 152 special teachers-defectologists (21 per cent of all employees) implemented educational work with children.

92. Children with functional disabilities (visual and hearing disabilities and physically handicapped) are also included in care homes. They are educated in institutions and residential homes near these institutions due to the long distances from their permanent residences. In 2011, 192 physically handicapped, 49 deaf and hearing impaired, and 19 blind and visually impaired children and adolescents were resident in care homes.

93. Due to long distances, children with minor and moderate intellectual disabilities are also accommodated in care homes. These children live in homes intended for them or in special units within residential homes for secondary school students. 224 children with minor and moderate intellectual disabilities were resident in care homes in 2011. The majority of all expert workers in these homes consisted of childcare workers and special teachers-defectologists (36 per cent) and medical staff (27 per cent).

94. 379 children and adolescents were subject to care in educational, correctional and youth homes in 2011. These institutions are intended for children and adolescents between the ages of 8 and 18 who experience problems growing up, adjusting to the social environment and who lack suitable living conditions at home.

Table 1:

**Care homes and day care for children and adolescents with moderate, severe and profound intellectual disabilities, Slovenia, 2011**

	<i>Centres for training, work and care</i>	<i>Care home</i>	<i>Day care</i>
Number of children and adolescents			
– total	471	348	123
Boys	273	208	65
Girls	198	140	58
Children and adolescents according to age			

<sup>67</sup> Source: Statistical Office of the Republic of Slovenia.

<sup>68</sup> Five such centres were operating at several locations in 2011.

	<i>Centres for training, work and care</i>	<i>Care home</i>	<i>Day care</i>
10 years and less	61	22	39
11-15 years	65	39	26
16-19 years	91	72	19
20 years and more	254	215	39

Source: SURS

Table 2:

**Care homes for children and adolescents with functional disorders and minor or moderate intellectual disabilities, Slovenia, 2011**

	<i>Number of institutions</i>	<i>Number of children – total</i>	<i>Boys</i>	<i>Girls</i>
Type of institution – total	13	484	277	207
for blind and visually impaired children and adolescents	1	19	14	5
for deaf and hearing impaired children and adolescents	1	49	33	16
for physically handicapped children and adolescents	2	192	100	92
for children and adolescents with minor or moderate intellectual disabilities	9	224	130	94

Source: SURS

**(c) Placed in foster care**

95. 122 children/persons were living in foster families at the end of December 2010; 124 children/persons in 2011 and 114 children/persons with one of the disorders or disabilities listed below were living in foster families at the end of December 2012:

	<i>2010 (December)</i>	<i>2011 (December)</i>	<i>2012 (December)</i>
minor intellectual disabilities	37	39	32
moderate intellectual disabilities	44	46	45
severe intellectual disabilities	9	10	9
profound intellectual disabilities	1	1	1
physically handicapped	15	13	13
blind or visually impaired child	2	2	2
deaf or hearing impaired child	14	13	12
TOTAL	122	124	114

Source: Ministry of Labour, Family, Social Affairs and Equal Opportunities

**(d) Attending regular schools**

96. 8,641 children with special needs attended regular elementary schools in the 2011-2012 academic year and 3,159 children with special needs attended regular secondary schools.

**(e) Attending special schools**

97. 8,641 children with special needs attended elementary schools at institutions for education of children with special needs in the 2011-2012 academic year and 283 children with special needs attended secondary schools.

**(f) Not attending school**

98. There are no available data.

**Reply to the issues raised in part III (4) of the list of issues**

**Statistical data on the:**

**(a) Number of children who were victims of maltreatment and abuse, and the number of complaints, investigations, prosecutions and final judgements in this field**

99. According to data from the Statistical Office of the Republic of Slovenia, the numbers of convicted adults were as follows:

- five persons for the criminal offence of removing a minor<sup>69</sup> in 2009; seven persons in 2010 and six persons in 2011;
- 54 persons for the criminal offence of neglect and maltreatment of a child<sup>70</sup> in 2009; 80 persons in 2010 and 96 persons in 2011.

100. On the basis of the Family Violence Prevention Act, social work centres recorded 1,059 children who were victims of domestic violence in the period between 1 January 2011 and 31 December 2011. 355 children were below the age of 6; 467 children were between the ages of 6 and 14, and 237 children were between the ages of 14 and 18. The highest number of recorded cases of domestic violence is 1,245 and falls in the age group of up to 45 years of age. On the basis of the Family Violence Prevention Act, social work centres conducted 1,790 tasks related to preventing domestic violence in 2012, i.e. 1,456 cases, were closed.

101. See also statistical data in annex 1.

**(b) Number of children who were victims of sexual abuse, sexual exploitation and human trafficking, and the number of complaints, investigations and prosecutions in this field**

102. According to data from the Statistical Office of the Republic of Slovenia, the numbers of convicted adults were as follows:

- 43 persons for sexual assault on a person under the age of fifteen years<sup>71</sup> in 2009; 51 persons in 2010 and 44 person in 2011;
- eight persons for the presentation, manufacture, possession and distribution of pornographic material<sup>72</sup> in 2009; seven persons in 2010 and 13 persons in 2011.

103. See also statistical data in annex 1.

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<sup>69</sup> Article 190 of the KZ-1 and Article 200 of the KZ.

<sup>70</sup> Article 192 of the KZ-1 and Article 201 of the KZ.

<sup>71</sup> Article 173 of the KZ-1 and Article 183 of the KZ.

<sup>72</sup> Article 176 of the KZ-1 and Article 187 of the KZ. The provisions of this criminal offence stipulate sanctions against the presentation, manufacture, possession and distribution of pornographic material presented or displayed to a minor in any other manner, or which includes the production of such material (i.e. child pornography).



**(c) Work of children according to age, gender, geographic location and socio-economic status**

104. The fundamental rule on the prohibition of child labour, which is stipulated in numerous international documents on human rights, applies in the Republic of Slovenia. Article 214 of the Employment Relationship Act<sup>73</sup> stipulates that the labour of children younger than 15 years is prohibited. The children may exceptionally perform certain work under prescribed conditions and in accordance with limitations, whereby special protection is always provided. A child under the age of 15 may exceptionally participate in film making, preparing and performing artistic and other work in the field of culture, art, sports and advertising and receive payment for his/her involvement. A 13-year-old child may perform simple work during school holidays for a maximum of 30 days in a calendar year, and also other activities, providing the work is done in a manner and to an extent that does not endanger the child's safety, health, morals, education or development. The types of simple work that are permitted are stipulated in the Rules on the protection of health at work of children, adolescents and young persons.<sup>74</sup>

105. A preliminary permit from the Labour Inspectorate has to be acquired for the aforementioned permitted work of children, which is issued at the request of the child's legal guardian.

106. When child labour is permitted, legal provisions on the prohibition of discrimination, equal treatment with regard to gender, working hours, breaks and rests, the special protection of workers under 18 years of age and damage liability are applied.

107. The working hours of children under the age of 15 who perform simple work during school holidays must in no case last more than seven hours per day and 35 hours per week. Work done during the school year and outside the time intended for classes must last no more than two hours per day and no more than 12 hours per week.

108. Children are prohibited from working at night between 8 p.m. and 6 a.m. Within every 24-hour period, children must have a daily rest of at least 14 consecutive hours.

109. A relatively low number of violations, i.e. three violations, were recorded in relation to the work of children under 15, apprentices, secondary school students and high school or university students in the reporting year 2009, which is similar to the previous year. One of these violations related to night work of secondary school students and high school or university students. Upon inspections, labour inspectors have been establishing that employees do not keep registers of working hours for secondary school students and high school or university students.

110. In 2010, no violations of labour legislation with regard to the work of children younger than 15, apprentices, secondary school students and high school or university students were recorded. In 2010, similarly to 2009, secondary school students and high school or university students complained to labour inspectors that employees had not paid them for the work done on the basis of student referrals. In these cases, high school and university students were provided with expert help in exercising monetary claims before the competent courts. It should also be mentioned that on the basis of Article 214 of the Employment Relationship Act and in accordance with the Rules on issuing work permits for children under 15 years of age (Official Gazette of the RS, No. 60/04) which stipulates the procedure and conditions for issuing work permits for children under 15 years of age,

<sup>73</sup> Employment Relationships Act (Official Gazette of the RS, Nos. 42/02 and 103/07).

<sup>74</sup> Rules on the protection of health at work of children, adolescents and young persons (Official Gazette of the RS, No. 82/03).

38 permits were issued by labour inspectors in 2010 on the basis of applications from children's legal guardians.

111. In the first five months of 2011, inspectors established two violations of the seventh paragraph of Article 214 of the Employment Relationship Act<sup>75</sup> relating to overtime work of secondary school students and high school or university students and one violation of the seventh paragraph of Article 214 of the Employment Relationship Act with regard to breaks and rests of secondary school students and high school or university students.

112. In accordance with the Rules on issuing work permits for children under 15 years of age,<sup>76</sup> eleven permits were issued in the first five months of 2011. The children participated in a commercial and in a film on waste management – special eco broadcasts. As for every year, we also considered the work of children at State celebrations, which are supervised by group leaders of cultural and artistic associations. We found no other negative occurrences relating to child labour. There were no requests for permanent production work by children.

113. On the basis of Article 214 of the Employment Relationship Act and in accordance with the Rules on issuing work permits for children under 15 years of age, 17 permits for work by children were issued in 2012; 19 in 2011; 38 in 2010 (work of short duration is typical) and 14 permits in 2009. In this year, the work was limited to commercial advertising and films.

114. In 2012, labour inspectors recorded five violations of the seventh paragraph of Article 214 of the Employment Relationship Act. In accordance with the aforementioned provision, the cases of occasional or temporary work of secondary school students and high school or university students and voluntary traineeship mentioned in the second, third and sixth paragraphs of Article 214 are subject to the provisions of this Act on the prohibition of discrimination, equal treatment with regard to gender, working hours, breaks and rests, the special protection of workers under 18 years of age and damage liability.

115. Three violations of the second paragraph and three violations of the fourth paragraph of Article 214 of the Employment Relationship Act were recorded in the same year. In accordance with the second paragraph of Article 214 of the Employment Relationship Act, a child under the age of 15 may exceptionally participate in film making, preparing and performing artistic and other work in the field of culture, art, sports and advertising and receive payment for his/her involvement, while the fourth paragraph of the same Article stipulates that a child may perform work as per the second and third paragraphs of this Article after a labour inspector has issued a permit on the basis of an application submitted by the child's legal guardian.

### **Reply to the issues raised in part III (5) of the list of issues**

#### **Areas affecting children that are of priority with regard to the implementation of the Convention**

116. In the 2010-2012 period, Slovenia continued its foreign policy activities to improve the situation of children worldwide with particular emphasis on promoting children's rights. The activities took place in the fields of human rights, development cooperation, humanitarian aid and security policy. Children's rights remain a priority among Slovenia's activities in several international and regional organisations. Slovenia continues to engage in this field within the United Nations. Our country ended its membership of the United Nations Human Rights Council in June 2010, during which it devoted particular attention to

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<sup>75</sup> Employment Relationships Act (Official Gazette of the RS, Nos. 42/02 and 103/07).

<sup>76</sup> Rules on issuing work permits for children under 15 years of age (Official Gazette of the RS, No. 60/2004).

children's rights, and the proof is the successful initiative for the Optional Protocol to the Convention on the Rights of the Child on a communications procedure. In addition, Slovenia, together with six other countries of the Platform on Human Rights Education, led the process of drafting the United Nations Declaration on Human Rights Education. Between 2009 and 2011, Slovenia was for the second time a member of the United Nations Children's Fund (UNICEF) Executive Board, which it presided over in the last year of its membership. Slovenia has been a member of the Group of Friends of the Special Representative of the Office of the Special Representative for Children and Armed Conflict and of the United Nations Special Representative of the Secretary-General on Violence against Children for a number of years. In November 2012, Slovenia joined the signatories of the Promise Renewed to end preventable child deaths. Slovenia strives to ensure the well-being of children also in practice by implementing and supporting various projects, particularly by assisting children affected by armed conflicts or natural and other disasters. Between 2010 and 2012, Slovenia donated over 2 million euros to humanitarian aid and development cooperation projects aimed at improving the situation of children.

117. With the project Empowerment of pupils by improving reading literacy and access to knowledge, which is implemented by the National Education Institute of the Republic of Slovenia, the Ministry of Education, Science, Culture and Sport wishes to compensate for deficiencies deriving from the less stimulating socio-economic status of certain families. The programme focuses on peer learning and on encouraging equal educational opportunities. For the most part, the project is intended for the education of teachers and also for new job openings. The objective of the programme is to improve educational programmes within the formal educational system in connection with investment in science and by providing access to education to achieve higher results in the field of reading literacy. The project continues until 2014.

## Annex

Table 1:  
**Statistical data on selected criminal offenses, where the victim was younger than 18 years, dealt with by the police**

NUMBER OF CRIMINAL OFFENCES			YEAR		
Chapter	Article	Text	2010	2011	2012
14. Criminal Offences Against Humanity			2	0	0
112. Enslavement			0	0	0
113. Trafficking in Human Beings			2	0	0
15. Criminal Offences Against life and Limb			211	171	105
115. Manslaughter			0	1	0
116. Murder			0	0	1
120. Solicitation to and Assistance in Suicide			0	0	0
122. Actual Bodily Harm			183	153	93
123. Aggravated Bodily Harm			21	9	9
124. Grievous Bodily Harm			1	2	0
127. Endangering Life by Means of Dangerous Instruments in Brawl or Quarrel			6	6	2
19. Criminal Offences Against Sexual Integrity			305	324	210
170. Rape			13	7	11
171. Sexual violence			18	12	10
172. Sexual Abuse of Defenceless Person			2	2	1
173. Sexual Assault on a Person Below Fifteen Years of Age			242	217	132
174. Violation of Sexual Integrity by Abuse of Position			14	13	2
175. Exploitation Through Prostitution			2	1	0
176. Presentation, Manufacture, Possession and Distribution of Pornographic Material			14	72	54
21. Criminal Offences Against Marriage, Family and Youth			887	809	511
191. Family Violence			202	179	111
192. Neglect and Maltreatment of a Child			685	630	400
TOTAL			1405	1304	826

The first half of 2012, Source: Ministry of the Interior

Table 2:  
**Number of cases victims in selected Criminal Offences KZ-1,**

where the victim was under 18 years old			Year		
Number of persons***					
Chapter	Article	Text	2010	2011	2012*
14. Criminal Offences Against Humanity			2	0	0
112. Enslavement			0	0	0
113. Trafficking in Human Beings			2	0	0
15. Criminal Offences Against Life and Limb			205	171	103

<b>where the victim was under 18 years old</b>			
<i>Number of persons***</i>			<i>Year</i>
115. Manslaughter	0	1	0
116. Murder	0	0	1
120. Solicitation to and Assistance in Suicide	0	0	0
122. Actual Bodily Harm	179	153	90
123. Aggravated Bodily Harm	22	9	9
124. Grievous Bodily Harm	1	2	0
127. Endangering Life by Means of Dangerous Instruments in Brawl or Quarrel	6	6	3
19. Criminal Offences Against Sexual Integrity	220	197	110
170. Rape	8	6	6
171. Sexual Violence	18	12	8
172. Sexual Abuse of a Defenceless Person	2	2	1
173. Sexual Assault on a Person Below Fifteen Years of Age	179	144	83
174. Violation of Sexual Integrity by Abuse of position	12	10	2
175. Exploitation Through Prostitution	2	1	0
176. Presentation, Manufacture, Possession and Distribution of Pornographic Material	17	39	22
21. Criminal Offences Against Marriage, Family and Youth	871	911	617
191. Family Violence	233	224	142
192. Neglect and Maltreatment of a Child	700	738	529
<b>TOTAL</b>	<b>1265</b>	<b>1249</b>	<b>814</b>

The first half of 2012, Source: Ministry of the Interior

\*\*\* Person within the observation period is counted only once regardless of how many times was victim

Table 3:

**Number of persons suspects in the present selected criminal offenses KZ-1, in which the victim was younger than 18 years**

<i>Number of persons***</i>			<i>LETO</i>		
Chapter	Article	Text	2010	2011	2012*
14. Criminal Offences Against Humanity			0	0	0
112. Enslavement			0	0	0
113. Trafficking in Human Beings			0	0	0
15. Criminal Offences Against Life and Limb			160	141	74
115. Manslaughter			0	1	0
116. Murder			0	0	0
120. Solicitation to and Assistance in Suicide			0	0	0
122. Actual Bodily Harm			135	121	64
123. Aggravated Bodily Harm			22	12	7
124. Grievous Bodily Harm			0	2	0
127. Endangering Life by Means of Dangerous Instruments in Brawl or Quarrel			7	8	3

<i>Number of persons***</i>	<i>LETO</i>		
19. Criminal Offences Against Sexual Integrity	41	44	28
170. Rape	3	2	3
171. Sexual Violence	5	2	6
172. Sexual Abuse of a Defenceless Person	0	0	0
173. Sexual Assault on a Person Below Fifteen Years of Age	31	31	14
174. Violation of Sexual Integrity by Abuse of position	0	0	0
175. Exploitation Through Prostitution	1	1	0
176. Presentation, Manufacture, Possession and Distribution of Pornographic Material	5	11	9
21. Criminal Offences Against Marriage, Family and Youth	29	34	14
191. Family Violence	29	33	14
192. Neglect and Maltreatment of a Child	0	1	1
<b>TOTAL</b>	<b>227</b>	<b>210</b>	<b>115</b>

The first half of 2012, Source Ministry of Interior

\*\*\* Person within the observation period is counted only once regardless of the number of criminal charges

Table 4:

**Number of persons suspected in the present selected criminal offenses KZ-1, in which the victim was younger than 18 years, regardless the age of the victim**

<i>NUMBER OF PERSON***</i>				<i>Year</i>		
Chapter	Article	Text	Age of the victim	2010	2011	2012*
14. Criminal Offences Against Humanity			/	2	0	0
113. Trafficking in Human Beings			11	1	0	0
			17	1	0	0
15. Criminal Offences Against Life and Limb			/	207	173	104
115. Manslaughter			7	0	1	0
116. Murder			17	0	0	1
118. Negligent Homicide			0	1	1	0
			1	0	0	1
119. Infanticide			0	1	1	0
122. Actual Bodily Harm			0	2	0	1
			2	0	0	1
			3	3	0	0
			6	1	0	1
			7	0	0	2
			8	1	2	0
			9	2	2	2
			10	2	2	1
			11	4	5	3
			12	4	5	2

<i>NUMBER OF PERSON***</i>	<i>Year</i>			
	13	15	4	4
	14	17	18	7
	15	34	25	15
	16	44	44	25
	17	52	46	26
123. Aggravated Bodily Harm	6	0	0	1
	11	1	0	0
	13	1	1	0
	14	1	0	1
	15	4	2	2
	16	9	1	1
	17	6	5	4
124. Grievous Bodily Harm	0	1	0	0
	16	0	1	0
	17	0	1	0
126. Participation in Brawl	14	1	0	0
	16	0	1	0
	17	0	1	0
127. Endangering Life by Means of Dangerous Instruments in Brawl or Quarrel				
	1	0	1	0
	12	0	0	1
	13	1	0	0
	14	1	1	1
	15	1	1	0
	16	1	1	0
	17	2	2	1
16. Criminal Offences against Human Rights and Liberties	/	166	157	112
132. Criminal Coercion	14	0	1	0
	15	1	0	0
	16	1	0	0
133. False Imprisonment	3	0	1	1
	5	0	1	1
	11	2	0	0
	12	0	1	0
	13	1	0	0
	14	2	1	0
	15	2	0	0
	16	4	0	1
	17	1	1	1
134. Kidnapping	1	0	1	0
	13	0	1	0

<i>NUMBER OF PERSON***</i>				<i>Year</i>
	15	0	0	1
	16	1	0	0
	17	1	0	0
135. Threatening the Security of Another Person	0	2	3	1
	1	1	1	1
	2	1	1	,0
	3	1	1	,0
	4	2	0	0
	5	3	1	2
	6	0	3	0
	7	2	1	1
	8	2	2	2
	9	4	1	2
	10	4	3	1
	11	3	6	4
	12	6	8	6
	13	10	6	8
	14	11	6	11
	15	21	26	14
	16	35	28	11
	17	28	33	13
136. Unlawful Search of Person	12	1	0	0
	16	0	1	0
137. Unlawful Eavesdropping and Sound Recording	13	1	0	0
138. Unlawful Visual Recording	2	0	0	1
	7	2	0	0
	8	1	0	2
	9	0	0	2
	10	0	0	2
	11	0	0	5
	12	0	0	5
	13	0	0	3
	14	0	0	4
	15	2	1	1
	16	0	1	0
139. Violation of Secrecy of Means of Communication	13	1	0	0
	17	0	0	1
141. Criminal Trespass	5	0	0	1
	14	0	1	0
	17	1	2	2
143. Abuse of Personal Data	3	0	1	0



<i>NUMBER OF PERSON***</i>	<i>Year</i>			
	5	0	1	0
	11	0	2	1
	12	1	0	0
	13	1	1	0
	14	4	0	0
	15	5	6	1
	16	0	1	0
	17	0	3	1
19. Criminal Offences Against Sexual Integrity	/	220	197	110
170. Rape	15	4	3	3
	16	3	2	3
	17	1	1	0
171. Sexual Violence	15	4	3	3
	16	10	5	5
	17	4	4	0
172. Sexual Abuse of Defenceless Person	15	1	0	1
	17	1	2	0
173. Sexual Assault on a Person Below Fifteen Years of Age	0	0	0	1
	1	0	0	4
	2	2	3	1
	3	7	5	3
	4	0	9	3
	5	4	2	2
	6	12	6	2
	7	9	4	1
	8	11	7	3
	9	22	11	6
	10	13	7	11
	11	14	8	6
	12	20	18	9
	13	35	29	15
	14	46	45	22
	15	2	4	1
	16	2	1	0
174. Violation of Sexual Integrity by Abuse of Position	14	1	1	0
	15	4	5	0
	16	7	4	0
	17	2	0	2
175. Exploitation Through Prostitution	15	1	1	0
	17	1	0	0
176. Presentation, Manufacture, Possession and Distribution of	4	0	0	1

<i>NUMBER OF PERSON***</i>	<i>Year</i>			
Pornographic Material	5	0	0	1
	6	0	2	1
	8	3	1	0
	9	1	0	1
	10	2	1	1
	11	0	2	2
	12	1	2	4
	13	4	5	1
	14	2	18	8
	15	1	5	1
	16	1	4	1
	17	2	2	2
20. Criminal Offences Against Public Health		41	44	26
179. Negligent Medical and Alternative Medical Treatment	0	0	2	1
	1	1	0	0
184. Production and Trade of Tainted Foodstuffs and Other Products	14	0	2	0
	15	1	0	0
186. Unlawful Manufacture and Trade of Narcotic Drugs, Illicit Substances in Sport and Precursors to Manufacture Narcotic Drugs	13	1	1	2
	14	1	2	0
	15	4	2	2
	16	2	2	4
	17	6	6	4
187. Rendering Opportunity for Consumption of Narcotic Drugs or Illicit Substances in Sport	8	0	1	0
	12	0	1	0
	13	1	2	0
	14	2	3	0
	15	7	7	1
	16	9	8	9
	17	10	9	6
21. Criminal Offences Against Marriage, Family and Youth	/	998	1054	663
190. Abduction of Minors	0	0	1	0
	2	0	2	2
	3	1	6	1
	4	1	0	0

NUMBER OF PERSON***			Year	
	5	2	3	3
	6	1	1	2
	7	1	2	1
	8	3	0	1
	9	1	1	1
	10	0	2	2
	11	0	4	1
	12	0	0	3
	13	0	0	1
	15	0	1	1
191. Family Violence	0	5	0	0
	1	4	3	5
	2	7	8	7
	3	5	10	6
	4	5	8	2
	5	9	7	3
	6	4	13	13
	7	8	6	10
	8	8	8	3
	9	11	11	7
	10	15	14	10
	11	14	12	5
	12	18	21	10
	13	23	11	7
	14	25	30	14
	15	19	26	10
	16	26	18	17
	17	31	27	14
	NN	0	1	0
192. Neglect and Maltreatment of a Child	0	27	27	16
	1	30	39	31
	2	43	50	21
	3	35	52	27
	4	46	42	27
	5	55	44	34
	6	40	46	27
	7	38	54	46
	8	56	61	36
	9	52	46	38
	10	41	52	39
	11	52	69	26
	12	50	36	38

<i>NUMBER OF PERSON***</i>	<i>Year</i>			
	13	54	40	32
	14	42	45	31
	15	24	39	31
	16	28	16	21
	17	21	22	16
	NN	0	1	2
193. Violation of Family Obligations	0	0	1	0
	2	0	1	0
	4	0	1	0
	5	0	1	0
	13	0	0	1
	17	1	1	0
194. Non-Payment of Maintenance	0	4	3	1
	1	8	6	1
	2	7	9	4
	3	6	13	3
	4	12	12	3
	5	12	18	3
	6	12	19	3
	7	17	13	3
	8	18	24	5
	9	11	16	5
	10	15	14	5
	11	12	14	7
	12	10	12	8
	13	12	19	4
	14	13	14	5
	15	18	12	6
	16	17	12	2
	17	14	11	2
	NN	0	1	0
22. Criminal Offences Against Employment Relationship and Social Security		1	2	2
196. Violation of Fundamental Rights of Employees	15	0	1	1
197. Workplace Mobbing				
	17	1	0	0
199. Undeclared Employment				
	15	0	1	0
203. Abuse of Rights Relating to Social Insurance				
	4	0	0	1
	5	0	0	1
	6	0	0	1

<i>NUMBER OF PERSON***</i>				<i>Year</i>
	7	0	0	1
	8	0	0	1
23. Criminal Offences Against Property	/	1229	1094	667
204. Larceny	0	4	4	2
	1	9	11	1
	2	8	8	3
	3	7	5	5
	4	1	6	3
	5	4	6	5
	6	4	4	3
	7	9	6	6
	8	3	5	1
	9	4	7	2
	10	9	7	2
	11	16	11	3
	12	26	22	13
	13	44	18	6
	14	55	47	41
	15	151	127	71
	16	197	221	123
	17	250	202	122
205. Grand Larceny	0	5	1	2
	1	3	4	0
	2	14	2	0
	3	5	2	3
	4	6	4	1
	5	4	5	1
	6	8	2	4
	7	4	2	4
	8	5	3	2
	9	3	1	1
	10	3	4	4
	11	3	3	3
	12	4	3	2
	13	9	10	2
	14	10	13	8
	15	18	22	21
	16	43	32	16
	17	24	29	12
206. Robbery	10	0	1	0
	11	0	0	1
	12	1	3	2

<i>NUMBER OF PERSON***</i>				<i>Year</i>
	13	5	2	6
	14	12	13	9
	15	27	20	23
	16	34	21	29
	17	16	18	15
207. Larceny in the Form of Robbery	13	1	0	0
	15	0	1	0
	16	2	4	2
	17	0	3	1
208. Misappropriation	0	1	0	0
	1	1	0	0
	2	1	1	0
	5	1	0	0
	10	1	1	0
	12	1	1	0
	13	2	1	1
	14	3	1	3
	15	18	13	12
	16	18	28	11
	17	24	25	16
210. Joy Riding	9	0	0	1
	15	1	1	1
	16	4	2	1
	17	1	1	3
211. Fraud	10	0	1	0
	11	0	2	0
	12	0	4	0
	14	0	2	0
	15	0	5	2
	16	5	10	2
	17	6	11	3
213. Extortion and Blackmail	0	1	0	0
	8	0	1	0
	9	1	0	1
	10	2	3	2
	11	3	3	0
	12	5	2	2
	13	9	6	2
	14	8	3	2
	15	18	17	3
	16	17	8	9
	17	9	3	5

<i>NUMBER OF PERSON***</i>	<i>Year</i>			
215. Disloyalty	17	1	0	0
217. Concealment	14	0	1	1
	16	3	0	0
	17	1	0	0
220. Damaging Another's Object	8	1	0	0
	11	0	1	0
	13	0	0	1
	14	2	1	0
	15	1	1	0
	16	2	3	1
	17	3	3	0
221. Attack on Information Systems	11	0	0	1
	12	1	0	0
	13	2	1	0
	14	0	0	1
	15	0	2	1
	16	1	1	1
	17	0	2	0
222. Arson	13	0	1	0
	17	1	0	0
223 Damaging the Rights of Other Persons	15	0	0	1
24. Criminal Offences Against the Economy	2	4	1	
228. Business Fraud	13	0	1	0
	16	1	1	0
	10	0	1	0
	15	0	1	1
	16	1	0	0
25. Offences Against Legal Transactions	1	0	0	
251. Forging Documents	16	1	0	0
26. Offense Against Official Duties and Public Authorisations	5	3	1	
258. Misfeasance in Office	6	1	0	0
	7	1	0	0
	10	1	0	0
	14	1	0	1
	NN	1	0	0
266. Violation of Human Dignity by Abuse of Official Position or Official Rights	14	0	1	0
	17	0	2	0
28. Criminal Offences Against Administration of Justice	13	8	4	
281 Failure to Provide Information of Crime or Perpetrator	6	1	0	0

<i>NUMBER OF PERSON***</i>	<i>Year</i>			
282 Accessory to the Perpetrator after the Commission of a Criminal Offence	3	0	1	0
283. False Reporting of Crime	1	1	0	0
	5	1	0	0
	17	0	1	1
284. False Deposition	1	0	1	0
286. Obstruction of Judicial and Other State Authorities	10	1	0	0
	15	0	1	0
287. Violation of Secret Proceedings	2	1	0	0
	3	1	0	0
	4	1	0	1
	5	1	0	0
	8	1	0	0
	9	1	1	0
	11	1	0	1
	12	1	0	0
	13	1	1	1
	14	1	0	0
	15	1	0	0
	16	0	2	0
29. Criminal Offences Against Public Order and Peace	/	136	106	63
296 Violent Conduct	2	2	0	0
	4	0	0	1
	7	2	0	0
	8	0	1	0
	9	5	1	0
	10	4	4	2
	11	4	2	5
	12	10	7	2
	13	14	9	9
	14	14	11	5
	15	28	19	8
	16	24	19	13
	17	25	18	10
299 Obstructing the Performance of Official Acts or Revenge upon an Official	4	0	1	1
305 Impersonation of an Official or a Member of the Military	12	1	0	0
	14	1	0	0
	15	0	1	0



<i>NUMBER OF PERSON***</i>	<i>Year</i>			
	17	1	0	0
307 Illegal Manufacture of and Trade in Weapons or Explosive Materials	5	1	0	0
	17	1	0	0
308 Prohibited Crossing of State Border or Territory	15	0	2	0
	16	0	6	2
	17	0	6	3
310 Self-Willed Exercise of Rights	15	1	1	0
	16	1	0	0
	17	0	0	1
312 Disrupting Funerals and Desecration of Graves	16	1	0	0
30. Offences Against the General Safety of People and Property	/	38	36	17
314 Causing Public Danger	0	3	0	1
	1	1	1	0
	2	0	1	0
	3	0	3	1
	4	4	3	2
	5	1	1	0
	6	5	3	2
	7	3	0	0
	8	1	2	1
	9	2	5	1
	10	2	0	1
	11	1	1	0
	12	1	0	1
	13	2	0	1
	14	2	1	2
	15	6	4	1
	16	0	3	1
	17	4	7	2
315 Causing Danger in Building Activity	9	0	1	0
31. Offense Against the Safety of Public Traffic		6	2	5
324 Audacious Driving in Road Traffic	16	1	0	0
325 Endangering Special Types of Public Traffic	7	0	0	1
	8	1	0	0
	11	1	0	0
	13	1	0	0

<i>NUMBER OF PERSON***</i>	<i>Year</i>			
	14	0	0	1
	16	1	0	0
	17	1	0	2
326 Endangering Public Traffic by Dangerous Acts or Means				
	17	0	0	1
328 Failure to Render Aid to a Person Injured in a Traffic Accident				
	15	0	1	0
	16	0	1	0
TOTAL	/	2909	2765	1705

The first half of 2012, Source: Ministry of the Interior

\*\*\* Person within the observation period is counted only once