

**Group of Experts on Action against Violence
against Women and Domestic Violence
(GREVIO)**

COUNCIL OF EUROPE



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**Report submitted by Slovenia
pursuant to Article 68, paragraph 1
of the Council of Europe Convention
on preventing and combating violence
against women and domestic violence
(Baseline Report)**

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GREVIO

THE FIRST REPORT BY THE REPUBLIC OF SLOVENIA ON THE IMPLEMENTATION OF THE COUNCIL OF EUROPE CONVENTION ON PREVENTING AND COMBATING VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE (ISTANBUL CONVENTION)

FOR THE PERIOD 2017–2018

Ljubljana, October 2019

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1 INTRODUCTION

The Council of Europe Convention on preventing and combating violence against women and domestic violence (hereinafter referred to as: Istanbul Convention) is the first and the most comprehensive international legal instrument determining obligations of the signatories related to preventing violence against women and domestic violence. It was opened for signature on 11 May 2011 in Istanbul, Turkey. The Republic of Slovenia signed the Convention on 8 September 2011, and ratified it on 5 February 2015. The adoption of the Convention is a major milestone in the history of the fight for the human rights of women and new European standards in this field. By September 2019, the Convention has been ratified by 34 countries.

The main goal of the Convention is to create a Europe without violence against women and without domestic violence. The Convention is therefore a starting point for different measures that legally and actually integrate violence against women in the wider framework of combating discrimination of women and achieving gender equality. The signatories are obliged to comprehensively approach the treatment of violence against women and girls, and domestic violence, which includes prevention of violence, protection and support for victims, prosecution of perpetrators and comprehensive and coordinated measures.

The Istanbul Convention fills a significant gap in human rights protection of women. It in fact puts the eradication of violence against women within the broader context of achieving actual gender equality, and by doing so recognises violence against women as a form of discrimination. It establishes the link between achieving gender equality and the eradication of violence against women. Based on this principle, it recognises the structural nature of violence against women and that it is a manifestation of the historically unequal power relations between women and men.¹

The Istanbul Convention defines violence against women as "all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts" (point a of Article 3). In the Convention, the term "gender" is defined as the "socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men" (point c of Article 3). The Istanbul Convention is thus the first binding instrument of international law which contains a definition of the term "gender". The Istanbul Convention supersedes all preceding documents on human rights because in its definition of violence against women, it includes economic harm or suffering among the consequences of acts of violence. The Istanbul Convention deals with violence against women in public and private life; domestic violence is expressly defined as a form of violence against women.

By adopting this important international document in the field of human rights protection of women and combating discrimination, the Republic of Slovenia has joined the group of the most progressive countries which have already ratified the Convention. By doing so, it has manifested its firm commitment to making a significant step forward preventing violence against women and domestic violence.

In reporting on the implementation of the Istanbul Convention, the Republic of Slovenia strives to consistently respect the obligations defined in Article 68 of the Convention, as it understands reporting to the monitoring mechanism as an opportunity to assess the progress achieved in the realisation of the ideals and standards of the Convention by reviewing internal legislation, policies and practice, and recognise difficulties and obstacles which prevent women in the Republic of

¹ Council of Europe, 2011. The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, Explanatory Report. Istanbul: Council of Europe Treaty Series – No. 210, Council of Europe.

Slovenia from enjoying their citizen, political, economic, social, cultural and other rights in the fullest extent.

The first report by the Republic of Slovenia on the implementation of provisions of the Convention has been drafted based on a questionnaire prepared by the Group of Experts on Action against Violence against Women and Domestic Violence (hereinafter referred to as: GREVIO). The report has been coordinated and drafted by the Equal Opportunities Department at the Ministry of Labour, Family, Social Affairs and Equal Opportunities (hereinafter referred to as: MDDSZ). Participating in the drafting of the report were members of the inter-ministerial working group for monitoring the implementation of the Istanbul Convention (hereinafter referred to as: IWG), which was established on 7 April 2016. All relevant ministries were invited to evaluate the draft report, while non-governmental organisations (hereinafter referred to as: NGOs) active in the fields regulated by the Convention were also invited to submit their opinions and possible proposals for amendments and changes.

The final report has been discussed by the Government of the Republic of Slovenia, and the National Assembly will also be acquainted with it.

2 INTEGRATED POLICIES AND DATA COLLECTION

2.1 Legislative and political framework, strategies and action plans

Violence against women and domestic violence belong to the most frequent violations of human rights and is a form of discrimination against women, which is why an appropriate approach by the state to regulating this issue is of exceptional importance. Slovenia has made significant progress in this field in the last decade, as this report shows.

Legal and political frameworks which deal with violence against women and domestic violence and implementation of policies (i.e. prevention, protection and prosecution) cannot be provided by a single institution, as effective cooperation of all relevant stakeholders, institutions and organisations is needed. For this reason, this report emphasises comprehensive and integrated treatment of violence against women and domestic violence.

In relation to legislative measures relating to violence against women and domestic violence, 2008 was an important year in the Republic of Slovenia, when the Domestic Violence Prevention Act² (hereinafter referred to as: ZPND), a systemic and civil act covering this field, was passed. The Act defines domestic violence and family members and stipulates special protection of children, including when they are witnesses to violence. The ZPND also regulates cooperation between various agencies, not only between government institutions, but also with NGOs. Moreover, the ZPND stipulates that budget funds need to be secured to finalise special tasks, including training and education of experts on violence, "in particular violence against children"; "drafting, inter-departmental coordination and implementation of violence prevention programmes"; implementation of the "scientific and research activities in the field of violence prevention" etc. The ZPND includes provisions related both to prevention of violence and to protection of victims.

Slovenia has adopted several strategic documents which define violence prevention programmes and measures for protection of victims. After the ZPND was passed in 2008, the first Resolution of National Programme of Family Violence Prevention 2009-2014 was adopted in 2009³. The Resolution determined the objectives, strategies, activities and bodies in charge for the prevention and reduction of domestic violence. The main objectives of the document were to connect the measures implemented by various sectors and to provide effective activities for reducing domestic violence on the level of detection and prevention.

The objectives of the Resolution were the following:

1. reduce domestic violence and violence in wider society in general;
2. increase sensitivity to the issue of domestic violence;
3. ensure coordinated action by relevant bodies and organisations;
4. encourage diversity, equal accessibility, development and quality implementation of programmes for assistance to victims;
5. encourage diversity, equal accessibility, development and quality implementation of programmes of work with perpetrators of violence;
6. ensure systematic awareness raising among children, youth and adults about their fundamental human rights and obligations and educating them for life in a society without violence, for coexistence between generations and respect of all people;

² (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos. 16/08, 68/16 and 54/17 – ZSV-H)

³ (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 41/09)

7. raise the awareness of those who are exposed to domestic violence about possible forms of assistance and provide their availability in the entire country;
8. ensure regular sources of financing of assistance programmes.

The Resolution focused in particular on the detection and prevention of domestic violence. It also dealt with protection and prosecution, but its main emphasis was on prevention. Measures for a more comprehensive approach (i.e. better cooperation between various stakeholders, including NGOs, coordinated collection and processing of comparable data on domestic violence; establishing coordinated protocols for cooperation between various stakeholders etc.) are emphasised throughout the entire text. Concrete tasks and activities for achieving the objectives and implementing individual measures were defined in action plans, which were made every two years and which precisely defined the deadlines and how measures and activities would be implemented.

Following the passing of the ZPND in 2008, five implementing acts related to measures to be taken by various bodies and services in the case of domestic violence were also adopted. The Rules on the treatment of domestic violence for educational institutions⁴ and 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 violence⁵ were adopted in 2009. A year later, the Ministry of the Interior (hereinafter referred to as: MNZ) adopted the Rules on cooperation between the police and other authorities in the detection and prevention of domestic violence⁶, which precisely define rules and procedures of notification and cooperation of the police with other relevant stakeholders in treating cases of domestic violence and rules for coordinated work of social work centres (hereinafter referred to as: CSD). The Rules regulate the training of police officers and criminal police officers in the field of domestic violence. In 2011, the Ministry of Health (hereinafter referred to as: MZ) adopted the Rules on procedures for dealing with domestic violence in the implementation of health activities⁷. The Rules regulate rules and procedures, methods and reporting bodies for a coordinated action by healthcare workers in the implementation of healthcare activities related to the treatment of victims, in particular in relation to detection of domestic violence, with determining rules and procedures in the treatment of victims of violence and education of healthcare workers. The Rules on restraining orders⁸, which determine the procedure for implementing a restraining order related to a certain person, place or area were adopted in 2004 and amended in 2014.

The ZPND was amended in 2016, introducing a more precise definition of domestic violence, expanding the definition of family members, improving the procedures of coordination and communication between all relevant institutions and bodies and determining procedures for treatment of domestic violence. The amended ZPDN:

- defines forms of domestic violence – physical, sexual, psychological and economic violence, neglect and stalking;
- determines measures for the protection of victims of domestic violence, with the family framework being defined very broadly;
- includes a series of mutual relations, redefines the status of a family member, and also includes former partners, children of partners and partners in a civil partnership;
- determines the role of various state bodies and NGOs in dealing with domestic violence, their tasks and cooperation;

⁴ (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. [104/09](#))

⁵ (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 31/09 and 42/17)

⁶ (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. [25/10](#))

⁷ (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 38/11)

⁸ (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. [49/14](#))

- stipulates the adoption of a resolution on the national programme on the prevention of violence against women and domestic violence for a six-year period;
- defines in more detail the possibilities for relevant bodies, i.e. Slovenian police and courts to take measures;
- stipulates that providers of services in social care, healthcare, education and training are among the bodies and organisations which must report on violence, and roles and responsibilities in dealing with domestic violence are distributed among them;
- introduces an explicit prohibition of corporal punishment of children;
- prohibits the use of alternative forms of dispute settlement in all proceedings conducted in relation to violence.

All these and numerous other normative measures have contributed to the improvement of the systemic regulation of preventing and combating domestic violence. The main guideline for these changes was greater protection of victims and improving systemic regulation of preventing and combating domestic violence.

As already mentioned, a new Resolution on the National Programme for Prevention of Violence against Women and Domestic Violence 2020–2025 is being drafted; its purpose will be to recognise key fields where deficiencies or poor performance in the field of prevention of violence against women and domestic violence have been detected, and to define objectives and measures for their improvement. Measures for the implementation of provisions of the Istanbul Convention will also be included. The defined measures for achieving the objectives of the Resolution are part of the policy of prevention and treatment of domestic violence and violence against women, and will be implemented to a large extent as part of policies planned by the relevant ministry. To a certain degree, these measures will also cover other fields, which are in the jurisdiction of individual ministries, services of the Government of the Republic of Slovenia, local communities and other stakeholders. Ministries will include measures from this Resolution in their programmes and activities, and will also try to integrate the fundamental objectives into their policies.

The key changes which we want to achieve by realising the objectives and accompanying measures after the Resolution expires are: (1) high quality, diverse and widely available programmes of assistance and protection of victims of domestic violence and women victims of violence, (2) improved protection, treatment, and situation of victims of such violence, (3) highly trained professional staff and experts who face the issue of domestic violence and violence against women in their work, (4) greater awareness in society about the issue and achieving a higher level of zero tolerance to such violence, (5) improved regulations in the field of prevention of domestic violence and violence against women, (6) provision of quality data about domestic violence and violence against women and (7) improved organisation in the fields of prevention of domestic violence and violence against women. All these goals are compliant with the fundamental European guidelines in the field of prevention and treatment of domestic violence and violence against women.

Also to be defined are indicators for monitoring the implementation of the Resolution and stakeholders who will implement individual measures. Monitoring the implementation of the Resolution will be the obligation of all line ministries responsible for individual measures. Once a year, the line ministries will report on the realisation of the objectives of the Resolution and implementation of measures to the relevant ministry. A precise timeline for the implementation of measures will be defined in biannual action plans, which will be drafted after the adoption of the Resolution by the inter-ministerial working group which was established in 2018 to draft the

Resolution, and which also features representatives of NGOs active in the field of prevention of domestic violence and violence against women.

Funds for all measures specified in the Resolution will be provided from one or more of the following sources: state budget, budgets of local communities and European Union funds. The tempo in which measures will be introduced will depend on the budget and will be defined in action plans, which is why we are not able to precisely define the amount of funds for the implementation of measures and activities at this stage. Line ministries will secure additional funds for all measures which may require them as part of their financial plans by making reassignments or by increasing efficiency in the implementation of measure.

Other strategic documents are:

- Resolutions on the national social assistance programme for the 2006-2010 period⁹ and for the 2013–2020 period¹⁰, which defined programmes for prevention of domestic violence, support for victims of violence and work with perpetrators of violence;
- Resolution on the National Programme for Equal Opportunities for Women and Men 2005–2013¹¹, which included the issue of violence against women, trafficking in women and sexual exploitation (for prostitution and pornography) and sexual violence;
- Resolution on the National Programme for Equal Opportunities for Women and Men, 2015–2020¹². In order to avoid unnecessary overlap with the 2009–2014 resolution on domestic violence, only the general objective of prevention (i.e. reduction of violence against women, including measures for greater awareness) was defined in the field of violence against women;
- The Resolution on the National Programme for the Prevention and Suppression of Crime 2012–2016¹³ was adopted in 2012. The Resolution also contained elements of combat against domestic violence and violence against women. The new Resolution on the National Programme for the Prevention and Suppression of Crime 2019–2023¹⁴ was adopted in June 2019, featuring content related to prevention and prosecution of violence against women;
- The National Programme of Measures for the Roma 2017–2021¹⁵ also includes target-oriented measures and recommendations in the field of social protection with an emphasis on child and forced marriages or minors running away to harmful environments, as well as procedures for handling cases of civil partnerships with minors.
- Resolution on the National Mental Health Programme 2018–2028¹⁶ defines measures for the prevention and treatment of the following forms of violence: peer violence, domestic violence, elder abuse etc. The Resolution emphasises the importance of maintenance and improvement of mental health and prevention of mental diseases. Treatment focuses on comprehensive, interdisciplinary and inter-sectoral cooperation, while in focus of the services provided by various institutions are the individual and their needs.
- Also being drafted is a new Programme for Children 2019–2024, which will comprehensively and extensively deal with the situation of children. It is an independent programming document which will precisely determine objectives and measures for improving the situation of children, including in the field of prevention of domestic violence, assistance to victims of criminal acts, sexual abuse etc.;

⁹ (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 39/06)

¹⁰ (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 39/13)

¹¹ (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 100/05)

¹² (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 84/15)

¹³ (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 83/12)

¹⁴ (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 43/19)

¹⁵ https://www.gov.si/assets/vladne-sluzbe/UN/Dokumenti-Romi/65d892da3a/NPUR_2017_2021.pdf

¹⁶ (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 24/18)

Moreover, the Municipality of Ljubljana (MOL), based on the Strategy of development of social care of MOL¹⁷ and the Gender Equality in MOL action plan, supports programmes and activities for assistance to victims of violence and for planned and systemically regulated work with perpetrators of violence, while also putting a lot of emphasis on awareness-raising activities.

An ad hoc working group was formed in 2017 to draft a protocol in procedures for handling cases of civil partnership with minors – handling of cases of minors running away to harmful environments (child marriages) and forced marriages in the Roma community. So far, the working group has been acquainted with the situation in the field of handling cases of civil partnership with minors, or minors running away to harmful environments, and the needs and starting points for the drafting of a protocol/manual for taking measures in these procedures. At the meetings of the working group in 2018, activities for raising awareness of employees in the judiciary were also agreed on, among other things. The Judicial Training Centre (hereinafter referred to as: CIP) has included in its educational events – judicial training schools – lectures to judges and employees in the judiciary about challenges of the work with the Roma community and its particularities.

The Association of Centres for Social Work (hereinafter referred to as: SCSD) has issued the Guidelines and recommendations for work of CSD expert staff in cases of minors running away to harmful environments, which are recognised as a useful tool in the implementation of tasks of expert services with the purpose of protecting minors from living in harmful environments. The Guidelines and recommendations are used in all cases when a CSD or intervention service receives information that a minor lives in an environment in which the parents are prevented from exercising their parental right. A CSD or intervention service may get information about this from their parents, police or other persons. In the case that a high level of endangerment is assessed, a CSD also contacts the police.

Based on the Action plan for combating trafficking in human beings for the period 2017–2018¹⁸, which is the basis for the implementation of fundamental activities for preventing and combating trafficking in human beings in Slovenia, numerous activities have been implemented related to preventive awareness-raising of potential victims of trafficking in human beings in Roma communities, especially from the aspect of forced and child marriages. Moreover, awareness-raising content about the dangers of forced and arranged marriages was added in 2018 to the invitation to tender of the Government Communication Office for co-financing information-communication and educational projects by non-governmental and humanitarian organisations. This means that a third of activities of the project of preventive awareness-raising of primary school students in higher grades and secondary school students also took place in the environments populated by members of the Roma community. A new action plan has been adopted for the 2019–2020 period¹⁹, which envisages the continuation of activities for preventive awareness-raising of potential victims of trafficking in human beings in Roma communities about forced and so-called child marriages. The action plan also includes other measures in the fields of prevention, detection, investigation and prosecution of criminal acts of trafficking in human beings and identification, protection and assistance to victims. Also included in the plan is a review of international cooperation and support activities. Providing assistance to victims of trafficking in human beings in Slovenia are the Society Kljuc - centre for fight against trafficking in human beings (hereinafter referred to as: Society Kljuc), Slovenian Philanthropy and Caritas Slovenia. Care for victims of trafficking in human beings is provided through programmes of crisis and safe accommodation and a programme for reintegration of victims of trafficking in human beings.

¹⁷ <https://www.ljubljana.si/assets/Uploads/strategija-sv-v-mol-2013-2020.pdf>

¹⁸ <http://imss.dz-rs.si/imis/191728fd447f8a772391.pdf>

¹⁹ <https://imss.dz-rs.si/imis/a6a041f404a1c247f789.pdf>

In November 2019, the Government of the Republic of Slovenia adopted the second Action plan of the Republic of Slovenia for the implementation of resolutions of the UN Security Council on women, peace and security for the period 2018–2020²⁰. Although the action plan is directed more towards foreign policy activities, its purpose is also to strengthen the capacities at the national level. The action plan defines activities in five priority fields, two of which are directly related to violence against women ((1) protection of women and girls against conflict, during and after conflict, and elimination of sexual violence and gender-based violence connected with conflict, and (2) responsibility for prevention and prosecution of perpetrators of sexual violence and gender-based violence connected with conflicts) and the field of education and training on the Women, Peace and Security Agenda being indirectly related to the topic. The field also includes certain activities related to the treatment of applicants for asylum or international protection and the consideration of the gender aspect in these procedures. The action plan envisages participation of all relevant stakeholders in its implementation. This includes the relevant ministries (in particular the Ministry of Foreign Affairs (hereinafter referred to as: MZZ), Ministry of Defence (hereinafter referred to as: MORŠ), MNZ, MZ, Ministry of Justice (hereinafter referred to as: MP), MDDSZ and the Government Office for the Support and Integration of Migrants (hereinafter referred to as: UOIM)), as well as other stakeholders, such as NGOs. Implementation is monitored based on measures and indicators which are its constituent part. For a more effective monitoring of implementation, annual reports about implementation are drafted, and regular meetings of stakeholders at various levels (meetings at the working level also include participation of representatives of civil society) are also held.

We assess that all positive legislative changes made in recent years in this field contribute to greater protection of victims (of domestic violence and children and women victims of violence) and improved treatment and situation of these persons. There is nevertheless still much room for improvement.

2.2 Financial resources

The MDDSZ supports NGOs by co-financing programmes in the field of social care (including social care programmes in the field of prevention of violence against women and domestic violence) since 1993. Special emphasis and greater stability of financing of supplementary programmes of social care have been secured with the adoption of a national programme of social protection. A majority of these programmes is implemented by NGOs, and occasionally appearing as providers are public institutions which do not implement these programmes as part of public service.

In 2017 and 2018, the MDDSZ co-financed 38 programmes intended for prevention of violence (social protection programmes in the field of prevention of violence and treatment of victims of violence), i.e. 27 public social protection programmes in 2017 and 28 in 2018 (included in five- and seven-year co-financing by the MDDSZ) and 11 development social protection programmes in 2017 and 10 in 2018 (included in one-year co-financing by the MDDSZ). Out of all programmes for prevention of violence, there were 22 programmes which provide users with beds (accommodation programmes) in both years. Belonging to this set of programmes are programmes for maternity homes for mothers and children (8 programmes), 13 programmes for safe houses, women's shelters and crisis centres and one advisory programme, which provides users with accommodation (programme for disability abuse implemented by the Vizija association

²⁰ <https://www.gov.si/assets/ministrstva/MZZ/Dokumenti/multilateral/clovekove-pravice/20d7b20f9c/NAN-1325-in-1820.pdf>

of people with disabilities). Moreover, the MDDSZ co-financed 14 counselling centres, one programme focused on prevention of elder abuse and one telephone counselling programme.

Violence prevention programmes received a combined EUR 5,138,144.40 in 2017. The biggest amount of funds was given to safe houses, women's shelters and crisis centres, with various co-funders earmarking a total of EUR 2,333,263.80 to these programmes. The MDDSZ earmarked a total of EUR 3,324,699.30 for violence prevention programmes in 2017, which is almost EUR 375,000 more than in the year before. Funds from the MDDSZ represent just under two thirds (64.7%) of total funds received in 2017. Municipalities contributed more than 20% of the funds, and the share contributed by other co-funders was significantly lower.

Violence prevention programmes received some more money in 2018, i.e. EUR 5,219,551.00 in total. The biggest amount of funds was given to safe houses, women's shelters and crisis centres, with various co-funders earmarking a total of EUR 2,355,079.20 to these programmes. When the amounts of funds received from individual funders are compared, it turns out that violence prevention programmes received the most from the MDDSZ, i.e. EUR 3,334,898.40. Funds from the MDDSZ represent just under two thirds (65.5%) of total funds received in 2018. Municipalities contributed more than 17% of the funds, and the share contributed by other co-funders was also significantly lower that year.

Moreover, every year the MDDSZ also co-finances projects by NGOs whose purpose is to detect, eliminate or prevent gender inequality, promote gender equality or create equal opportunities for women and men in politics, the business sector, social affairs, healthcare, education and other fields of social life, such as prevention of violence against women.

The MZ regularly co-finances projects by NGOs in the field of prevention of violence for different groups of population in various environments (schools, local environments etc.), for example, for prevention of violence and abuse of children, intended for children and staff in kindergartens and schools. In a positive way adjusted to their age, girls and boys are presented with situations of violence and abuse and they get empowered so that they are able to appropriately respond to such situations and protect themselves.

The Municipality of Ljubljana (MOL) co-funds by means of invitations to tender a wide range of programmes intended for women and children victims of violence and for perpetrators of violence. In 2017 and 2018, MOL co-funded 7 accommodation programmes, i.e. a crisis centre, 5 women's shelters and a special shelter for active users of illicit drugs who are victims of violence. In addition to accommodation, MOL also made available to women who experience violence programmes for personal, telephone and on-line counselling and groups for self-help and support groups. Two programmes for non-violent communication for perpetrators of violence were also co-financed in this period. In addition to the above-mentioned programmes, the Government Office for Youth (hereinafter referred to as: URSM) co-finances a number of programmes for informing young people about violence and teaching them the basics of non-violent communication. The URSM co-funded two programmes which fully focused on preventive activities in the field of peer violence and gaining competences in non-violent communication in 2017, and three such programmes in 2018. In addition to co-financing programmes, MOL also co-finances every year the costs of public works programmes. In the field of prevention of violence, MOL covered a part of the costs for wages of four employees in the contractual value of EUR 9,887.28 in 2017 or EUR 13,878.24 in 2018. NGOs also have the possibility to implement programmes in the premises of the Municipality of Ljubljana (MOL). In 2017 and 2018, three NGOs from this field used several premises for their activities free of charge and one NGO used premises with a lowered rent.

2.3 Cooperation with non-governmental organisations and civil society

Article 9 of the Istanbul Convention demands from the signatories to establish effective cooperation with NGOs and civil society organisations, and include them in the provision of services and in the creation and evaluation of policies and measures. The existence and functioning of NGOs are an important condition for comprehensive implementation of the principle of plurality and democracy in society. For this reason, by associating themselves into NGOs and other forms of organisation of civil society, individuals have an impact on comprehensive and sustainably-oriented social development, growth of social welfare, quality of life and social security.

The Government of the Republic of Slovenia is aware of the importance of the work of NGOs, and is trying to improve the fundamental and other conditions for their faster and more efficient development in various ways. Considering that NGOs perform a very important, socially beneficial work in individual fields of their operation, the Government supports transfer of public functions and powers also to the non-governmental sector, i.e. in cases when NGOs can be more successful and efficient.

Like in many other countries, transfer of the duty to implement various services to the private sector is also taking place in Slovenia. A part of these services can also be provided by NGOs, which frequently provide initiatives to perform certain services that are frequently co-financed by the government if they are found to be of public interest. Social protection (which includes social protection programmes in the field of prevention of violence against women and domestic violence) is the field where such successfulness and efficiency are manifested in a special form, as it is possible to create very good and user-friendly programmes.

The beginnings of the work of NGOs in the field of violence against women in Slovenia as an important part of civil society reach back to 1989, when the Association SOS Help-line for Women and Children – Victims of Violence (hereinafter referred to as: Association SOS Help-line) was established as the first NGO to provide psychosocial assistance to women and children who were victims of violence, at the time when the field of prevention of violence against women was not systemically regulated in Slovenia. The role of NGOs was and still is of key importance in combating violence against women and domestic violence. It was because of the work performed by NGOs between the end of the 1980s and the beginning of the 1990s that society started detecting domestic violence. NGOs did not only strive for recognition of domestic violence, but also for more resolute response to it and punishing of perpetrators of violence.

Today, numerous NGOs are active in prevention of violence, each actively contributing in their particular field and with its way of work to preventing violence against women and domestic violence. In the Slovenian legal framework, the role of NGOs is largely connected with awareness-raising and provision of services. The ZPND stipulates that *"non-governmental organisations provide protection and psychosocial assistance to victims, organise programmes for perpetrators of violence and cooperate with the authorities."*

The most important tasks of NGOs in providing specialised assistance to women victims of violence are:

- telephone, personal or on-line counselling,

- providing accommodation in safe houses, women's shelters, crisis centres and maternity homes for mothers and children,
- providing assistance related to procedures in institutions,
- legal assistance,
- social skills trainings for perpetrators,
- raising public awareness about zero tolerance to violence in society as part of numerous preventive activities.

What is also emphasised is the cooperation of NGOs active in the field of violence against women and domestic violence with the police and CSDs. Under Article 17 of the ZPND, NGOs from the field of treatment of and protection against violence cooperate with bodies and organisations from various fields, such as the police, State Prosecutor's Office, courts, CSDs, healthcare organisations and educational institutions. Together with bodies and organisations, they participate in the discussion of individual cases of victims and perpetrators of violence and they also get involved in direct implementation of measures for the protection of victims as part of the programmes they implement. Article 60 of the Police Tasks and Powers Act²¹ (hereinafter referred to as: ZNPPol) from 2017 puts into law anew the role of NGOs regarding disclosure of information which is used by the police to justify issuing a restraining order.

Article 15 of the Protection Against Discrimination Act²² (hereinafter referred to as: ZvarD) stipulates that the Government of the Republic of Slovenia and other state bodies, when devising solutions and proposals to attain the purpose of this Act, must cooperate with social partners and NGOs in the field of equal treatment, the protection of human rights and fundamental freedoms, the protection of vulnerable groups against discrimination, or legal or social assistance to persons discriminated against. Moreover, Article 3 of the Equal Opportunities for Women and Men Act²³ (hereinafter referred to as: ZEMŽM) stipulates that the Government of the Republic of Slovenia and responsible ministries cooperate with social partners and NGOs working in the field of equal opportunities in order to develop solutions and proposals for achieving the aim of this Act.

In the Resolution of National Programme of Family Violence Prevention 2009–2014, the role of NGOs and academic institutions is connected with the aspects of recognition and prevention of domestic violence and support for victims. As part of "effective inter-institutional cooperation", it has been concluded that it is necessary to "*establish systematic, planned and continuous inter-institutional cooperation and cooperation of institutions with non-governmental organisations*". NGOs in the field of prevention of violence also had a key role in the ratification of the Istanbul Convention in Slovenia, as they exerted with their activities pressure on the state to ratify the Convention. This is why their participation in the coordinating body is key from the aspect of state respecting its provisions. Members of the inter-ministerial working group for monitoring of the implementation of the Istanbul Convention (hereinafter referred to as: IWG) thus include representatives of NGOs, and the group acts as a body responsible for coordination, implementation, monitoring and evaluation of policies and measures for preventing and combating all forms of violence.

2.4 Coordinating body

²¹ (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos. 15/13, 23/15 – corr., 10/17, 46/19 – Constitutional Court Decision, and 47/19)

²² (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos. 33/16 and 21/18 – ZNOrg)

²³ (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos. 59/02, 61/07 – ZUNEO-A and 33/16 – ZVarD)

Article 10 of the Istanbul Convention stipulates that the signatories establish an official body responsible for the coordination, implementation, monitoring and evaluation of policies and measures to prevent and combat all forms of violence covered by the Convention. They may do so either by establishing new official bodies or authorising existing bodies for implementing these tasks.

For this purpose, the government IWG responsible for the coordination, implementation, monitoring and evaluation of policies and measures to prevent and combat all forms of violence covered by the Convention was established on 7 April 2016 with a decision of the Government of the Republic of Slovenia. The group consists of the head of the group and 19 members and 17 substitute members. The MDDSZ is in charge of the coordination of the IWG, while the head of the Equal Opportunities Department at the Ministry is in charge of its management.

The group comprises experts and representatives of relevant ministries ((MDDSZ, MNZ and the police, MP and CIP, MZ and the National Institute for Public Health (hereinafter referred to as: NIJZ), Ministry of Education, Science and Sport (hereinafter referred to as: MIZŠ), Ministry of Public Administration (hereinafter referred to as: MJU), Ministry of Culture (hereinafter referred to as: MK) and Ministry of Foreign Affairs (MZZ)) and government services (UOIM), Statistical Office of the Republic of Slovenia (hereinafter referred to as: SURS) and the Government Office for National Minorities (hereinafter referred to as: UN)). In addition to ministries and government services, also appointing their representatives were the Association of Centres for Social Work, the Association SOS Help-line and the Centre for Information Service, Co-operation and Development of NGO (CNVOS). In line with the agenda of the IWG, representatives of other bodies and services of the Government of the Republic of Slovenia, civil society organisations and interest groups may also be invited to its meetings.

The IWG did not get additional funds and staff for its work, with members performing their work in the IWG as part of their existing daily tasks.

The IWG performs the following tasks:

- monitoring the implementation of provisions of the Istanbul Convention,
- ensuring that various measures adopted on the basis of the Istanbul Convention are appropriately coordinated in accordance with the powers and responsibilities of state bodies referred to in the Constitution of the Republic of Slovenia²⁴ (hereinafter referred to as: Constitution of the Republic of Slovenia) and acts and that within these frameworks they pursue the objective of appropriate functioning of all parts of the state administration and other related institutions in the field of the Istanbul Convention,
- providing for coordinated collection of relevant general and statistical data and information, analyses and dissemination of conclusions,
- monitoring the manner and effectiveness of the implementation of policies and measures for preventing all forms of violence covered by the Istanbul Convention, and for combating them at the national and local level,
- provides for scientific evaluation of a policy or measure in order to establish whether that policy or measure serves the needs of victims of violence and fulfils its purpose, and to reveal unintended consequences,

²⁴ (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos. 33/91-I, 42/97 – UZS68, 66/00 – UZ80, 24/03 – UZ3a, 47, 68, 69/04 – UZ14, 69/04 – UZ43, 69/04 – UZ50, 68/06 – UZ121,140,143, 47/13 – UZ148, 47/13 – UZ90,97,99 and 75/16 – UZ70a)

- drafting a report on legislative and other measures for the implementation of provisions of the Istanbul Convention, which is submitted to the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO).

The duration of the work of the IWG is tied to the duration of the long-term political and operational process for the implementation of the Istanbul Convention.

In May 2017, a workshop for members of the IWG was organised in cooperation with the Council of Europe as part of a project to strengthen the institutional environment and practices related to prevention of violence against women and domestic violence. The workshop focused on presenting the standards and provisions of the Istanbul Convention, including the supervision mechanisms of its implementation.

The IWG also discussed at its last meeting the developments related to the initiative of the expert public to re-examine the regulation of the acts of rape and sexual violence in criminal legislation. It was emphasised that NGOs had addressed a call to the justice minister for the definition of the criminal act of rape to be redefined, so that it is compliant with international standards of human rights and based on the absence of consent, and an initiative for participation in further activities. The MP called a special meeting with expert public on this topic, and the justice minister promised after the meeting that the relevant changes to the Criminal Code would be considered.

One of the major tasks of the IWG was to coordinate and draft this report.

2.5 Data collection and research

Data about violence against women and domestic violence in Slovenia is collected from various institutions (police, courts, CSDs and NGOs), which also exchange this data among themselves.

2.5.1 Statistical Office of the Republic of Slovenia

The SURS is the main provider and coordinator of work in the field of national statistics, and it collects data about indicted, accused and sentenced adults and minors who perpetrate a criminal act. The SURS obtains data about sentenced perpetrators of criminal acts from the administrative record or the so-called digitalised criminal register, which is kept by the Supreme Court of the Republic of Slovenia (hereinafter referred to as: VS). Data about sentenced persons may be displayed by various demographic variables of the perpetrator (sex, age, education, status of activity, citizenship, municipality of permanent residence etc.), but not by the sex of the victim or the relationship between the victim and perpetrator because there is no such data in the administrative source.

The data that the SURS obtains from the Office of the State Prosecutor General of the Republic of Slovenia (VDT) and the VS, is also published by the SURS on the annual basis. The data collected and processed by the SURS do not include the sex of the victim or the relationship between the victim and perpetrator, which means that the incidence of domestic violence and violence against women (according to the SURS data) is underestimated. Introduction of these two variables (the sex of the victim or the relationship between the victim and perpetrator) in the registers of the VDT and VS would significantly contribute to increasing the quality of presentation of data about the incidence of domestic violence and violence against women.

Adult convicts by criminal acts, Slovenia, 2017–2018	2017	2018
4.XV.122 Actual Bodily Harm	311	268
4.XV.123 Aggravated Bodily Harm	63	78
4.XV.124 Grievous Bodily Harm	5	3
4.XIX.170 Rape	12	7
4.XIX.171 Sexual Violence	12	12
4.XIX.172 Sexual Abuse of Defenceless Person	7	3
4.XIX.173 Sexual Assault on a Person Below Fifteen Years of Age	35	37
4.XIX.174 Violation of Sexual Integrity by Abuse of Position	3	2
4.XIX.176 Presentation, Manufacture, Possession and Distribution of Pornographic Material	31	50
4.XXI.191 Family Violence	289	325
4.XXI.192 Neglect and Maltreatment of a Child	64	63

2.5.2 Police

The IT and Telecommunications Office at the General Police Directorate is in charge of the information and communication system of the police, and of supervising the cooperation with external expert and scientific institutions, organisations and associations in relation to the development of the information and communication system of the police.

On the basis of Article 123 of the ZNPPol, the police manage and keep records of personal data collected and processed by police employees in the performance of police tasks. Among other records, the following records are kept: the record of criminal acts, the record of minor offences, the record of restraining orders issued. On the basis of Article 124 of the ZNPPol, the following personal information may be kept in the records: personal name, birth information (date, month, year and place), identification number (personal document number for a foreign citizen), sex, address of permanent or temporary residence, identification number of person in the police records, citizenship. This makes it possible to obtain data by the type of criminal act of offence, by sex, by relationship (between the victim and perpetrator), by place and time of perpetration.

Data about the imposed restraining orders is kept separately by sex and age of the perpetrator and victim. Under the Protection of Public Order Act²⁵ (hereinafter referred to as: ZJRM-1), data about minor offences with elements of domestic violence is kept by gender and age of the perpetrator, while the police started keeping data about victims on 1 January 2018. It is the latest change of the ZNPPol, with which the record of offences was updated, among other things. Two new parameters have been added to the record: 1) personal information of the victims and 2) relationship between the perpetrator and victim. The mentioned record is centralised, which means that all data is kept at one place.

General data is also published in the annual report of the police (<https://www.policija.si/0-slovenski-policiji/statistika>). The police send the data upon request most frequently to other state bodies, institutions, media, NGOs and institutions abroad.

2.5.3 Judiciary

²⁵ (Official Gazette of the Republic of Slovenia [Uradni list RS], No. 70/06)

The Centre of Informatics, operating as part of the Record Department at the VS, is responsible for the development and maintenance of databases and for training and education of all persons who use them. On the basis of Article 227 of the Criminal Procedure Act²⁶ (hereinafter referred to as: ZKP), in the first interrogation the perpetrator needs to be asked for their first and last name and possible nickname, as well as previous personal name if it was changed, where they were born, where they live, the day, month and year of birth, personal identification number, citizenship, profession, post at the national or local self-government level, their family status, whether they are literate, what their level of education is, or whether they are a non-commissioned officer, officer or military employee, whether they are entered in the military service record and at what defence body, whether they were decorated, what is their personal income and property situation, whether they had already been convicted and the conviction has not been yet deleted, when and why and whether and when the sentence was served, whether proceedings for a different criminal act are conducted against them, and if they are a minor, who is their legal representative.

The judiciary thus collects the following data about the case: personal identification number, first name, last name, date of birth and sex of the perpetrator, criminal acts and when they were committed, data about measures (restraining orders, etc.), data about participants, including victims, lawyer, representative and other details related to the case. The judiciary also collects data about the prosecution of perpetrators, namely the number of processed cases, number of cases in court, number of indictments, number of verdicts, data about the type of violation and the average duration of criminal proceedings, data about prison sentences and suspended sentences.

2.5.4 Social work centres

On the basis of Article 111 of the Social Assistance Act²⁷ (hereinafter referred to as: ZSV), databases of CSDs contain the following data about victims and perpetrators: first and last name, birth data, sex, personal identification number, data on citizenship, data on residence permit for foreigners, residence data, data relating to family relations (number of family members, type of family, relationship between the person concerned), data on the household, data referring to the type of partnership community (marriage or cohabitation), data on status (data on schooling, employment, retirement, and other), data on education, data on medical condition and disability, data on wages and other income and receipts, data on property, data social hardship and problems suffered by individuals, families and population groups, data on exemption from the payment of services, tax identification number, number of current account or another account, data relating to housing and living conditions. Specific databases may also contain information other than personal data, such as, for example, the number of conducted proceedings, provision of first social assistance and other services and data about re-victimisation or repeating of a violent act in previous or current relationship. A sector for informatics has been established at the MDDSZ, which is responsible for planning, creating, maintaining and developing databases. Databases on violence contain the following data: number of cases, analysis by age and type of violence, relationship of the perpetrator to the victim by sex, number of measures, multi-disciplinary teams, analysis of referrals and when violence in the given case started.

²⁶ (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos. 32/12 – official consolidated text, 47/13, 87/14, 8/16 – Constitutional Court Decision, 64/16 – Constitutional Court Decision, 65/16 – Constitutional Court Decision – ORZKP 153, 154 and 22/19)

²⁷ (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos. 3/07 – official consolidated version 23/07 – amended, 41/07 – amended, 61/10 – ZSVarPre, 62/10 – ZUPJS, 57/12, 39/16, 52/16 – ZPPreb-1, 15/17 – DZ, 29/17, 54/17, 21/18 – ZNOrg, 31/18 – ZOA-A and 28/19)

In addition to collecting data on the basis of the act regulating social protection, CSDs are also obliged to collect data on the basis of Article 30 of the ZPND. They are responsible for processing personal data and managing databases of persons that pursuant to the Act were dealt with as victims and those dealt with as perpetrators of violence, with the purpose of providing assistance to the victim, to deal with the perpetrator of violence, to create an assistance plan for the victim together with its implementation and monitoring, and for use in scientific, research and statistical purposes.

2.5.5 Non-governmental organisations

NGOs active in the field of violence against women and domestic violence collect quantitative data, such as the number of calls to helplines, number of personal counsellings, occupancy of women's shelters and crisis centres, but this is the data provided by users themselves, especially in cases of anonymous form of assistance.

2.5.6 Healthcare

Statistical data on the treatment of violence against women and domestic violence is currently not available as part of databases in the fields of healthcare.

2.5.7 Research

Academic institutions play a central role in obtaining and providing data about violence against women and domestic violence. The Resolution of National Programme of Family Violence Prevention 2009–2014 included a special objective intended for research and analyses, called "Development of research programmes on the topic of domestic violence with an emphasis on evaluation of fields and approaches". It is also noted in the draft of the new resolution that there is a lack of (national) representative surveys on the incidence of violence against women in Slovenia, as nine years have passed since the last national survey.

The first national survey on violence in the private environment and partnership relations was carried out in 2010 by researchers at the Faculty of Social Work (hereinafter referred to as: FSD). The survey which involved 750 women, aged between 18 and 80, has shown that every other woman (56.6%) has experienced one form of violence after turning 15 years of age. Most frequently they experienced psychological violence (49.3%), followed by physical violence (23%), economic violence (14.1%), restriction of movement (13.9%) and sexual violence (6.5%). The survey shows that "violence may start at any point in life, from early childhood to old age, and for some it may last during the entire lifetime". Victims still rarely speak about violence, with the reasons for this being rather traditional; namely that this is still a taboo, or that they hope that the perpetrator will stop with violent acts, that they will change and not repeat the violence; while others keep silent as they are afraid of the perpetrator because of their influence in society or out of fear that they might take away their children.

The first representative all-European survey about the incidence of violence against women was carried out in 2014 by the European Union Agency for Fundamental Rights (FRA). Data for Slovenia showed that 12% of the responding women were victims of violence, 4% were victims of sexual violence, and one out of three respondents was a victim of psychological violence by their partner since turning 15 years of age. Furthermore, data for victims of sexual harassment and stalking showed that almost every other respondent in Slovenia was a victim of some form of sexual harassment since the age of 15, and 14% were victims of one form of stalking. In the

information age, one must not forget about the forms of violence which may occur in various forms and perpetrated with various means, such as on-line violence, which is why data for on-line stalking and harassment is also mentioned here. Some 7% of the surveyed Slovenian women said that since the age of 15 they have experienced an inappropriate approach by persons on social networks, received electronic mail or SMS messages with sexual content, while 3% said that they have been victims of on-line stalking.

The SURS was included in a pilot project of testing of a questionnaire about gender-based violence. The project was co-financed by the European Commission and was conducted between October 2017 and January 2019. The pilot project was intended for testing a methodology of data collection and processing. The questionnaire covered the following forms of violence: sexual harassment in working environment, threats, physical, sexual, psychological and economic violence and violence in childhood. The survey included the following perpetrators of violence: non-partner, current partner and former partner. It was a survey carried out on the territory of the entire country. The main conclusions (data) were not published because the pilot survey was not intended for publishing data on the prevalence of violence, but for testing the methodology. After the conclusion and analysis of the pilot project, Eurostat will create a single methodology on the basis of expert guidelines and a single questionnaire for the main survey, which is expected to be carried out in 2020–2021 on a representative sample.

If we want to create an appropriate and effective policy in the field of prevention of violence, this field needs to be given more attention from the research aspect and national (representative) surveys need to be carried out every few years. For this purpose, the SURS will join the main survey by Eurostat, which will be carried out in 2020–2021.

In 2018, the Faculty of Social Sciences (hereinafter referred to as: FDV), as part of the project called "Click-Off", carried out a survey in 79 primary and secondary schools about the scope and recognition of on-line harassment among more than 5,000 young people in Slovenia, aged between 12 and 18. The survey showed that boys are the most frequent on-line harassers of both girls and boys, that boys most frequently experience on-line harassment by persons from their school, and girls by those outside the school environment, that boys more frequently understand on-line harassment as funny, as something fun and do not respond to it, while girls more frequently detect serious consequences of on-line harassment, such as helplessness, depression, stress and fear.

The police and the Faculty of Criminal Justice and Security (FVV) participate in the international project IMPRODOVA (Improving Frontline Responses to High Impact Domestic Violence), which is a project financed within the Horizon 2020 programme of the EU. As part of the project, researchers examine among other things certain aspects of cooperation between the police and representatives of other intervention services (for example, doctors, nursing care, CSDs). In doing so, they will try to answer the following questions: Why is domestic violence often treated as a problem which is low on the list of priority tasks in the police work in practice?; Why is the rate of reporting of such criminal acts by victims so low?; What are the human factors which define effective response by the police and represent cases of best practice in the police work in networks the police makes together with other first responders, such as healthcare workers, schools and institutions dealing with young people?

3 PREVENTION

3.1 Awareness-raising

3.1.1 Projects and campaigns

Numerous awareness-raising projects and campaigns are being carried out in Slovenia, involving various stakeholders, such as the police, NGOs, CSDs, ministries and others. Activities are conducted either throughout the entire year or focused on certain events (for example, international days for the elimination of violence against women and girls). The purpose of these activities is to raise awareness about the unacceptability of violence, encourage victims to report violence, and provide information about the rights that victims have on their disposal and about police and court procedures.

In 2013, the MDDSZ successfully applied together with the MNZ/Police to the call for applications of the European Commission for the EU funds from the PROGRESS programme in the field of gender equality. As part of these efforts, the project VESNA – Living Without Violence, which focused on awareness-raising activities and training for various target groups which encounter violence against women in their work, took place in 2014–2015. The VESNA project was conceptualised as a targeted, two-year national campaign, which pointed to the issue of violence against women in a broader sense, while focusing in a narrower sense on raising awareness among women who experienced violence (and potential victims) and in the wider public. The activities of the project were:

- A recognisable, widespread media campaign and a short TV broadcast;
- An exhibition of photographs called "Violence on her skin", which was on display in major Slovenian towns (shopping centres and various galleries), as well as in Strasbourg and Israel;
- Professional trainings for police officers, social workers, prosecutors, judges, lawyers and healthcare staff;
- Awareness-raising material (brochures, fliers, posters) with useful information for the wider expert and general public and individual target groups.
- Three expert panels, which included representatives of NGOs which implement programmes of awareness-raising and assistance to victims of violence and representatives of NGOs which provide assistance to families in specific situations.

As part of the international days for the elimination of violence against women in 2016, the MDDSZ joined the campaign of the United Nations called "Orange the World", whose purpose was to raise public awareness and strengthen the political will and means for preventing and eliminating all forms of violence against women and girls. Ljubljana Castle, one of the main landmarks and symbol of the city of Ljubljana, was lit in orange on the eve of International Day for the Elimination of Violence against Women, while on the very day the same was done with Cankarjev dom, the main venue for cultural events in Ljubljana. By using orange, the campaign was also promoted by the MDDSZ and the National Assembly.

In the 2016–2018 period, the SCSD joined the project called First – Establishing a network of first aid points for victims of domestic violence and gender-based violence, as the first international project supporting and raising awareness about appropriate forms of first aid to individuals who have experienced violence. The main objective of the project was to establish and train national networks of first aid points, which function as "safe points" for victims of domestic violence and gender-based violence. An e-programme for teaching was created as a tool for work with victims

of violence and as a tool for raising awareness about the issue of domestic violence. The participating project partners from four countries (Slovenia, the United Kingdom, Bulgaria and Croatia) established networks of safe points in their respective countries and promoted the project in the expert and general public.

In 2017, the Association SOS Help-line carried out an educational and awareness-raising project on the topic of "what can I do when I hear (about) violence against women". The main objectives of the project were:

- informing men, boys and general public about the potential they have in preventing violence against women;
- giving practical advice about what to do when they witness or hear about violence, and contribute to creating a safer environment without violence;
- improving knowledge and skills of individuals and motivation for taking measures;
- encouraging reporting and raising awareness about the importance of reporting violence against women and about the unacceptability of violence in general;
- offering young men and boys models of masculinity which reject violence against women and encourage gender equality.

A video clip was recorded on the topic, which included short statements against violence by five famous Slovenians, and a poster was made showing instructions for what to do when someone learns about violence against women, and what they can do to reduce the amount of violence.

Due to the increasing availability and expansion of electronic devices and connectivity with the Internet, a great emphasis has been put in this field in recent years on awareness-raising and protection of victims. In 2016, the MDDSZ and the project partner, the University of Ljubljana (UL), successfully applied once more to the call for applications of the European Commission for gender equality projects as part of the Rights, Equality and Citizenship/Justice Programme (2014–2020) with a project whose main objective was to treat on-line violence and harassment as forms of violence against women and girls and as manifestation of imbalance of power, as well as to develop a systematic approach in the field of prevention of on-line violence and gender-based harassment that includes the gender aspect. It is the two-and-a-half-year project "Click-Off", with which we want to upgrade the existing national activities for prevention of on-line violence by including the gender aspect in learning and other material, education and educational modules, and prepare recommendations and measures. A survey was also carried out about the prevalence and recognition of on-line harassment among young people in Slovenia. The following educational events took place as part of the project:

- workshops for primary and secondary school students;
- „Train the Trainer“ trainings;
- trainings for employees in the police and judiciary;
- education for youth workers;
- a seminar for the media and a seminar for political decision-makers.

A media campaign took place in 2018 and is also taking place in 2019 as part of the project, focusing on raising awareness about various forms of on-line violence, primarily violence which more frequently affects women and girls, i.e. on-line stalking and harassment, revenge pornography, (sexual) abuse by means of false identities. Addressing the issue are TV ads and promotional videos, leaflets, posters, e-posters in city buses, the website (<http://odklikni.enakostspolov.si/>) and the mobile application "Click-Off", which is intended mainly to young people, as well as parents and youth workers, and which by means of topical articles, video clips and quizzes raises awareness about on-line violence and harassment, on-line ethics and etiquette, measures for greater safety and privacy on the Internet and steps to be made in case of on-line violence or abuse.

In 2018, the Association SOS Help-line carried out the project "Everything Except YES Means NO", whose purpose was to raise awareness among girls and boys about gender stereotypes and to break gender stereotypes related to sexual violence, and about consent for sexual activity²⁸. The line between consent and sexual violence can be very thin and unclear, which is why the main message of the project was that we do not speak about consent when there is no clear "NO", but when a clear "YES" is given. For this purpose and as part of the project, famous Slovenian rapper Boštjan Nipič – Nipke made a song "Ina", describing an everyday situation in which a 19-year-old student, in a turn of events, becomes a victim of sexual violence and stays alone with her story forever. The project included the magazine PIL as the media partner, which promoted a short video clip for young people about consent for sexual intercourse on its website and Facebook page.

In 2018, numerous awareness-raising campaigns intended for the general public were carried out during the international days for the elimination of violence against women. The TAM-TAM Institute published in cooperation with the Association SOS Help-line the 11th international competition PLAKTIVAT for designing a street poster with the purpose of raising awareness about the issue of violence against women, with the title "NO EXCUSE." The objective was to come up with a visual message which would transcend everyday messages about violence against women, and warn the general public about the unacceptability of violence against women, and send a message to victims of intimate partner violence that escape from a violent relationship is possible. The winning poster was displayed in 500 locations all around Slovenia between November 2018 and February 2019.

A two-year project called "Peer violence – reducing violence among young people", whose main purpose was to reduce the occurrence of peer violence and violence against teachers in Slovenia, was launched in 2018. It is a joint project of the Slovenian police and the MIZŠ. One of the objectives of the project was supporting institutions in improving the national strategic plan for prevention of violence against children, minors and teachers in the educational process, in the family and in society in general. Experts will review the existing good practises as part of the project. Recommendations and guidelines for recognising risks and improving the existing preventive factors and intervention measures will be created on this basis. Moreover, trainings for employees in the police aimed at better identification of the forms of violence occurring in Slovenia, and trainings of providers and other stakeholders will be carried out as part of the project.

Two projects co-financed by the MDDSZ for raising awareness of young people about the unacceptability of dating violence are taking place in 2019:

- the purpose of the project called "The drop hollows the stone", which is carried out by the Association SOS Help-line, is to raise awareness of girls and boys about the unacceptability of dating violence with an emphasis of on-line violence against women and girls in a new way, namely in the form of a theatrical play, which is followed by a moderated talk, and by means of a digital campaign and other awareness-raising material;
- the purpose of the awareness-raising project called #praviladejtanja (#rulesofdating), which is carried out by the DrogArt Association, is to warn girls about concrete signs of a violent relationship. In order to attract their attention, they will be shown messages by means of their favourite communication channels (in the role of a favourite vlogger on YouTube or on other social networks) and in locations where they spend a lot of time (in

²⁸ The project was co-financed by the MDDSZ.

bars or various night life venues). They will be addressed directly (by a team on the ground) and with posters and leaflets. The vlog will be promoted among people primarily by means of social networks and the media.

The MDDSZ started a project in 2016 supporting activities in the field of violence against women in cooperation with the Council of Europe. Several trainings were organised, including a workshop in 2017 for members of the IWG for monitoring of the implementation of the Istanbul Convention about standards and provisions, including mechanisms for the supervision of its implementation, and an on-line training in 2018 called HELP (European Programme for Human Rights Education for Legal Professionals) about violence against women and domestic violence, for the judiciary, prosecution service and criminal police. In the same year, a special national report was drafted with recommendations for the drafting of a national programme for prevention of domestic violence and violence against women, while the leaflet of Council of Europe and the European Commission called "What is Istanbul Convention? Who is it for? Why is it important?" was translated and printed in the next year, with the purpose of raising general public awareness about the importance of the Istanbul Convention and gaining political support for the full implementation of its provisions.

As part of the promotion of the gender equality policy, the police made the leaflet called "Implementation of the gender equality principle" in 2017, which is intended for raising awareness of all employees of the MNZ and police, advocating zero tolerance to all forms of violence, promotion of gender equality and ensuring equal treatment of all employees (1,000 copies).

In June 2018, Slovenia joined the Call to Action on Prevention from Gender Based Violence in Emergencies. By doing so, it committed to:

- building general and/or specialised knowledge and capacities among employees, leaders and local partners in the partner countries for acting in the field of prevention, response and preparedness for gender-based violence, which will be achieved with the organisation of trainings about prevention and response to gender-based violence for humanitarian stakeholders financed by Slovenia,
- systematically promote the inclusion of the aspects of the Call to Action in the relevant political processes (for example, the World Humanitarian Summit Agenda and the Women, Peace and Security Agenda), which Slovenia will achieve with inclusion and promotion of the importance of gender equality and prevention and response to gender-based violence and the aspects of the Call to Action in all relevant international humanitarian forums,
- including prevention and responding to gender-based violence and gender equality in humanitarian planning processes, plans and reviews, which will be achieved with financing of the project intended exclusively to gender-based violence in extraordinary situations, while gender-based violence will also be included in the planning and reporting on a majority of projects financed by Slovenia.

3.1.2 Events

In the 2017–2018 period, in addition to the events mentioned, numerous other events on the topic of violence against women and domestic violence were also organised. Here we will mention only some of them:

- in 2017, the MDDSZ hosted a round table debate called "Men and women in the vicious cycle of violence", which discussed complex topics that are usually not in the focus of debates on violence against women and domestic violence: perception of masculinity and violence in society, understanding of consent for sexual intercourse, violence and abuse

of men in the family, implementation of programmes for perpetrators and preventive programmes for boys, images of violence in the media and the role and participation of men in campaigns intended for prevention of violence against women. The discussion opened a series of questions, such as: what are the causes of violent behaviour in general, and in particular of violence against women, what perpetuates violence and leads to its extreme forms (femicide), what should be done to effectively prevent and eliminate violence and what is the role of the state in this respect, media, NGOs and other organisations, as well as individuals;

- In 2017, the SCSD hosted the panel called "Domestic violence and risk assessment – expert meetings for the unification of practice". The panel, which was intended for pointing to the dilemmas faced by the professional staff of CSDs, was attended by 58 of such employees.
- The police is a co-organiser of traditional expert panels in the field of on-line sexual abuse of children and it regularly cooperates with Spletno Oko (Web Eye; a portal for reporting video recordings and photographs of sexual abuse of children on the Internet). The eight panel on the topic of on-line sexual abuse of children, under the title "Treatment of e-abuse of children: from theory to practice", was held in 2018. The organisers of the panel, the Spletno Oko portal, the Safer Internet Centre, the Criminal Police Directorate at the General Police Directorate and the Association of Informatics and Telecommunications at the Chamber of Commerce and Industry of Slovenia, again saw great interest of the expert public to discuss this issue. The panel was attended by more than 220 participants from the ranks of the police, prosecution, courts, social services, NGOs, education and businesses. Participants of the panel were able to gain concrete knowledge needed for treatment of abuse and controversial Internet content. Among other topics, they discussed possible preventive measures and challenges in the field of safe use of modern technologies, dangers related to sexting, ways to recognise various forms of e-abuse and guidelines for action in case of incidents in schools.
- As a prelude to the International Day for the Elimination of Violence against Women in 2018, the Association SOS Help-line opened an art exhibition in Ljubljana with the title "When he hit the door for the second time, I put a poster over the dent". Eight artists presented ten stories from women who found refuge in a women's shelter of the Association SOS Help-line. The cooperation between the artists and women who have experienced violence produced artistic creations with added storytelling value in various forms – from photographs and paintings to films, design and applicable products. The artistic creations above all became the means for learning about the fates of individuals who were brave enough to talk about them and write them down and, by doing so, communicate their experience to many persons who, before making a new beginning, just need an incentive and guarantee that there are organisations which can help them and encourage them on their new path.
- MOL is very active during international days for the elimination of violence against women (25 November –10 December), when it organises various activities together with NGOs, while the public institutions of MOL (ZDL, Lekarna Ljubljana, Kinodvor, Kino Šiška, Puppet Theatre) also join the preventive campaign, displaying animated advertisement about the unacceptability of violence against women at their premises free of charge. The LPP city bus operator does the same on their buses.

3.2 Education and training

3.2.1 Police

Implementing police tasks in the field of violence against women and domestic violence is one of the priority tasks of the police and is a permanent form of work, which is why it is necessary to constantly educate all profiles of authorised officers who implement police powers, and who may encounter violence against women and cases of domestic violence in their work. This is where the awareness and need for constant education in the field of detection of criminal acts and minor offences, and in the field of assistance to victims, stems from. On the basis of the Rules on cooperation between the police and other authorities in the detection and prevention of domestic violence:

- police officers and criminal police officers who deal with the prevention and investigation of criminal acts in the field of domestic violence need to get adequate training at least three days a year,
- police officers and criminal police officers who occasionally deal with cases of domestic violence need to get adequate training at least one day a year.

The police has created a system for the training of police officers and criminal police officers under the principle of multipliers. These are selected police officers and criminal police officers who express special interest for work in the field of violence against women and domestic violence, as well as skills for training their colleagues. The police plans to organise such training next time in November 2019. Slovenian police officers and criminal police officers are also being sent to several training courses abroad, organised by Europol, European Union Agency for Law Enforcement Training (CEPOL) and Interpol. The leaflet called "Implementation of the gender equality principle", which is intended for raising awareness of all employees of the MNZ and the bodies affiliated to the ministry, advocating zero tolerance to all forms of violence, promotion of gender equality and ensuring equal treatment of all employees, was issued in 2017.

As part of the training of police officers in the Police Academy (for new employees, as well as for further training of the existing employees), the criminalistics course deals with the issue of violence against women and domestic violence. The course includes lectures, didactic tasks and writing of seminar and diploma papers. Interactive education, which is a condition for taking the final exam, has also been introduced. Interactive education takes place in cooperation with the NGO, ISA – Institute for Psychological Counselling and Educational Development Projects. Included in this form of education are all candidates for police officers and candidates for further training. The syllabus for the basic education for the profession of police officer includes content from the Criminal Code²⁹ (hereinafter referred to as: KZ-1), which covers the criminal act of domestic violence and other violent acts as defined by the Convention.

The police has also published on its intranet page an on-line tool called Infopol, which is intended for supporting the police work and which contains explanations of police powers, comprehensive police procedures and other memos for the police work, as part of which domestic violence is separately explained. It is available to all police officers.

Employees in the police also attend trainings organised by other institutions, such as the CIP, MDDSZ, SCSD and NGOs.

3.2.2 Judiciary

Operating as part of the MP is the CIP, which provides for constant training of judges, state prosecutors, state attorneys and expert staff in courts and state prosecution and state attorney offices.

The following traditional trainings on the topic of violence against women and domestic violence were organised by the CIP in cooperation with the Association of State Prosecutors of Slovenia

²⁹ (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos. 50/12 – official consolidated text, 6/16 – amended, 54/15, 38/16 and 27/17)

and the General Police Directorate: "In the name of the child" (2017), "Family relations in interpersonal dependency" (2018) and "A child torn between the past and future" (2019). The traditional trainings are attended by judges, state prosecutors, police officers and lawyers. They are attended by more than 250 participants every year.

The following trainings in the field of prevention of violence against women were held between 2017 and 2019:

2017

- Training in the field of prevention of domestic violence intended for presenting news under the Act Amending the Domestic Violence Prevention Act (hereinafter referred to as: ZPND-A) and the Istanbul Convention for judges, professional staff of CSDs and police officers, which was attended by 165 participants.

2018

- A seminar and an e-course intended for judges, state prosecutors and professional staff on the topic of violence against women and domestic violence was organised by the CIP as part of the Council of Europe's programme HELP, which took place between March and June 2018. The seminar was attended by 30 participants, and the e-course by 33 participants.
- The workshop "Support for victims of criminal acts – from theory to practice", was organised in cooperation with the Peace Institute. It was intended for judges, state prosecutors and professional staff. It was attended by 6 participants.
- The lecture "Trafficking in human beings" held as part of training of criminal judges in 2018. It was intended for criminal judges and expert staff. It was attended by around 300 participants.
- The lecture "Minors running away to harmful environments" held as part of the seminar Juvenile delinquency. The seminar was intended for judges and state prosecutors.

2019

- Three trainings as part of the project "Click-Off! – stop on-line violence against women and girls", which was intended for expert staff in the judiciary and police who encounter or will encounter the phenomenon of on-line violence against women and girls. The event was organised by the FDV and the MDDSZ in cooperation with the CIP and the police. Participants of the training were acquainted with the most frequent forms of on-line violence against women and girls through the prism of stereotypes and sexism, while also presented were the results of the latest survey on on-line violence, which was carried out by the FDV in the spring of 2018 among 5,000 Slovenian primary and secondary school students as part of the project "Click-Off".
- A panel for judges and professional assistance staff upon the passing of the amended Criminal Procedure Act (ZKP-N) in September 2019, including the changed content related to victims of criminal acts; sensibly also applies to the criminal law training (October, November 2019).

A special training is also organised by the Prison Administration of the Republic of Slovenia (hereinafter referred to as: URSIKS) with a focus on work with perpetrators of criminal acts. The training is planned in the Programme of training and education of employees of the URSIKS. Organised every year is the two-day training called "Work with perpetrators of violence", carried out by representatives of the Association for Non-violent Communication (hereinafter referred to as: DNK), which involves all profiles of employees in the system who get in contact with incarcerated persons: professional staff (pedagogues, social workers, psychologists, work therapists), correctional officers, medical staff of the URSIKS and work instructors. In addition to the main purpose of gaining knowledge, techniques, skills and methods for direct work with perpetrators of violence, participants also get to know what domestic violence is, who are the

victims of violence, consequences of violence, help programmes for victims, what zero tolerance to violence in practice means, the importance of coordinated approach in work in the field of violence, etc. A total of 23 employees were included in the training in 2017, and one fewer in 2018, while a 25-hour training for a group of 18 professional staff of the URSIKS who manage the treatment of perpetrators of violence was again organised in 2019.

3.2.3 Education

In 2016, the NIJZ organised a training on the topic of prevention of sexual violence against children, which was intended for school teachers, counsellors, kindergarten teachers and their assistants and other professional staff in educational institutions. As part of the training, participants received the educational bedtime picture book of the Council of Europe called "Kiko and the Hand", which is intended for children aged between 4 and 7 to raise their awareness about self-protective behaviour.

In 2018, the MIZŠ prepared and published website material from the field of the provision of a safe and encouraging learning environment in the educational system in Slovenia intended for the general public, but in particular for the professional staff and managements of schools, and for parents. The website contains a review of legislation, expert material and cases of appropriate resolution of different dilemmas in the field of the provision of a safe and encouraging learning environment. The website was created in the light of providing a safe and encouraging learning environment and promoting zero tolerance to violence and results of international surveys (TIMMS, PISA). In cooperation with the National Education Institute of Slovenia and the Trade Union of Education, Science and Culture of Slovenia (hereinafter referred to as: SVIZ), the MIZŠ organised in 2017 regional panels or discussions on the topic, while at the same time an Internet forum was open at the website of the MIZŠ, allowing various stakeholders to give their opinions and proposals for improvements in this field.

Also taking place in Slovenia are regular trainings of professional staff in education in the field of gender equality and non-stereotypical roles of genders. In 2018, the MDDSZ organised the international conference "Non-stereotypically about stereotypes" and a workshop intended for teachers from the first to fourth grade of primary school. The objective of the conference was to shed a light on gender stereotypes from various theoretical and practical aspects, as the education system, parents and media have an important role in the elimination of gender stereotypes. The conference also served as the introductory event of the project "Europe in School", which addressed the issue of gender stereotypes and gender equality in the 2018/19 school year. As part of this project, children and youth in primary in secondary schools are invited to apply with their work to the literary, painting, photography and video competition under the title "Put down the rosy-blue glasses: Let's create a society of equal opportunities for girls and boys."

One of the projects which deals with young people and education is also "Click-Off", as part of which training was organised in 2019 for teachers, head teachers, school counsellors, social workers and representatives of NGOs dealing with young people. The objective of the training was to increase sensitivity and improve knowledge for successful prevention and protection from on-line violence and harassment of girls and women and to present practical activities related to work with young people. Participants of the training were acquainted with the most frequent forms of on line-violence against women and girls through a prism of stereotypes and sexism present in our society.

As part of this project, educational workshops have been taking place since 2018 for primary and secondary school students with the purpose of raising their awareness about the incidence and traps of on-line violence and harassment of women and girls from the aspect of gender. Participating in raising awareness of primary and secondary school students with lectures is also the police, either independently or as part of the existing forms of education. The purpose is to raise the awareness of young people about zero tolerance to violence and setting boundaries.

3.2.4 Social affairs

The ZPND (Article 10) stipulates that professional staff of social protection institutions who perform tasks related to violence must regularly educate themselves as part of their lifelong learning, self-improvement and training.

The Social Chamber of Slovenia (hereinafter referred to as: SZS) implements in accordance with the ZSV (Article 77) the public mandate of planning and organisation of ongoing professional education and training for professional staff and professional assistant staff in social care, which is regulated by the Rules concerning planning and organising the continuing professional education and training³⁰.

The SCSD established in 2017 and 2018 a council of coordinators for the prevention of domestic violence and intervention services, which met regularly (13 meetings), and a council of crisis centres (6 meetings). They also regularly meet at operational meetings with representatives of CSDs and the police and participate in consultation of judges of family departments and professional staff of CSDs.

Numerous trainings on the topic of the prevention of domestic violence and violence against women were also held between 2017 and 2019, featuring a total of 646 participating professional staff.

The SZS organised a seminar in the field of the prevention of domestic violence for its professional staff and professional assistant staff in the field of social protection both in 2017 and 2018. In the field of work with migrants and victims of trafficking in human beings, the SZS organised two seminars in 2017 and one in 2018.

³⁰ (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 120/04)

3.3 Programmes for perpetrators of violence

3.3.1 Training in social skills for men who perpetrate violence against women

The most extensive programme for work with perpetrators of violence against women, called "Training in social skills for perpetrators of violence" (TSV) is implemented by the non-governmental organisation DNK. DNK has units in Ljubljana and Koper, and it also implements the programme for perpetrators in seven other towns – Maribor, Celje, Murska Sobota, Slovenj Gradec, Novo mesto, Nova Gorica and Radovljica. Users may join in the programme voluntarily, but they are mostly referred to it by various institutions. There are different envisaged consequences in the case that a perpetrator declines to participate (for example, probation revocation followed by serving of a prison sentence, exclusion from the programme, start of the procedure to take away a child etc.). DNK is currently the only association which implements publicly verified programmes in the field of work with perpetrators of violence. Working in the programme are 6 professional staff and 3 lay workers, who implement the programme on the entire territory of Slovenia.

TSV is currently the most widespread (both regionally, and in terms of the participating users) programme for work with perpetrators of violence in Slovenia, as well as the most recognised by the expert public. CSDs may refer perpetrators of violence to DNK programmes as part of the performance of its services. Prosecution offices refer them to the programme as part of the procedure of suspended criminal prosecution. Courts refer perpetrators of violence to the programme in the case of a suspended sentence with protective supervision and the instruction to attend the programme. Probation service refer them as part of its tasks, most frequently when it supervises the implementation of the measure of protective supervision with the mandatory instruction to attend the programme. Prisons refer perpetrators of violence to the programme before the approval of a release on parole with protective supervision. Perpetrators are occasionally referred to the programme by other organisations, such as residential communities, day centres, healthcare institutions, schools and other NGOs. These organisations may set active elimination of problems with violent behaviour as the condition for users to participate in their programmes. A total of 700 users were included in the programme in 2017, and 672 users in 2018 (see the tables below).

Referral to the programme in 2017:	TOTAL	%
CSD	351	50.14%
ZPKZ	62	8.85%
PROSECUTION	104	14.85%
COURT	83	11.85%
POLICE	0	0%
OTHER NGOs*	20	2.85%
SCHOOL	8	1.14%
SETTLEMENT	1	0.14%
ON THEIR OWN	71	10.14%
Total	700	100%

* Other NGOs which referred the users: Association Up, Project Človek, Counselling Centre Fužine, Šent, CZOPD, Ozara MS, HSDMS, therapist, Asylum Centre, National Institute of Public Health.

Mandatory referrals (referrals with a ruling or decision by prosecution offices, prisons or courts):
249 (35.55%)

Referral to the programme in 2018:	TOTAL	%
CSD	348	51.78%
ZPKZ	59	8.77%
ODT	131	19.49%
COURT	65	9.67%
SCHOOL, INSTITUTIONS	10	1.48%
OTHER NGOs*	7	1.04%
ON THEIR OWN	36	5.35%
DISCIPLINARY COMMISSION	1	0.14%
PSYCHIATRIC CLINIC*	4	0.59%
PROBATION ADMINISTRATION		
PARENTS	7	1.04%
OTHER	4	0.59%
TOTAL	672	100%

* Other NGOs which assigned the users: Association Up, Project Človek, Counselling Centre Fužine, Šent, CZOPD, Ozara MS, HSDMS, therapist, Asylum Centre, National Institute of Public Health.

Mandatory referrals (referrals with a ruling or decision by prosecution offices, prisons or courts):
255 (37.93%)

The TSV programme has been developed with the awareness that programmes for perpetrators of violence are only one element in the network of support for victims of violence. The first objective of the programme of work with perpetrators of violence is thus to always contribute to greater safety of the victim of violence, which is why all other objectives and methods of work in the programme come second to this objective. In obtaining information about history and trends of violence, what is required besides participation of official institutions is to obtain information directly from victims of violence or indirectly from institutions which provide support. This information is important and it is necessary to obtain it upon the inclusion of users in the programme and then check it for the entire duration of the programme. The victim is the one who can give the most relevant assessment of whether the behaviour of the perpetrator of violence has changed. In addition to obtaining information about violence from the victim of violence, it is also important that the victim of violence is acquainted with the principles and methods of work in the programme and the content of the programme, and in particular with the limitations of the programme or the fact that the inclusion of perpetrators in the programme alone does not ensure sufficient safety, which is why it is important that numerous other measures are taken. The programme ensures such standards by requiring from every user upon the inclusion in the programme to sign an agreement on inclusion, with which they give their personal consent to the victim of violence (most frequently partner or former partner) having the right to be informed about the inclusion in the programme, and the right to be informed about the perpetrator's participation in the programme, in particular to get all information important for the planning of the victim's

safety. Users are thus informed that the programme functions under the principle of limited confidentiality, as such practice is seen as a necessary part of taking responsibility for violence. It is because we are aware how important it is to actively cooperate with victims of violence that we do not allow users to participate in the programme anonymously. Because of the need to provide this minimum standard, the programme misses out every year on a few users who turn to the association on their own in a wish to solve their problems with violent behaviour, while not wanting to take responsibility for their acts, because they do not want other institutions to be informed about this problem. DNK pursues an active approach to establishing contact with the victim of violence by informing the relevant CSD about the user being included in the programme, and sending a letter to the victim of violence with which it informs the victim of their right to obtain and provide information. It sends the letter for the victims of violence also to other organisations which provide help to victims of violence, if it is aware of this. It also notifies the victim of violence and other institutions when the perpetrator stops participating in the programme, or when it assesses that the safety of the victim is at risk based on information obtained from the counsellor. In order to ensure safety of the victim of violence, counsellors also consistently act in accordance with Article 6 of the ZPND, and inform the relevant CSD about any suspicion of violence. When doing so they are particularly attentive in the cases when they suspect that the victim of violence is a child. Furthermore, counsellors in programmes for work with perpetrators of violence also frequently participate in multidisciplinary teams assembled with the purpose of planning assistance to a victim of violence.

It is essential to understand the aspect of gender in treating perpetrators of violence against women. The association integrates the understanding of the aspect of gender in programmes of work with perpetrators of violence at two levels. The first level is the association consistently ensuring that the professional staff who manage programmes of work for perpetrators of violence against women and children have the adequate knowledge and deep understanding of violence against women being a consequence of an unbalanced distribution of power between women and men and a broader understanding of feminist theories and the concept of equality. Counsellors are also expected to be personally engaged in the wider promotion of non-violent relations and promotion of gender equality, the ability of critical thinking about one's own identity and the role of women and men, and the sensitivity for detecting gender hierarchies and sexism. Counsellors must also be aware of their own possible tendency to violent behaviour, and of their possible experience of domestic violence.

The second level considered by the association is that the understanding of the aspect of gender inequality is a major part of the content of the TSV programme. This means that the content of the programme is created in a way which enables perpetrators of violence to better understand and recognise various forms of violence against women. They are primarily trying to broaden the users' understanding that violence against women is an indirect consequence of the fundamental structural inequality in relations between women and men. The foundations of violence against women are rooted in patriarchal cultures and traditions, which are based on the expectations and belief of men that they must establish and maintain dominance and control over women.

The sources of financing and amounts for 2017 and 2018 for the TSV programme are listed in the table below.

TSV programmes	2017	%	2018	%
MDDSZ	267,289.74	75.72	266,474.18	74.78
FIHO	14,042.17	3.98	15,725.75	4.41
Municipal funds	41,056.61	11.63	40,633.62	11.4
Public works	30,630.82	8.68	33,513.79	9.4

Total	35,3019.34	100.00	35,6347.34	100.00
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Programmes of work with perpetrators of violence do not have direct insight into changes in behaviour of users in their everyday life. This is why conclusions about the effectiveness of the programme are made indirectly by means of the obtained information. This information is obtained by establishing contact with a victim of violence, by means of evaluation conversations with the perpetrator, as well as by obtaining official information about repeated violence from institutions, primarily the police and prosecution. The latter is sometimes impossible because of the protection of personal information (for example, notification from the police that a restraining order was again issued or report on violence filed against the enrolled user). DNK carries out internal evaluation in a method in which counsellors keep standardised documentation on each enrolled user. Based on this documentation, providers of the programme monitor the progress and changes in the behaviour of the user (by individual objectives of the programme) and make specific counselling plans. They also record an assessment of a risk for repeated violence every time a user enters or leaves the programme. External evaluation of the programme is carried out by the Social Protection Institute in the following way: counsellors record in the EVAPRO on-line database all services that they performed with a user, while users themselves complete a survey questionnaire when entering and leaving the programme.

3.3.2 Other programmes

Perpetrators of violence are also treated by numerous other experts who are directly financed by the state (social workers, doctors, psychiatrists, psychologists, prison services etc.).

A working group comprising the professional staff of the URSIKS has drafted a programme of work with perpetrators of violence in cooperation with DNK, which is implemented by the professional staff in prisons and juvenile detention centres. Work with perpetrators of violence is performed with the inclusion of convicted adults and juveniles in the TSV programmes which are adjusted to the organisation of an individual institution, staff structure, duration of sentence and specifics of the persons who perpetrate violence. Attendance of the programmes is voluntary and free of charge. In 2017, 91 persons joined the group treatment in the institution and 28 persons attended individual treatment. In 2018, 103 persons joined group treatment and 15 persons attended individual treatment. Treatment is conducted by the professional staff of the institutions. Convicted persons who use the benefits outside the institution may also join the TSV treatment programmes in DNK. Such a wide network of programmes ensures that they are available on the entire territory of the country.

In a smaller number, or exceptionally, convicted persons are also included in individual forms of work with perpetrators of violence, performed by the DNK, the Ozara National Association for Quality of Life and the Vir social rehabilitation institute. Attendance of all listed programmes is voluntary and free of charge. A total of 62 convicted persons were included in all these forms of work performed as part of the listed programmes in 2017, and 50 convicted persons in 2018. Representatives of DNK conducted workshops of non-violent communication in the Radeče juvenile detention centre twice a month between February and June 2017. In the cases of criminal acts of domestic violence, before benefits out of the institution and release are planned, institutions propose that a multi-disciplinary team for the prevention of domestic violence at the relevant CSD meets to prepare an assessment and a plan for assistance to the victim. A CSD may make such an assessment of the endangerment of the victim that the person is not awarded benefits outside the institution in an environment where they could have physical contact with the victim.

3.4 Programmes for treatment of sex offenders

A plan exists and is being implemented in Slovenia for the treatment of perpetrators of criminal acts against sexual integrity, which envisages various forms of treatment within prisons and which represents a uniform guideline implemented in all locations where such persons serve a prison sentence: Dob pri Mirni, Ljubljana, Maribor, Celje, Koper. Treatment in the Dob pri Mirni location is conducted in groups and individually, while elsewhere, where the number of such persons is smaller, it is conducted individually.

3.5 Participation of the private sector and the media

3.5.1 Private sector

The efforts of trade unions in dealing with the issue of gender-based violence at work have been directed in recent years primarily towards the implementation and upgrading of the provisions of the Employment Relationships Act³¹ (hereinafter referred to as: ZDR-1) and the promotion of their inclusion in collective bargaining agreements and employer policies. The main emphasis is on the prevention of mobbing and harassment, with sexual harassment being treated within this broader framework.

Trade unions play an important role in supporting victims of domestic violence, such as providing ad hoc assistance in contacting the police and support organisations. We name as an example the Trade Union of Workers in Slovenia's Trade Sector (hereinafter referred to as: SDTS), which provides assistance to victims of domestic violence through a solidarity fund. Furthermore, trade unions play an important role in the training and awareness-raising of their members about gender-based violence at work and contribute to the implementation of provisions and objectives of the European framework agreement on harassment and violence at work. The Association of Free Trade Unions of Slovenia (hereinafter referred to as: ZSSS) regularly provides information about gender-based violence in the Workers' Unity newsletter, and organises workshops and trainings for worker representatives at national and regional levels. Trainings are organised in cooperation with legal advisers and are intended for informing worker representatives about their role in preventing mobbing and harassment at work, with psychosocial risks and the need to provide legal aid and the possibilities provided by legislation for eradication of harassment. The ZSSS also participated in the project of the European Trade Union Confederation (hereinafter referred to as: ETUC) "Safe at Home, Safe at Work", as part of which a national report was drafted in 2017 about strategies of trade unions for the prevention, treatment and eradication of harassment and violence against women at work.

In 2016, gender-based violence was put on the agenda of the congress of the Trade Union of Metal and Electronics Industries (hereinafter referred to as: SKEI). A lot of effort was invested in raising awareness among male employees. What is more, the SKEI also carried out many activities and awareness-raising campaigns about the importance of zero tolerance to violence and called on employers to adopt measures to prevent mobbing and sexual and other harassment at work. This led to the inclusion of provisions in certain collective bargaining agreements at the level of activity and company.

The Association of Employers of Slovenia (hereinafter referred to as: ZDS) has prepared a set of measures for the promotion of healthy working environments, without harassment and violence, and organised seminars and promotional and educational events. The ZDS has also prepared a sample model of rules for employers, which were among others adopted by the Bank Association of Slovenia. Employers were ready to include the provisions on the prevention of harassment and violence at work in certain collective bargaining agreements at the level of activity and company.

3.5.2 Media

³¹ (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos. 21/13, 78/13 – amended, 47/15 – ZZSDT, 33/16 – PZ-F, 52/16, 15/17 – Constitutional Court Decision and 22/19 – ZPosS)

In 2016, the MDDSZ co-financed the project by the Association SOS Help-line and the Slovenian Association of Journalists called "With the media towards non-stereotypical reporting on violence against women and domestic violence". The key objective of the project was that the media get recognised as key players and as partners which can contribute to the prevention, detection and combat against violence against women and gender based violence and combat against gender stereotypes. The purpose of the project was to raise the awareness in the media about the importance of appropriate media reporting on the issue of violence against women and gender violence and point to their important role in creating public opinion and their influence on the tolerance of the general public to violence against women and spreading of gender stereotypes, and to present them cases of good practice and practical tips for how to take up this task. An on-line manual for the media and expert public was also made as part of the project about how to report more appropriately about violence against women and domestic violence (<http://www.drustvo-sos.si/uploads/datoteke/SOS-prorocnik-za-medije.pdf>). The manual consists of two parts. The first part presents the basic characteristics of domestic violence and violence against women, and the second part brings practical tips for appropriate reporting by means of examples of bad and good practice. Having knowledge about the characteristics of domestic violence and violence against women is important so that journalists can label violence with appropriate terms, put it in the social context, include information which help victims find assistance, and recognise and point to stereotypes and myths about violence. Workshops for the media about how to appropriately report on violence against women and domestic violence were held in various media houses, and the manual was also presented on these occasions.

On the occasion of the international days for the elimination of violence against women in 2018, the Association SOS Help-line and the Slovenian Association of Journalists organised the debate called "How to improve reporting on domestic violence and violence against women?". Stories about domestic violence often make headlines in the prime time on radio and television, and are frequently sensationalist, excessively encroaching upon the privacy of the persons involved and failing to take into account the specific dynamic and characteristics of domestic violence and violence against women. This is why stereotypes about domestic violence are being spread in society. The objective of the debate was to contribute to improving the presentation of stories about domestic violence, with the starting point being the 2016 manual for the media, called "How to report on domestic violence and violence against women." Participating in the debate were a representative of an NGO, a lawyer, a social inspector and a journalist, as well as a member of the Press Ethics Commission (hereinafter referred to as: NČR).

In 2018, the MDDSZ issued Guidelines for gender-sensitive use of language, which were a result of a discussion by an informal working group. The guideline for the group in drafting the guidelines was that gender-sensitive use of language is just and socially responsible. The group tried to collect the existing linguistic means and principles which can be used if we want to use gender-sensitive language instead of the so-called generic or neutral male gender, and to point to examples where satisfactory solutions have not yet been created in linguistic practice. The main purpose is to encourage users to make careful language decisions in order to respect the principle of equality and thus responsibly participate in the creation of the Slovenian linguistic and, consequently, social space.

As part of the project "Click-Off", a practical seminar was held in 2019 for journalists, editors, bloggers, influencers, moderators, employees in the advertising industry, PR services and other employees in the media. The purpose of the seminar was to present various forms of on-line violence against women and girls with practical examples; to find answers to the question of how acts such as sending SMS/MMS messages with sexual content impact the greater exposure of women and girls to on-line abuse, and how the media can contribute to the problem or to finding solutions for the prevention of on-line violence. The seminar also included the sharing of experience between the lecturer and participants and a discussion on possible solutions for creating a safer Internet for all. The seminar was conducted by the world-renown expert, awarded author, public speaker, journalist and women's rights activist Thordis Elva, who also prepared recommendations for the media about how to treat and report on on-line violence from the gender aspect.

Self-regulatory standards

Press Ethics Commission

The Press Ethics Commission (hereinafter referred to as: NČR) is a joint self-regulatory body of the trade union and the Association of Journalists of Slovenia which makes sure that the authors of journalist reports and articles respect the ethical and professional rules collected in the Code of Journalists of Slovenia. The Code stipulates that:

- a journalist respects the right of an individual to privacy and avoids sensationalist and unjustified disclosure of their privacy in the public. An encroachment upon an individual's privacy is justified only if the public interest outweighs the respect of the privacy;
- a journalist must avoid ethnic, racial, gender, age, religious, geographical and other stereotypes and details related to sexual orientation, disability, physical appearance, social status or other personal circumstances of individuals and groups;
- encouraging violence, spreading of hatred and intolerance and other forms of hate speech is inadmissible;
- a journalist must not reveal without consent the identity of the victim of sexual abuse, family tragedies and major criminal acts, and must not publish material which would contribute to revelation of the identity.

The NČR consists of eleven members. Nine members are journalists (five are appointed by the assembly of the association of journalists, and four by the trade union of journalists), and two members are representatives of the public. The judgements/viewpoints of the NČR are, by its content, opinions of this body and have no character of rulings or decisions with which sanctions are imposed in a procedure or decisions about an individual's rights are made. Their task is to protect the freedom of speech and quality and responsible journalism.

As an example of inappropriate reporting, we present a case from 2018: DNK, the Association SOS Help-line and the Society Ključ against Svet24.si journalist Polona Krušec. The NGOs accused the journalist of violating the code by publishing a statement by physician and psychotherapist Dr Viljem Ščuka: "Mass rapes of girls (classmates) are not possible if the girls are against it. Both participants are responsible for a sexual intercourse, as it happens when both are fully conscious." The NČR found that the journalist did not violate the code, as she lists in the article statements uttered by Dr Viljem Ščuka.

Advertising tribunal

Operating as part of the Slovenian Advertising Chamber (hereinafter referred to as: SOZ) is the Advertising tribunal (hereinafter referred to as: OR), which rules about whether advertisements are compliant with the Slovenian Advertising Code, which was conceived under the auspices of the SOZ and represents advertising standards, rules and principles of best practice, which the advertising industry obliges to voluntarily. The legislation and the code complement each other, and provisions of the code must not be in violation of the legislation, while they frequently extend into fields which the legislation cannot cover. The advertising self-regulation is thus more flexible than the legislation, and procedures are simple and free of charge for consumers. This also makes self-regulation an important tool for out-of-court dispute settlement. Among other things, the code stipulates that advertising must not:

- contain anything that may instigate violence or anti-social behaviour, harassment, bodily harm or damage to property. It especially must not use motifs of any forms of violence and vandalism, harmful and non-hygienic habits, and irresponsible behaviour in a way that encourages such things, or indirectly or directly approves of them;
- oppose the default gender equality, nor present a man, woman or child in an insulting or disrespectful way;

- display nudity and sexual insinuation solely to shock or attract attention and without a sensible connection with the product (when nudity and sexual insinuation is used in relation with the message, they must not violate the generally accepted rules about dignity).

3.6 Sexual harassment at work

Trade unions have also developed very good cooperation with NGOs in the prevention of violence and harassment at work. A case of good practice is the partnership between the SVIZ, the Association SOS Help-line and the Nurses and Midwives Association of Slovenia, who all participated in the project: "Help-line for persons with experience of violence at work". The key forms of assistance or counselling over the phone include the provision of information and support for a victim of violence at work and directing and boosting the victim's will to make first steps for ending violence.

With the purpose of rising awareness and preventing sexual harassment at work, the police hosted a panel called "Implementation of zero tolerance in protecting dignity at work" in 2017. The panel was attended by 133 employees, including representatives of human resources departments. The panel discussed how to deal with undesired behaviour (violence) at work, such as sexual harassment, harassment and mobbing, how to prevent the mentioned acts and where to seek help, information and protection. Questions related to the topic of violence at work are also included in the anonymous survey about the satisfaction of employees at work, which the MNZ carries out every two years.

The MDDSZ carries out regular trainings of counsellors who provide assistance and information. Each body in the state administration has at least one, and usually more employees trained for providing assistance and information to persons who experienced sexual or other harassment or mobbing.

As part of the promotion and awareness-raising about gender equality, the MDDSZ regularly presents the issue of sexual harassment and gender-based harassment to students of the FDV and FSD and at trainings for employees in municipal administrations and ministries.

For easier planning of the necessary measures for the prevention and treatment of sexual and gender-based harassment at work, the MDDSZ is implementing a survey about sexual and other harassment at work in 2019.

4 PROTECTION AND SUPPORT

4.1 Access to information

Information about the available support services and legal measures is available through numerous means; though printed informative material (leaflets, flyers, posters, postcards etc.), new information technologies (websites and social networks) and directly through counselling services for victims of violence (NGOs, CSDs, etc.).

Measures which may be taken by the police, and which are available to all who would like to help victims in any way and also to victims of such acts themselves, are published on the website of the police (<https://www.policija.si/svetujemo-ozavescamo/oosebna-varnost/nasilje-v-druzini>). Information is available about procedures in cases of domestic violence and rights of victims, and about the police powers in cases of domestic violence (restraining order, etc.). Material related to violence against women and domestic violence is also available in English.

Also available is other information helpful to victims of violence:

- "Sexual violence"

http://www.policija.si/images/stories/Publikacije/PDF/Spolno_nasilje.pdf;

- "When I become a victim of a criminal act"

https://www.policija.si/images/stories/Publikacije/PDF/Ko_postanem_zrtev_KD_februar_2015.pdf;

- "Violence! What can I do?" and

<https://www.policija.si/images/stories/Publikacije/PDF/NasiljeKajLahkoStorim.pdf>;

- "Do you hear it? Report violence against women 113!"

<https://www.policija.si/images/stories/Publikacije/PDF/NasiljeNadZenskamiBrosura.pdf>;

On the website of the police, there is also a quick exit button which redirects the viewer to another, neutral on-line content not connected to the police, if the victim observes the person abusing them.

When a criminal act is reported, police employees also inform the victim about their rights. Victims who do not understand Slovenian are provided with translators in police procedures.

Information about the available support services and legal measures is also available on the websites of CSDs and websites of individual NGOs providing assistance and support for victims of domestic violence and violence against women, which have an important role in informing victims, especially when victims do not trust state institutions.

The Association SOS Help-line operates the only national help-line for women victims of violence and victims of domestic violence with the financial support from the MDDSZ. It is a free help-line which provides counselling and information about what measures are taken in a case of violence, and about the available support services. But it is not open 24 hours a day.

The first aid points for victims of domestic violence and gender-based violence in Slovenia started to operate in May 2017. They aim at contributing to the prevention of violence and reduction of harmful consequences of violence, changing stereotypes and misconceptions about domestic violence and gender-based violence and to raising the level of knowledge and awareness of the expert and general public. At first aid points, victims of violence and all other interested persons can get information and lay psychosocial support and assistance. Such points in Ljubljana include

the Info Point 65+, the Mladi Zmaji Bežigrad youth centre, and offices of certain district communities.

4.2 General support services

No organisation in Slovenia (except for some NGOs) has been established exclusively to assist only victims of violence against women and domestic violence, but there are many organisations where treatment of violence is one of their numerous tasks. The ZPND does stipulate that they need to treat cases of violence as priority ahead of other tasks.

4.2.1 Social work centres

CSDs are public institutions in the field of social protection which most frequently get into contact with victims. When a CSD learns that a violent act has been committed, it contacts the victim and together they make an assistance plan, which determines the types of assistance the victim needs. A CSD may establish contact with a victim in several ways: a victim may go to a CSD and report violence themselves, a CSD may be informed by NGOs, but in most cases a CSD learns about violence when the violent act is reported to the police.

In accordance with the ZPND, a CSD implements the following special tasks related to treatment of domestic violence:

- care for the victim's long-term safety, by eliminating the causes or circumstances in which violence occurs, including by improving the victim's social and material conditions;
- referring the perpetrator of violence to adequate social protection, educational, psychosocial and healthcare programmes;
- providing assistance to the victim and assessing whether a long-term victim assistance plan (in cooperation with the victim) should be made. A CSD especially carefully treats cases of violence where the victim is a child, in particular when sexual abuse is suspected.

CSDs also refer victims to various institutions, where they are provided with legal and psychological counselling, financial assistance, education, accommodation, etc. Among other institutions, they also cooperate with the Employment Service of Slovenia if victims need to be provided assistance in finding employment.

In accordance with the ZPND, every CSD needs to have a multidisciplinary team which deals with cases of domestic violence, and "participation in the team shall be obligatory for all invited persons". The procedures of mutual informing and assistance between state bodies, public office holders, public service providers, bodies of self-governing local communities and NGOs, the organisation, structure and manner of work of the multidisciplinary teams for treatment of domestic violence at CSDs, the role of a CSD in treatment of domestic violence, organisation of services for coordination and assistance to victims of violence and education of the professional staff of social protection institutions are determined by 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. The Rules also stipulate that the professional staff in social protection institutions who encounter victims of violence or perpetrators of violence in their work, or who are in charge of tasks in the field of violence, must get regular training in the field of violence at least three days a year. The content of this training is determined on an annual basis by the minister in responsible for labour, the family, social affairs and equal opportunities.

As of 1 October 2018, there are 16 CSDs in Slovenia created with the merger of 62 CSDs in accordance with the changed organisational structure, which became units of the 16 new CSDs with the day of the merger. A service for coordination and assistance to victims has been formed in each of the 16 CSDs with the purpose of providing assistance to victims of violence, implementing the intervention service, coordinating the activities of bodies and organisations and monitoring and analysing the occurrences of violence against women and domestic violence. A

service for coordination and assistance to victims provides services in accordance with the act regulating social protection, takes urgent measures for the protection of the best interest of the child under the act regulating family relations, and implements other tasks in accordance with the existing regulations. A service for coordination and assistance to victims includes an intervention service and crisis centres. Each CSD has a coordinator for the prevention of domestic violence. Coordinators provide expert assistance to workers/holders of individual tasks who deal with cases of violence, assist in establishing and organising a general crisis team at the local level, and if necessary, participate in these teams as external experts, organise and manage the work of a single inter-institutional team for treatment of adult victims of violence, and in case of a restraining order related to a certain place or person, they manage and coordinate the work of the intervention service of the CSD, which is available to the police for cooperation 24 hours a day. Coordinators also assist in the organisation and maintenance of the network of providers and programmes in the field of social protection for the prevention of violence, transfer new knowledge by organising and planning specialised trainings of the professional staff, and encourage the expert and general public to establish an attitude towards various forms and volume of violence.

Good cooperation between CSDs and the police has also been established. Rules and procedures of informing, and cooperation of the police with bodies and organisations in dealing with cases of domestic violence and rules for coordinated work with CSDs are defined in the Rules on cooperation between the police and other authorities in the detection and prevention of domestic violence. The police is also obliged to, upon a call from a CSD, appoint a representative in a team established by the CSD.

Financial assistance

It is because of the lack of financial resources that despite experiencing violence, a majority of victims of violence do not leave the violent partner. The Social Assistance Benefits Act³² (hereinafter referred to as: ZSVarPre) determines several forms of financial assistance that a victim is eligible for, and of which a CSD must inform them about and help them fill the relevant application, including:

- Extraordinary financial social assistance, whose purpose is to cover extraordinary expenses that are related to livelihood, and which cannot be covered by one's own income or the family's income, is awarded as a one-off payment. Such form of financial assistance needs to be spent on the specified purpose it has been awarded for.
- Financial social assistance is provided in the case when the victim is not able to earn a minimum level of income for reasons beyond their control.
- The victim also has the possibility to submit an application for child benefit and a reduced rate for kindergarten payment in the case they have children.
- They should also be informed of the assistance provided by other humanitarian organisations (for example, Caritas, Red Cross, Friends of Youth Association, etc.), primarily in material form; most frequently food and clothing.

Accommodation

Potential housing problems is what discourages many victims from leaving their partner. Non-profit apartments are one of the options to which a CSD must inform them about. These are apartments which the state, a municipality, a public housing fund, or a non-profit housing organisation leases on the basis of a public call. Eligible for a non-profit apartment are primarily persons of a lower social status. A priority list of beneficiaries is made on the basis of applications. Lease contracts for apartments for an indefinite period of time are concluded with the beneficiaries. A beneficiary pays a non-profit rent for a non-profit apartment, and they also may apply for a subsidised rent, depending on the amount of their income. One of the priority groups in the awarding of non-profit apartments are victims of violence:

³² (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos. 61/10, 40/11, 14/13, 99/13, 90/15, 88/16, 31/18 and 73/18)

- Rules on the rental of non-profit apartments³³, which are used by the state, municipalities, public housing funds or non-profit housing organisations in awarding non-profit apartments for rent, stipulate that victims of domestic violence with temporary residence in maternity homes, safe houses, women's shelters and help centres for victims of criminal acts, may participate in a call for applications for leasing of non-profit apartments also at the place of their temporary residence. Victims of domestic violence also belong to the category of persons who are treated as priority when applications for non-profit apartments are examined.
- In their public calls for applications for non-profit apartments, some municipalities treat women and women with children who are victims of violence as a priority. For example, the Public Housing Fund of MOL, which in its calls for applications for non-profit apartments treats victims of violence as a priority, awarding them a higher number of points in individual criteria, while they are also preferred to others in case the same number of total points is awarded.

Free legal aid

Women victims of domestic violence have the unconditional right to free legal aid in accordance with the Legal Aid Act³⁴ (hereinafter referred to as: ZBPP) and the ZPND. The ZPND stipulates that free legal aid is provided to victims of domestic violence in accordance with the ZBPP.

It is important that a CSD also informs a victim about the option of free legal aid awarded for legal counselling and representation, which is applied for at the competent district court and which is intended for all victims of domestic violence, regardless of their financial situation. A condition for the awarding of free legal aid is the risk assessment made by a CSD upon the first interview with the victim. Free legal aid is an important instrument which enables any person to exercise judicial protection. A victim may pick a lawyer themselves, or be appointed one by the court which has awarded the free legal aid.

Access to healthcare services

The Rules on procedures for dealing with domestic violence in the implementation of health activities regulate the rules and procedures, manner of informing and informing bodies for a coordinated work of healthcare workers in the implementation of healthcare services related to detection of domestic violence, with the rules and procedures in treating victims of violence, and education of healthcare workers in the field of domestic violence. Also belonging to the treatment of domestic violence is psychological support, counselling and informing victims of violence about other forms of assistance, and procedures of informing about domestic violence. Healthcare workers also cooperate with other bodies in the efforts to reduce domestic violence and get involved in the local and wider community in the treatment of the medical aspect of domestic violence.

4.2.2 Non-governmental organisations

The basic task of NGOs is to help victims and their children remove themselves from the relationship with a violent partner. Their support includes counselling and assistance in reporting violent events to the police. In cases when the victim is completely economically dependent on the partner, such organisations also provide shelters where women (with children) can find shelter. These are women's shelters, which are placed in concealed locations across the entire country, where victims can live free of charge³⁵ for the maximum of one year. There, victims are also provided counselling, advocacy and assistance in finding a job, and they are also accompanied in various institutions and procedures. In addition to this, NGOs also provide

³³ (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos. [14/04](#), [34/04](#), [62/06](#), [11/09](#), [81/11](#) and [47/14](#))

³⁴ (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos. 96/04 – official consolidated text, 23/08, 15/14 – Constitutional Court Decision, and 19/15)

³⁵ Depends on her financial situation.

assistance to perpetrators of violence by including them in behaviour change programmes, carry out various campaigns and projects, organise lectures, preventive workshops and trainings etc.

4.3 Specialist support services

Resolution on the National Social Assistance Programme 2013–2020³⁶ determines a network of programmes for the prevention of violence, programmes for assistance to victims of violence and programmes for work with perpetrators of violence, which include:

- prevention programmes,
- information and counselling programmes and telephone counselling programmes,
- programmes for coordination, support and help and self-help,
- accommodation programmes, and
- therapy programmes.

The programmes are implemented based on the verification or guidelines published in the public calls for their (co)financing and they are conceived to take into account the characteristics and needs of individual target groups of users and to derive from the particular features of the environment and area where they are implemented. Most of the programmes are verified and co-financed by the MDDSZ, but they also may be financed from other financial resources of the state, municipalities, and/or private resources.

In 2017, violence prevention programmes received the most funds from the MDDSZ. Funds from the MDDSZ represent almost two-thirds of total funds received, with municipalities contributing 17–20% of the funds³⁷, while the share contributed by other co-funders was significantly smaller.

Most violence prevention programmes are intended for women with or without children who are in social/accommodation/material distress and need counselling, assistance or safe and peaceful space, who experience or have experienced violence of all kinds, and who usually have mental health issues. Counselling programmes include those intended for children who have experienced violence, and some of them also for adult men. The target group of the prevention programme users are mainly older residents in the local community, in particular those who depend on care at home and have a small social network, and residents who have an elderly person in their families.

A total of 9,015 persons were included in the violence prevention programmes in 2018 (11,474 persons in 2017), and a total of 2,085 services were provided, mostly to anonymous users (more than 1,300 services in 2017), while a total of 3,071 persons were included in the sub-programmes (more than 3,500 persons in 2017), and 476 services were provided (more than 1,400 services in 2017). A total of 451 beds in 166 rooms were available for temporary accommodation of users (449 beds in 2017). At least 2,947 or 24% of the users in 2018 were women.

In 2018, a total of 230 persons were employed in the violence prevention programmes co-financed by the MDDSZ in 2018 (202 persons in 2017). A majority of them were employed full time (for a definite or indefinite period of time). Some 11 persons were employed through public works³⁸ or other active employment policy programmes. An additional 51 other paid providers or external partners participated in the violence prevention programmes in 2018 (53 in 2017). Also participating in the programmes were a total of 364 volunteers, most of whom performed up to

³⁶ (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 39/13)

³⁷ In 2017 and 2018, MOL co-financed 7 accommodation programmes – a crisis centre, 5 women's shelters and a special shelter for active users of illicit drugs who are victims of violence. In addition to accommodation, MOL also provides programmes for personal, telephone and on-line counselling, groups for self-help, and support groups to women who experience violence. Two programmes for non-violent communication for perpetrators of violence were also co-financed by MOL in this period.

³⁸ MOL also co-finances the costs of the public works programme every year. In the field of prevention of violence MOL covered a part of the costs for wages of four employees in the contractual value of EUR 9,887.28 in 2017 or EUR 13,878.24 in 2018.

100 hours of volunteer hours each in 2018 (358 in 2017). As many as 92% of the volunteers were women.

4.3.1 Shelters

In 2017 and 2018, the MDDSZ co-financed 22 accommodation programmes³⁹ which provide beds for victims of violence, including of sexual violence, and their children. Belonging to this set of programmes are programmes for maternity homes for mothers and children⁴⁰ (8 programmes), 13 programmes for safe houses⁴¹, women's shelters and crisis centres (3),⁴² and one counselling programme, which provides users with accommodation (programme for disability abuse implemented by the Vizija association of persons with motor disabilities). Accommodation programmes were available in all statistical regions, except for the Zasavska and the Primorsko-Notranjska regions in 2017, and Primorsko-Notranjska region in 2018. In 2017, a total of 15 maternity homes for mothers and children units, and 27 units of safe houses, women's shelters and crisis centres were available, and 15 units of maternity homes for mothers and children and 28 units of safe houses, women's shelters and crisis centres were available in 2018.

The violence prevention programmes received a total of EUR 5,219,551.00 in 2018 (EUR 5,138,144,40 in 2017). Safe houses, women's shelters and crisis centres received the biggest amount of funds, with various co-funders earmarking a total of EUR 2,355,079.20 for these programmes (EUR 2,333,263.80 in 2017).

A total of 507 persons were accommodated in maternity homes for mothers and children in 2018 (377 in 2017), of which 183 were minors (264 in 2017). A total of 177 beds were available to users in these programmes (in 70 rooms). A total of 829 users were accommodated in safe houses, women's shelters and crisis centres in 2018 (820 in 2017), of which 259 were minors (330 in 2017), while another 459 persons were included in the sub-programmes (487 in 2017). A total of 269 beds (267 in 2017) were available to users in these programmes (in 94 rooms). A total of 164 rooms with 446 beds (449 in 2017) were available in the accommodation programmes in 2018, which were used by 1,336 users (1,408 in 2017). Rooms and beds were also provided as part of one counselling programme, namely two rooms and five beds.

³⁹ A majority of them are run by women's non-governmental organisations with a special, feminist approach, one is run by a religious organisation and four by the state (CSDs).

⁴⁰ Maternity home for mothers and children are primarily intended for the accommodation of pregnant women and women with (small) children in social distress who do not have means of subsistence or these means are too low, and who need accommodation. Their locations are not secret, and no security measures are provided either. They also accept women victims of violence, but only if they are not endangered, or after their stay in a refuge if they were not able to solve their housing issue.

⁴¹ A women's shelter is a house which provides a safe place for women and their children where they may find refuge from violence. Various measures are being taken in a women's shelter to provide the greatest possible security for the residents and their children, including the secrecy of the location. Residents are accepted 24 hours a day, all days in the week, after a prior interview. The stay in a women's shelter is limited to one year. Users keep the household themselves, and pay a minimal contribution for the residence. Women's shelters of non-governmental organisations accept victims who experience violence regardless of their personal circumstances, including migrants and foreigners without status.

⁴² The crisis centre network consists of crisis centres for young (9 + 1 crisis centre for children) and crisis centres for adult victims of violence. Operating in Slovenia are three crisis centres for women (and their children) and adult victims of violence, which are available 24 hours a day. One crisis centre operates in Ljubljana as part of the network of social protection programmes, and two operate as part of the public service, under the auspices of CSDs in Maribor and Piran.

4.3.2 Counselling centres and telephone help-lines

In 2017 and 2018, the MDDSZ co-financed 14 counselling centres, one programme focused on prevention of elder abuse and one telephone counselling programme. Counselling centres were available in all statistical regions, except in Primorsko-Notranjska region. A total of 6,289 persons were included in counselling centres in 2018 (6,161 in 2017). A total of 3,677 users were included in the main part of the programme (4,753 in 2017), and 2,612 users were included in one of the sub-programmes (2,892 in 2017). A total of 286 under-age users were participating in the counselling centres in 2018 (487 in 2017), and 4,002 users were included in the prevention programme, none of whom was younger than 18 (5,416 in 2017). The prevention programme was available in 2017 in four statistical regions, i.e. Koroška, Southeast Slovenia, Central Slovenia and Gorenjska, and in five in 2018, in Zasavska region in addition to the four above-mentioned ones.

Help-line for women and children – victims of violence: 080 11 55

A help-line for women and children – victims of violence has been operated in Slovenia by the Association SOS Help-line since 1989. The help-line is open 10 hours a day during working days and 4 hours during weekends and holidays. Free telephone counselling is available every working day between noon and 10 p.m. and every day (including Saturdays, Sundays and holidays) from 6 p.m. to 10 p.m., meaning that counsellors are available to users 58 hours a week. The help-line operates at the national level, i.e. assistance is provided to users from the entire country. Counsellors on the help-line are specially trained for work with women, children and all others who have experienced violence.

The help-line is intended for all persons who have experienced domestic violence, in partner or family relationships, at work or in other relationships. It is intended both for female and male children, minors and adults who have experienced violence, as well as those who want to help other persons who are victims of violence, and for all who need information related to violence. All forms of violence are dealt with: physical, psychological (emotional), economic and sexual violence.

On the help-line, callers may arrange to get the following forms of assistance:

- personal psychosocial or psychological assistance to women and children victims of domestic violence and victims of sexual abuse,
- inclusion in a support group for women victims of violence,
- accommodation in one of the two maternity homes for women and children victims of violence located in Ljubljana, which accept women and their children from the entire county regardless of their personal circumstances (for example, migrants and women without status),
- the association reporting the violence (on your behalf or anonymously) to relevant institutions,
- the association intervening at relevant institutions, if the person is not satisfied how a certain case of violence is being treated.

The telephone counselling programme is largely co-financed by the MDDSZ, and it was implemented in 2017–2018 in the Savinjska and Central Slovenian statistical regions, but it was available to users from the entire country. A total of 2,656 services were provided as part of the programme in 2017, and 2,382 services in 2018.

The Peter Klepec Telephone – help-line for children and adolescents who experience violence: 080 15 52

The free anonymous telephone line, called Peter Klepec, which is financed by the MDDSZ, has been available 24 hours a day since 2006 to all children who experience violence. Conversations are guided by trained experts who encourage a child or adolescent to look for possible solutions, and also have the opportunity to participate in the planning of assistance. When necessary,

assistance to young users is directly redirected from the free telephone line to one of the nine crisis centres for young people in Slovenia, which are able to, in addition to providing professional support and counselling, provide immediate safe accommodation. A total of 79 calls on the free anonymous number were recorded in 2017, while the number of calls is no longer recorded as of 2018. The telephone line namely operates as part of the Crisis Centre Ljubljana, where more than 2,000 conversations with children and adolescents are made every year (around 8,000 calls by children and adolescents are recorded in all crisis centres for young people a year).

Confidential telephone Samarijan: 116 123

The Association Confidential Telephone Samarijan is a non-governmental, non-profit, humanitarian and volunteer organisation with the status of an organisation working in the public interest in the field of social protection. The main mission of the association is to implement a "confidential telephone for calls in emotional distress" programme, which was verified by the SZS. The programme is implemented by trained volunteers. Persons in distress, including victims of domestic violence or violence against women, are able to call the free telephone number intended for adults in emotional distress 24 hours a day, every day of the year. Anonymity and confidentiality is guaranteed, as the conversation is not recorded. The association's work is supported by:

- the MDDSZ;
- Foundation for Funding Disability and Humanitarian Organisations (hereinafter referred to as: FIHO);
- numerous municipalities;
- association members by paying annual membership;
- donors.

The "confidential telephone for calls in emotional distress" programme has been supported for years by Telekom Slovenije by covering the telephone costs, enabling that the call by an individual in distress is free of charge. In 2017, the volunteers of the Association Confidential Telephone Samarijan made a total of 24,422 conversations with persons in distress. Total duration of conversations in 2017 was 8,567.5 hours.

4.3.3 Support for victims of sexual violence

There is no special crisis referral centre in Slovenia for victims of rape or sexual violence, which would perform medical and forensic investigation and provide trauma assistance and counselling to the victims. NGO programmes which provide assistance to victims of sexual abuse are available. Among them is the Association against Sexual Abuse, a non-profit, volunteer and humanitarian NGO specialised in providing assistance and support for non-abusive adults who want to protect a child victim of sexual abuse, for adults who experienced sexual abuse in childhood, for other minors and adult victims of sexual violence, while it is also active in other fields of child abuse and domestic violence which includes children as victims. Users may be child victims of all forms of bullying, sexual violence, domestic violence and peer violence, family members and all other adults who want to protect a child who they believe is endangered or a victim of a form of violence, adult women and men who suffer or think that they suffer consequences of any form of violence or sexual assault in their childhood, persons with special needs etc. Users are provided assistance through a help-line, personal counselling, advocacy, self-help group, education, while assistance can also be found on the website and on-line forum. In case that they need a retreat, victims of sexual violence are accommodated in the existing shelters for victims of violence.

4.3.4 Protection and support for child witnesses

Children, as the most vulnerable social group, are the most protected individuals besides the elderly and persons with special needs. In Article 3, the ZPND prohibits corporal punishment of children, which it defines as "any physical, cruel or degrading punishment of children", while

violence against children is defined as "any act with the intention to punish children containing elements of physical, psychological or sexual violence or neglect as a method of upbringing". Furthermore, the ZPND stipulates that "children are victims of violence even if they are only present where violence is perpetrated against other family members".

In Article 5, the ZPND defines the duty to act, with authorities and organisations being obliged to carry out all procedures and actions required to protect victims, commensurate with the level of hazard, and to protect their benefits, and in so doing ensure respect for the integrity of the victim. If a child is the victim of violence, then the child's benefits and rights take precedence over the benefits and rights of any other participants of the proceedings.

In paragraph two of Article 6, the ZPND stipulates the duty to report, saying that anyone, and in particular professional healthcare staff and personnel working in care institutions, educational and social institutions, as well as providers of activities for children within sports and culture associations shall – regardless of the provisions on the protection of business secrets – immediately inform a CSD, the police or the State Prosecutor's Office where there is a suspicion that a child or a person who due to personal circumstances is not capable of taking care of themselves, is the victim of violence. Since a CSD handles the case, all institutions and NGOs are obliged to immediately inform the CSD about occurrences of violence (as well as the police or the State Prosecutor's Office if the victim is a child).

In accordance with Article 7 of the ZPND, victims of violence may choose a person (hereinafter referred to as: assistant) who can accompany them in all violence-related procedures and proceedings in which the perpetrator of the violence is involved. For the assistant to be present in such procedures referred to in the preceding paragraph, it shall be sufficient for the victim to declare prior to the start of the procedure or in the actual procedure that they want a specific person to accompany them and that they want them to be present in the procedure. The assistant can be any adult person that is not involved in the procedure as the perpetrator of violence. The assistant shall help the victim protect their integrity in procedures with authorities and organisations, and shall also help in finding a solution as well as in providing psychological support for the victim. The authority conducting such procedure may prohibit a person from accompanying the victim in the procedure if that person does not meet the conditions given in paragraph three of this Article, or if there exists a probability that the person will not be able to carry out the tasks set out in the preceding paragraph in view of being related or having some other connection with the victim or perpetrator of violence.

In paragraph three of Article 18, the ZNPPol stipulates that while exercising police powers in respect of a child, police officers shall accordingly notify the parents or guardian when so required by the best interests of the child, and shall do so always when instruments of restraint have been used against the child in question. While exercising police powers over a minor, police officers shall acquaint them with the parents' and guardian's right to be informed; when instruments of restraint have been used or detention ordered against a minor, they shall always inform the parents or guardian accordingly. Where informing the parents or guardian would be contrary to the best interests of a child or minor, police officers shall not inform the parents or guardian, but shall notify the competent CSD accordingly.

An interview with the child in the phase of gathering of information is a police task against the child or minor, and the police has the basis in Article 18 of the ZNPPol to carry out this task without informing the parents or the guardian in advance, while it must notify the competent CSD. The latter has the right to attend the interview with the child. With the purpose of protecting the child

and ensuring the best interests of the child, the CSD must enter the procedure and continue with its tasks under the Family Code⁴³ (hereinafter referred to as: DZ) and the ZPND and in order to avoid additional stress, provide a safe and familiar environment to a child who is a victim of violence. In cases when the police decide not to exercise police powers against a minor, and do not conduct an interview with the minor or child, while a member of the expert staff of a CSD wants to meet the child, they may do so at home or by inviting the child to the CSD.

For assistance to children and adolescents who find themselves in acute distress, which requires them being removed from the environment they live in, 9 crisis centres for youth and one crisis centre for children (and two crisis centres for adult victims of violence) have been established as part of the public network. Their operation is fully covered by the MDDSZ based on annual financing contracts. The crisis centres for youth operate as part of CSDs, and are intended for children and adolescents aged 6 to 18, while accommodated in the crisis centres for children are the youngest ones up to the age of 6. Finding assistance in the crisis centres are children and adolescents who are in any kind of distress they are not able to resolve in their home environment: unbearable situation at home (psychological and physical violence, sexual abuse, parents' alcoholism, etc.), emotional pain, adolescence crisis, school-related problems, while they may also come only for a talk. The crisis centres operate continuously, 24 hours a day, and a stay there lasts for up to three weeks, with the possibility of extension in exceptional cases. Stays in the crisis centres are voluntary.

For cases of domestic violence, the ZPND introduces a special prohibition of the exposure of children to the mass media, with the child or adolescent being protected from unnecessarily experiencing violence again while being exposed to media pressure and stigmatised in society.

4.3.5 Reporting

Anyone may report violence, i.e. the victim, witness, child, minor, NGO, private and public institutions. Having the duty to report are particularly kindergartens, schools, healthcare organisations (doctors, therapists, psychiatrists, etc.), while authorised officers must report violence *ex officio*. Violence may be reported personally, by phone or e-mail, with the relevant organisations being obliged also to receive and process anonymous reports. If the police, while performing their work detects on their own that such a criminal act has been committed, they shall make an independent, official report about this (official note).

In emergency cases, when lives are in danger, or in other cases when the police need to intervene, the police emergency number 113 should be called. A report may also be filed personally at the nearest police station, with the police officers there starting the required procedure. A report may also be filed at the State Prosecutor's Office, which in most cases refers it to the police with the request to verify the statements in the report. When filing a report, a victim may also be accompanied by person they trust (assistant to the victim) as support in the procedures with the official institutions. A report may also be filed by mail. An electronic report of violence may also be filed on the web portal of the police.

Duty to report violence against women and domestic violence: legislative provisions

The ZPND (Article 6)

(1) Authorities and organisations as well as NGOs which in their work encounter circumstances on basis of which it is possible to conclude that violence is being inflicted, shall be obliged to immediately inform a CSD, except in cases where the victims themselves expressly oppose this and there is no suspicion of criminal offence that should be prosecuted *ex officio*.

⁴³ (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos. 15/17, 21/18 – ZNOrg and 22/19)

(2) Anyone, and in particular professional healthcare staff and personnel working in care institutions and educational institutions shall – regardless of the provisions on the protection of business secrets – immediately inform a CSD, the police or the State Prosecutor’s Office where there is a suspicion that a child is the victim of violence.

The ZKP (Article 145)

(1) All state bodies and organisations having public authority shall be bound to report criminal offences liable to prosecution *ex officio* of which they have been informed or which were brought to their notice in some other way.

(2) In submitting crime reports the bodies and organisations referred to in the preceding paragraph shall indicate evidence known to them and shall undertake steps to preserve traces of the crime, objects on which or by means of which the crime was committed and other items of evidence.

Rules on procedures for dealing with domestic violence in the implementation of health activities (Article 5)

(1) A healthcare worker who in their work encounter circumstances on basis of which it is possible to conclude that domestic violence is being committed, shall be obliged to notify the competent CSD within 24 hours, except in cases where the victims themselves expressly oppose this and there is no suspicion of criminal offence that should be prosecuted *ex officio*. The notification is communicated in writing, in the electronic form or by phone.

(2) Notwithstanding the preceding paragraph, in cases of an emergency, when the life of the victim of violence or their children is endangered, a healthcare worker shall immediately notify the police, on the telephone number 113, or the competent CSD.

(3) In case of domestic violence against children, a healthcare worker shall notify the competent CSD, the police or the State Prosecutor’s Office not later than within 24 hours. The notification is communicated in writing, in the electronic form or by phone.

Rules on the treatment of domestic violence for educational institutions (hereinafter referred to as: VIZ) (Article 3)

A teacher or other employee of a VIZ who notices changes in a child which could be a consequence of violence, or to whom a child confides that he or she is a victim of violence, or if a teacher or other employee of a VIZ obtains information about violence from a third person or themselves witness violence, they should immediately:

– notify the counsellor in the VIZ, or if he or she is absent, the head teacher or the assistant head teacher,

– themselves or with the counsellor in the VIZ, in case of an injury caused by physical or sexual violence or serious emotional distress of a child due to domestic violence, notify the competent CSD, or its intervention service outside the working hours of the CSD, or the police if they deem this appropriate; if the consequences mentioned are noticed in an adult participant in education under the publicly approved programmes, this person should be advised to visit a doctor, and be informed about the possibilities of getting appropriate help and the bodies which may provide it,

– themselves or with the counsellor, make a record of the event, observations, information obtained or conversation with the child.

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 (Article 6)

(4) When only a social work centre is notified of domestic violence, the responsible member of the professional staff immediately communicates the information on detected violence to the police. When a criminal act is suspected in which the victim of violence is a child, a report should be immediately filed to the police or the State Prosecutor’s Office, while a CSD should implement all measures to protect the victim in accordance with the professional guidelines for work with victims of violence.

5 SUBSTANTIVE LAW

When it comes to acts of violence against women and domestic violence, we would like to emphasise that the legislation in the field has been amended several times over the years towards greater criminalisation of such acts. With criminal law provisions, the Slovenian legislation provides an appropriate and effective legal framework which enables recognition and qualification of criminal acts in the field of violence against women and domestic violence. The legal framework in the field of prevention of violence against women and domestic violence in Slovenia is defined by the following key acts:

- KZ-1 – the change in 2015 defined two new forms of criminal act, namely stalking and forced marriage or establishment of a similar union;
- ZKP – what needs to be emphasised is that with the latest amendments adopted in April 2019, the ZKP puts the victim or injured party in a criminal act in the forefront by applying a new approach and emphasises the aspect of the needs of the victim or injured party in the criminal procedure;
- ZPND – a systemic and civil act; the amendment in 2016 more precisely defined domestic violence, expanded the definition of family members, improved the procedures of coordination and communication between all relevant institutions and bodies and determined procedures for treatment of domestic violence.

Also important in establishing an effective legal framework are the Obligations Code⁴⁴ (hereinafter referred to as: OZ), which regulates civil and administrative relationships and the Crime Victim Compensation Act⁴⁵ (hereinafter referred to as: ZOZKD), which regulates the right to compensation and relevant procedures for victims of violent acts and their relatives. The latter two acts are of key importance in regulating civil and administrative relationships, especially enforcement of compensation from the perpetrator and state bodies.

5.1 Civil lawsuits and remedies

In addition to the notes related to the OZ, where the provisions on compensation are contained (Chapter 5.2), the ZPND contains additional special provisions related to the procedure, namely provisions about the victim's assistant (Article 7), the right of victim to an advocate (Article 8), special provisions on the protection of the victim's identity (Article 9) and the right to be informed about available support services and legal measures in a language they understand (Article 9.b).

Court proceedings under the ZPND are initiated on the request of the victim. A CSD may propose the initiation of proceedings with the consent of the victim. A relevant request must be filed in six months at the latest from the day the victim last suffered bodily harm or the perpetrator of violence harmed their health or in any other way encroached on their dignity or any other personal rights (Article 22.b). The provisions of the act governing non-contentious procedures shall apply to the procedure relating to measures. Procedures must be urgent and priority procedures, and the court must issue a decision within eight days of the hearing. Proceedings must be closed to the public and the victim is exempt from the payment of court fees. What is more, regardless of the outcome of the procedure, the court has discretion as to the costs, and may take into account all circumstances of the case (Article 22.a). In special, justified cases, the court may impose a measure without having sent a request to the perpetrator to provide their reply (Article 22.d). The court may impose various measures on the perpetrator of violence, including prohibiting them from: entering the accommodation premises where the victim lives; coming within a specified

⁴⁴ (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos. 97/07 – official consolidated text, 64/16 – Constitutional Court Decision and 20/18 – OROZ631).

⁴⁵ (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos. 101/05, 114/06 – ZUE and 86/10)

distance from the accommodation where the victim lives; loitering in and approaching places which the victim frequents regularly (workplace, school, preschool facility, etc.); contacting the victim in any way whatsoever, including means of telecommunication, and through third persons; setting up any kind of meeting with the victim; publishing the victim's personal information, documents from court or administrative files, and personal records referring to the victim; and the court may also decide to transfer accommodation in common use to the victim in accordance with Article 21 of the Act. The court may also order the listed measures if: the perpetrator of violence has threatened the victim with harm or any other unlawful encroachment on their dignity or other personal rights; the perpetrator of violence has unlawfully entered the accommodation where the victim lives or the premises where the victim works, or has disturbed the victim's peaceful enjoyment of property in any other way; the perpetrator of violence unlawfully harasses the victim against their express will, for example by stalking or by using means of telecommunication; the perpetrator of violence unlawfully harasses the victim against their express will by publishing the victim's personal information, documents from court or administrative files, and personal records referring to the victim. The court imposes the measure for not more than 12 months, unless otherwise provided by the Act. The victim may propose an extension of the measure before the expiry of the period for which the measure was imposed. The court may extend the validity of the measure several times, each time for not more than 12 months, unless otherwise provided by the Act.

Furthermore, under the provision of Article 19.a, the court may, when imposing one of the aforementioned measures, refer the perpetrator of violence to appropriate social care, educational, psychosocial and health programmes that are provided by authorities, organisations and NGOs.

5.2 Compensation

The OZ determines the right to compensation also to women victims of violence (Article 131). In accordance with the provision of Article 132 of the OZ, damage is also the infliction of physical or mental distress or fear on another person (non-material damage).

In accordance with the provision of Article 134 of the OZ, all persons shall have the right to request the court or any other relevant authority to order that action that infringes the inviolability of the human person, personal and family life or any other personal right, be ceased, that such action be prevented, or that the consequences of such action be eliminated. The court or other relevant authority may order that the infringer cease such action, with failure to do so resulting in the mandatory payment of a monetary sum to the person affected, levied in total or per time unit. The OZ contains a special provision on reimbursement of material damage in case of defamation or calumny (Article 177). Any person that defames another or asserts or disseminates untrue statements on the past, knowledge or capability of another, even though the former knows or should have known that they were untrue, and thereby inflicts material damage on the latter, must recompense such damage.

In terms of reimbursement of damage, Article 164 of the OZ stipulates that the liable person (perpetrator of violence) is obliged to restore the situation as it was prior to when the damage occurred. If through this restoration the damage is not entirely rectified, the liable person is obliged to pay monetary compensation for the remainder of the damage. If the restoration is impossible or if the court is of the opinion that it is not necessary for the liable person to do so, the court orders the liable person to pay appropriate monetary compensation to the injured party. In the event of death, physical injury or damage to health the compensation a rule has the form of a

monetary annuity, either lifelong or for a specific period. A monetary annuity awarded as compensation is paid monthly in advance, unless the court rules otherwise. The injured party has the right to request the necessary security for the payment of the annuity, unless such would not be justified given the circumstances of the case. If the perpetrator of the damage fails to provide the security determined by the court, the injured party has the right to demand that a one-off sum be paid instead of the annuity; this is levied in respect of the size of the annuity and the injured party's probable lifespan, with a rebate for the appropriate interest. On serious grounds the injured party may also request that the perpetrator of the damage immediately or subsequently pay a one-off sum instead of the annuity in other cases (Article 167).

Fair monetary compensation independent of the reimbursement of material damage pertains to the injured party for physical distress suffered, for mental distress suffered owing to a reduction in life activities, disfigurement, the defamation of good name or reputation, the curtailment of freedom or a personal right, or the death of a close associate, and for fear, if the circumstances of the case, particularly the level and duration of distress and fear, so justify, even if there was no material damage. The amount of compensation for non-material damage depends on the importance of the good affected and the purpose of the compensation, and may not support tendencies that are not compatible with the nature and purpose thereof (Article 179). A person who was forced into criminal sexual intercourse or another sexual act by means of fraud, force, or the abuse of a relationship of subordination or dependence, and a person against whom some other criminal act against the dignity of the person or the person's morals was committed has the right to fair monetary compensation for the mental distress suffered (Article 181).

Special rules also apply in relation to statute of limitations. Compensation claims for damage inflicted become statute-barred three years after the injured party learnt of the damage and of the person that inflicted it. In any event the claim becomes statute-barred five years after the damage occurred. Compensation claims for damage inflicted through an act of sexual abuse of a minor becomes statute-barred fifteen years after the minor comes of age (Article 352). In relation to compensation claims for damage inflicted by a criminal act, Article 353 of the OZ stipulated that if damage was inflicted by a criminal act and a longer period of prescription is laid down for criminal prosecution, a compensation claim against the person responsible becomes statute-barred when the period set for the prescription of criminal prosecution expires. The discontinuance of prescription of criminal prosecution has as a consequence the discontinuance of prescription of the compensation claim. This also applies to the suspension of prescription. Furthermore, all claims determined by a final court ruling (including compensation claims) become statute-barred after ten years, including those for which a shorter period is stipulated by the statute of limitations (Article 356).

Against the perpetrators

Under the rules of the OZ, the victim may exercise a claim for reimbursement of damage (pecuniary claim) already as part of the criminal procedure (Articles 100 and 101 of the ZKP), provided that this does not significantly protract the criminal procedure. In the ruling whereby the court finds the accused guilty, it may rule that the injured party may an indemnity claim in full, or it may grant the claim in part and direct the injured party to sue for the balance in civil proceedings. If the data collected in criminal procedure do not provide a reliable basis to award either full or partial indemnification, the court shall instruct the injured party that they may seek satisfaction in civil proceedings. If the court passes a judgement by which the accused is acquitted of charges or the indictment is rejected, or if it renders a ruling by which criminal proceedings are discontinued or the charge sheet is rejected, the court shall instruct the injured party that he may seek to satisfy his claim in a civil action. If the court declares itself as not having jurisdiction to

conduct criminal proceedings it shall instruct the injured party that he may assert his claim in criminal proceedings to be opened or resumed by the competent court (Article 105 of the ZKP). Courts otherwise decide on compensation claims under the rules of contentious proceedings. The Contentious Civil Procedure Act⁴⁶ (hereinafter referred to as: ZPP) stipulates in Article 14 that when the claim is based on the same state of facts that has already been adjudicated in the criminal proceedings, the court shall be bound by a final condemnatory sentence issued in the criminal proceedings, but only in respect of the existence of criminal offence and criminal liability of the offender.

Against the state

If the state does not appropriately protect victims of violence (in criminal proceedings) and this results in a failure of due process, the possibility remains, even in such cases, of exercising a compensation claim against the state on the basis of Article 26 of the Constitution of the Republic of Slovenia (right to compensation), in accordance to which everyone has the right to compensation for damage caused through unlawful actions in connection with the performance of any function or other activity by a person or authority performing such function or activity within a state or local community authority or as a bearer of public authority. Any person suffering damage has the right to claim, in accordance with the law, compensation also directly from the person or authority that has caused such damage. The said provision relates only to acts or possible failure of due process by state bodies.

Victims also have a special right to compensation, namely a right which is recognised by the state in a special procedure to victims of deliberate acts of violence and their relatives (ZOZKD). When reporting a deliberate violent act to the police, a victim may request to be issued a certificate confirming that a criminal act has been detected or reported. The beneficiary then submits a request to be awarded compensation together with the certificate from the police and other proof to the MP. Victims of domestic violence, victim minors, and victims of unknown perpetrators (or if the perpetrator cannot be persecuted) are eligible to claim compensation under the ZOZKD even before they claim it from the perpetrator and before the criminal proceedings start. Under the ZOZKD, reimbursement of non-pecuniary damage may be requested for physical pain and injury to health and for emotional pain.

A total of 17 requests for compensation from the state were submitted in 2017, i.e. 6 for infliction of light bodily harm, 4 for domestic violence, 3 for robbery, 2 for sexual assault on a person younger than fifteen years, 1 for sexual abuse of a defenceless person, 1 for a threat. There were 14 such requests in 2018 (3 have not been resolved yet) – 9 for robbery, 1 for rape, 1 for attempted rape, 2 for domestic violence, 1 for infliction of grievous bodily harm.

In 2017, 8 approving decisions were issued in the cases of women victims of violence who sought compensation from the state, i.e. 2 for domestic violence, 1 for sexual abuse of a defenceless person, 4 for infliction of light bodily harm, 1 for sexual assault on a person younger than fifteen years; total compensation: EUR 2,900,00; In 2018, 2 approving decisions were issued, i.e. 1 for domestic violence and 1 for rape; total compensation: EUR 2,550.00. Deadline for payment or maturity of decision is 30 days following its finality.

⁴⁶ (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos. 73/07 – official consolidated text, 45/08 – ZArbit, 45/08, 111/08 – Constitutional Court Decision, 57/09 – Constitutional Court Decision, 12/10 – Constitutional Court Decision, 50/10 – Constitutional Court Decision, 107/10 – Constitutional Court Decision, 75/12 – Constitutional Court Decision, 40/13 – Constitutional Court Decision, 92/13 – Constitutional Court Decision, 10/14 – Constitutional Court Decision, 48/15 – Constitutional Court Decision, 6/17 – Constitutional Court Decision, 10/17 and 16/19 – ZNP-1).

Data about the number of women victims of violence who claimed compensation from the perpetrators and the number of women victims of violence who received compensation, with the indication of the compensation payment deadline given to the perpetrator, is not available.

5.3 Custody, visitation rights and safety

Courts are also obligated to take into account cases of violence when deciding on child custody and visitation rights, as part of all circumstances important for making a decision based on the best interest of the child.

The ZPND stipulates in Article 22.g on child protection that when the victim of violence is a child, procedure under that Act commences on the proposal of a child older than fifteen, parents, guardian or CSD. When deciding on procedures referred to in this Act, a court also takes into account the child's opinion if it has been expressed by the child or by a person the child trusts and was chosen by the child, provided that the child is capable of understanding its meaning and consequences. The Act also stipulates that measures for child protection are conducted in accordance with the act governing family relationships. Since 2017 (the Act's entry into force was in April 2019) this field has been regulated by the DZ, which reformed family law with a more effective implementation of the principle of the protection of the best interest of the child, with decision-making on relevant measures being almost completely transferred from CSDs to courts. Under Article 157 of the DZ, a court shall adopt a measure to protect the child's best interests where it establishes that the child is endangered, which includes damage to the child's physical and mental health and development, and to the child's property. Measures for the protection of the best interest of the child in accordance with Article 159 of the DZ are emergency removal of a child, interim injunctions and measures of a more permanent nature. Interim injunctions for the protection of the best interest of the child include an injunction to remove a child from the parents and place them in the care of another person, a crisis centre, a foster carer or an institution; an injunction prohibiting or restricting contacts; an injunction on evicting a violent family member from the common dwelling; an injunction prohibiting persons that endanger the child from approaching the child; and an injunction on medical examination or treatment.

In the cases when it is established with probability that the child is in great danger, and that their best interests may only be protected by immediate removal of the child from their parents, a CSD shall remove the child, including with help of the police if necessary. The child is immediately accommodated with another person, in a crisis centre, with a foster family or in an institution before a court decides on a motion to issue an interim injunction. In such cases, within twelve hours of the removal of a child, the CSD shall propose to the court the issuing of an interim injunction regarding the removal of the child. The court shall decide on the motion at the latest within twenty-four hours.

Before a court decides on a measure of a more permanent nature, the CSD shall prepare an assistance plan for the family and the child, which shall contain a description of the situation, the children's needs, the capacities of the family, the monitoring method, forms of assistance and a description of the implementation of the measure. An assistance plan for the family and child may include a family therapy programme, psychiatric treatment, alcohol and other drug addiction treatment, other health, educational and psychosocial programmes where it is likely that the parents will be able to assume custody of the child after the treatment or therapy, or in other cases where this is in the best interests of the child. The report on the implementation of the assistance plan shall be submitted to the court once a year (Article 170).

The DZ also regulates restriction of parental responsibility. A court may prohibit one or both parents from exercising certain rights pertaining to parental responsibility and appoint a guardian for the child where the child is endangered or where, considering the circumstances, such a measure ensures that the best interests of the child are sufficiently protected. The court may, considering the circumstances of the case, decide that the CSD shall supervise the exercise of parental responsibility and shall define the method of such supervision. The measure of restriction of parental responsibility shall apply for no more than one year. Where the court issues a measure to restrict parental responsibility together with the measure of removal of the child or the measure of placing the child in an institution, the measure shall apply for no more than three years (Article 171).

A court may restrict or withdraw the right to contacts of one or both parents, and also of the person who obtained the right to contacts with the child by court decision or settlement, in cases where such contacts endanger the child, and the child's best interests may only be sufficiently protected by restricting or withdrawing the right to contacts. The court may decide that contacts shall not be in person or by social contact, but in some other form, where this is the only way to protect the best interests of the child. Supervision over contacts is implemented by a CSD (or the institution where the child is accommodated). A decision on supervised contacts shall be permitted only on the basis of an interim injunction (Article 173). The DZ expressly limits the possibility of supervised contacts to the maximum of six months without the possibility of extension. After this period, the competent authorities make sure that the reasons for limited contacts are eliminated.

In the event when the child is seriously endangered and only removal may sufficiently protect the best interests of the child, and the circumstances of the case indicate that the parents will re-assume the custody of the child after a certain time, the court may, under Article 174 of the DZ, remove a child from parents and place them with another person, in foster care or in an institution. In order to protect the best interest of the child, the CSD or court may also decide that one or both parents are not informed about where the child is accommodated. The other obligations and rights of the parents related to the child do not cease to apply, unless the court restricts parental responsibility as an additional measure. In addition to removing the child from the parents, the court may also restrict or withdraw the right to contacts of one or both parents in accordance with Article 173 of the DZ.

In accordance with Article 172 of the DZ, the court may decide on medical examination or treatment of a child without the consent of the parents or contrary to their decision where this is necessary due to endangerment of the child's life or where the child's health is at serious risk. Where the child is capable of consenting to medical treatment or care in accordance with the act governing patient's rights, such measure may only be implemented on the basis of their consent.

In Article 210, the DZ expressly stipulates regarding mediation in matters of parental responsibility that no mediation shall be carried out between parties in cases of suspected domestic violence.

With the entry into force of the Non-Contentious Civil Procedure Act⁴⁷ (hereinafter referred to as: ZNP-1) in April 2019, personal information controllers, organisations and persons who possess the information required for making a decision are due to the protection of the best interest of the persons referred to in paragraph two of Article 6 of the Act obliged to provide the court with the required information even against the will of the person the information relates to. Notwithstanding

⁴⁷ (Official Gazette of the Socialist Republic of Slovenia [*Uradni list SRS*], Nos. 30/86, 20/88 – amend., Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 87/02 – SPZ, 131/03 – Constitutional Court Decision, 77/08 – ZDZdr, 10/17 – ZPP-E and 16/19 – ZNP-1).

the restrictions stipulated by the ZPP, the court may also use as evidence both the written record or the audio or video recording of the interview with the child from another court procedure, as well as the written opinion of the expert witness from another court procedure if it assesses that this would timely protect the child's benefit (Article 48 of the ZNP-1). In accordance with the provision of Article 95 of the ZNP-1 in a procedure for the protection of the best interest of the child, the court (*ex officio*) examines in the court entry registers whether measures for the protection of the best interest of the child had already been imposed under the DZ, the act which regulates tasks and powers of the police, the act governing criminal procedure and the act regulating prevention of domestic violence.

The court will take into consideration *ex officio* the information obtained on the basis of Article 95 of ZNP-1 when deciding in all procedures for the protection of the best interest of the child, including decisions on custody and visitation.

Consolidated report on measures imposed to secure the presence of the accused at district courts in 2018 (source: Court statistics in 2018)

HOUSE ARREST – total: 28
Number of persons with the measure – in preliminary proceedings – 3
Number of persons against whom the measure was imposed – after the filing of the indictment in the court – 0
Number of persons against whom the measure was imposed – in preliminary proceedings – 25
MANDATORY REPORTING TO POLICE STATION – total: 17
Number of persons with the measure – in preliminary proceedings – 0
Number of persons against whom the measure was imposed – after the filing of the indictment in the court – 0
Number of persons against whom the measure was imposed – in preliminary proceedings – 17
RESTRAINING ORDER – total: 27
Number of persons with the measure – in preliminary proceedings – 0
Number of persons against whom the measure was imposed – after the filing of the indictment in the court – 0
Number of persons against whom the measure was imposed – in preliminary proceedings – 27
SECURITY – total: 0
Number of persons with the measure – in preliminary proceedings – 0
Number of persons against whom the measure was imposed – after the filing of the indictment in the court – 0
Number of persons against whom the measure was imposed – in preliminary proceedings – 0

5.4 Civil consequences of forced marriages

The DZ stipulates that a marriage shall be founded on the free decision to enter into a marriage, on a feeling of attachment on both sides, mutual respect, understanding, trust and mutual assistance (Article 20), and that the spouses shall be equal in marriage (Article 21). A marriage is not valid without consent given as a free expression of will of the future spouses, and there is no consent given as a free expression of will if consent has been forced or given in error. The DZ stipulates that the annulment of a marriage which was concluded under duress or in error may be requested only by the partner who was coerced or who consented to marriage in error (Article 51). The annulment may not be requested if a year has passed since the day on which the coercion ended or the error was recognised, and the couple have lived together during this time.

The National Programme of Measures for Roma for the Period 2017–2021 includes three target-oriented measures in the field of social assistance which respond to the issues or challenges of so-called child and forced marriages or minors running away to harmful environments and the procedures for discussing these cases. There are three objectives and measures in this field: 1. drafting of guidelines and recommendations for the work of the professional staff of CSDs in cases of minors running away to harmful environments; 2. activities for dealing with the issue of child, arranged and forced marriages (as part of the public call for the establishment of multi-purpose Roma centres); 3. drafting a protocol of measures taken in procedures for cases of civil partnership with minors. The programme primarily encourages NGOs which already organise trainings for the Roma community on the ground to include in their programmes the content from the field of forced and child marriages, which would strengthen the role of Roma women and address harmful cultural practices and the rights of children. The legal basis for training of the professional staff in the field of prevention of domestic violence, including child and forced marriages among the Roma, and highlighting the consequences of such practices by the parents for their children lies in the ZPND. Discussions with the representatives of multi-purpose Roma centres operating at seven locations (in seven municipalities) took place about the consequences of minors running away to harmful environments or to live in civil partnerships (child marriages) and the consequences of forced marriages. Awareness-raising activities on this topic became an integral part of the programme of multi-purpose Roma centres in 2018.

5.5 Criminalisation of forms of violence against women

5.5.1 Psychological violence

In relation to the definition of psychological violence as a criminal act, the following provisions of the KZ-1 are relevant in relation with the provision of the Istanbul Convention:

- Criminal coercion (Article 132) – Whoever, by means of force or serious threat, coerces another person to perform an act or to omit performing an act or to suffer any harm shall be sentenced to imprisonment of up to one year.
- Threat (Article 135) is defined as an act, made with the purpose of intimidation or harassment, of assault on life or body of a person or his or her freedom or property of major value, or against persons close to the victim. A fine or a prison sentence of six months may be imposed for such an act. If a threat is made with a dangerous object or weapon or in a way which may cause bodily harm, a higher prison sentence of up to one year may be imposed.

Psychological violence is also punishable as part of the criminal act of domestic violence, with the KZ-1 (Article 191) also sanctioning a threat with direct attack on life or limb with the purpose of throwing a person out of the joint residence, in addition to direct maltreatment and violent conduct. A prison sentence of up to five years is envisaged for such acts.

The aspect of psychological violence is also sanctioned in the case of workplace mobbing, with Article 197 prohibiting harassment, physical violence, maltreatment or unequal treatment with the purpose of degrading or frightening another person at the workplace. A prison sentence of up to two years is envisaged for such acts. If mobbing results in illness or disease and if the work productivity of the affected employee is reduced, the perpetrator shall be sentenced to imprisonment for up to three years.

Furthermore, the criminal act of violent conduct is considered as a threat within the context of the Convention, with Article 296 defining it as an act when the perpetrator persecutes a person or deprives them of freedom of movement, forces them to work or to omit work, or otherwise puts them in a subordinate position with a threat of imminent attack on life or limb. A prison sentence of up to two years is envisaged for such act.

5.5.2 Stalking

Stalking is defined in Article 134.a of the KZ-1 as repeated watching, pursuing or intrusive attempts at establishing direct contact or contact through electronic communication media. The act of stalking makes the stalked person or those close to them feel intimidated or threatened. A fine or a prison sentence of up to two years is envisaged for such acts. If the victim is a defenceless person or a minor, the envisaged prison sentence is higher, i.e. up to five years.

Stalking is also emphasised in the provision related to domestic violence (Article 191), as stalking is considered a form of domestic violence which is penalised with a prison sentence of up to five years.

5.5.3 Physical violence

In relation to physical violence as defined in the Convention, the relevant provisions in the KZ-1 are those related to violent conduct (Article 296). That article covers acts such as: maltreatment, beating and punishing in a painful or humiliating manner, and use of force with an imminent attack on life or limb. The envisaged punishment is a prison sentence of up to two years. The act specifically defines the case of infliction of light bodily harm with violent conduct, for which a prison sentence of up to three years is envisaged. The act also punishes violent conduct more severely if it is committed by multiple persons.

The KZ-1 also criminalises the infliction of light (Article 121), aggravated (Article 123), and grievous bodily harm (Article 124). A prison sentence is also envisaged considering the qualified criminal act. The highest penalty envisaged in said cases is a prison sentence of up to ten years.

Physical violence is also specifically defined and sanctioned in the article, which defines domestic violence, as it prohibits maltreatment, beating, or other painful or degrading treatment, and the aggressive limiting of one's rights with the purpose of putting them into a subordinate position in a family or other permanent community. The envisaged punishment is a prison sentence of up to five years. In cases where the community falls apart, and the act is connected to the community, a prison sentence of up to three years is envisaged.

5.5.4 Sexual violence, including rape

In the KZ-1, sexual violence, including rape, is defined in a special chapter which covers criminal acts against sexual integrity. All acts defined in the chapter, which defines criminal acts of sexual violence, also include provisions which define aggravating circumstances. It thus covers situations when the act was committed in an especially atrocious or humiliating manner or successively by more persons. A more severe sentence is envisaged in that case. Furthermore, the Act defines as a criminal act all acts of sexual violence, a rape or sexual violence committed in a marriage, civil partnership or registered same-sex partnership. In accordance with the provisions of the Act, the age of 15 is considered the age at which persons participate in a sexual intercourse consensually. However, what needs to be considered is the provision of the Act which

protects defenceless persons; in other words, persons who are weaker and more vulnerable due to the level of their mental or physical development.

Rape (Article 170) covers any compelling, by force or threat of imminent attack on life or limb, of sexual intercourse or equal sexual conduct regardless of the gender of the persons. A prison sentence of one to ten years is envisaged for such an act. The indication of sexual intercourse or equal sexual conduct effectively takes into consideration all acts specified in Article 36 of the Convention. Also defined as a criminal act of rape are cases when the perpetrator compels a person to submit to sexual intercourse or equal sexual conduct by threatening them with the disclosure of any matter concerning them or their next of kin which could damage their or their next of kin's honour or reputation, or that the perpetrator shall cause major property damage to them or their next of kin. The envisaged penalty is up to five years in prison.

Furthermore, sexual violence is specifically defined (Article 171), namely in the case of the use of force or threat to a person with imminent attack on life or limb thereby compelling that person to submit or endure to any sexual act not covered by the article covering rape. A penalty of between six months and ten years in prison is envisaged in this case. Also defined in the case of sexual violence is the situation in which the perpetrator forces the victim into an act by threatening them with the disclosure of information which could damage them or their next of kin, or cause major property damage to the victim or their next of kin.

Also specifically defined is the criminal act of sexual abuse of a defenceless person (Article 172), where the perpetrator has sexual intercourse or performs any other sexual act with a person by abusing their mental illness, temporary mental disorder, graver mental retardation, or weakness or any other state, owing to which that person is not capable of resisting. A prison sentence of up to eight years is envisaged for such an act. If the perpetrator, under the circumstances noted in the preceding paragraph, violates the sexual integrity of a defenceless person in any other way, they are penalised with a prison sentence of up to five years.

Also specifically defined is the criminal act of sexual assault on a person younger than fifteen years (Article 173). In this case, a prison sentence of between three and eight years is envisaged. A higher prison sentence (of three to ten years) is envisaged in the case that such a criminal act is committed by a person to whom the minor was entrusted into custody or education or health treatment, or if that person is the victim's custodian, adoptive parent or parent. A penalty is also envisaged if threat or force is used so that the criminal act is committed with another person. A penalty of between five and fifteen years in prison is envisaged in this case. The perpetrator is also penalised in the case that they sexually violate a minor in any other way. A prison sentence of up to fifteen years is envisaged. If a sexual intercourse or any other sexual act takes place between two persons of comparable age (two minors) or if the act corresponds to the level of their mental and physical development, such an act is not unlawful.

Also relevant for the implementation of this provision of the Convention is the provision which sanctions violations of sexual integrity by abuse of position (Article 174), where it is expressly prohibited to abuse position with the purpose of inducing a subordinate or a person of who depends on them to have sexual intercourse or to submit to any other sexual act. A prison sentence of up to five years is envisaged. A stricter penalty (prison sentence of one to eight years) is envisaged in the case of violation of sexual integrity with abuse of position by a person to whom the dependent person was entrusted into custody or education or health treatment, or if that person is the victim's custodian, adoptive parent or parent.

What also needs to be emphasised that the criminal act of criminal solicitation is specifically defined in the KZ-1 (Article 37). In the cases of severe criminal acts (where a prison sentence of three years or more is envisaged), solicitation is penalised as an attempted criminal act even if there was no attempt.

5.5.5 Forced marriage

The prohibition of forced marriage or similar union has been defined in a special article of the KZ-1 (Article 132a.) since 2015, where the Act specifically emphasises and penalises forced marriage or similar union with a prison sentence. The perpetrator of such a criminal act is sentenced to up to three years in prison. The envisaged penalty is stricter or higher in the case when the victim is a minor or a defenceless person; the perpetrator may be sentenced to up to five years in prison. The said article prohibits forced marriage and appropriately complements the general article which prohibits any criminal coercion (Article 132), i.e. deliberate impact on a person's free decision. Criminal coercion is penalised with a prison sentence of up to one year.

If this is also accompanied by servitude and/or one of the forms of sexual abuse characteristic of certain forms of trafficking in human beings, it is penalised under Article 113 of KZ-1 with a prison sentence of up to ten years and a fine. If the act is committed against a minor or with force, threat, deception, kidnapping, or exploitation of a subordinate or dependent person, 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, it is penalised with a prison sentence of between three and fifteen years.

Also relevant for this provision of the Convention is the article related to kidnapping (Article 134), where the intention to compel a person to perform an act against their will is specifically emphasised. The sentence envisaged for kidnapping is between six months and five years in prison. A more severe penalty is envisaged when the act is committed against a minor or when the victim is threatened with murder or grievous bodily harm.

The KZ-1 also specifically defines and penalises unlawful imprisonment in Article 133, which stipulates that whoever unlawfully incarcerates another person or keeps them incarcerated or otherwise deprives them of the freedom of movement is sentenced to up to one year in prison. If the act referred to in the preceding paragraph is committed by an official through the abuse of office or official authority, it is penalised with a prison sentence of up to three years. Whoever either deprives another person unlawfully of their liberty for a period exceeding one week or acts so in an aggravated manner is sentenced to a prison sentence of between three months and five years.

5.5.6 Female genital mutilation

In the Slovenian criminal legislation, all forms of female genital mutilation fall under the definition of committing the criminal act of bodily harm. The KZ-1 defines light, aggravated and grievous bodily harm (Articles 122, 123 and 124). Given the definition in the Act and its interpretation (there is no case law in Slovenia in this field), female genital mutilation is qualified as especially grievous bodily harm, as the mutilation results in permanent impairment of a human organ and permanent damage of the victim's health. Depending on the form of the inflicted bodily harm, a prison sentence of between one and ten years is envisaged; up to fifteen years in the case of death of the victim.

The Act also specifically defines situations in which bodily harm is inflicted with consent of the affected person. But the possibility of consent is defined very restrictively, as the perpetrator of bodily harm must not affect any other person or endanger any common legal value; female genital mutilation undoubtedly violates the latter. The Act also penalises solicitation or participation in solicitation or assistance in committing a criminal act (Articles 36.a and 37).

5.5.7 Forced abortion and forced sterilisation

The KZ-1 specifically defines an illegal abortion (Article 121) without consent from the pregnant woman. A penalty of between one and eight years in prison is envisaged in this case. The Act also penalises abortion performed with consent of the pregnant woman but in a manner not congruous with medical practice and methods of termination of pregnancy determined by the law. Quackery is being prevented and penalised with this provision. If such acts result in grievous bodily harm or death of the woman, a higher sentence is envisaged of between three and fifteen years in prison.

Forced sterilisation is not specifically defined in the Slovenian legislation, but it belongs to the criminal acts of infliction of especially grievous bodily harm, which is penalised with a prison sentence of between one and ten years. Sterilisation is permitted only under the conditions determined in the Health Measures in Exercising Freedom of Choice in Childbearing Act⁴⁸ (hereinafter referred to as: ZZUUP), where the basic condition is the consent of the individual for medical procedure or, in special cases, a decision of an expert medical commission.

5.6 Sexual harassment

At the workplace, the employer is obliged to provide a working environment in which no employee will be exposed to sexual harassment or gender-based harassment. The employer must take appropriate measures for the protection against sexual harassment and preventive measures for providing a safe working environment. In the Slovenian legislation, sexual harassment is defined as any form of unwanted verbal, non-verbal or physical conduct or conduct of a sexual nature that occurs with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating, or offensive environment. It is regulated both by the labour and criminal legislation.

In the criminal legislation, sexual harassment is expressly regulated in the provision related to workplace mobbing (Article 197). The KZ-1 expressly prohibits sexual harassment at workplace. A prison sentence of up to two years is envisaged. From the aspect of abuse of personal information, the Act also expressly prohibits publication of sexual messages and content without consent of the other person, who gets their privacy intruded on by this act. A penalty of between three months and three years in prison is envisaged in this case.

What may be qualified as sexual harassment in the criminal provisions are acts of stalking (Article 134.a), with intrusive attempts at making direct contact with a person, for example forcing contact by means of electronic media, by sending insulting texts or pictures, also considered as stalking. A prison sentence of between one month and two years is envisaged for such an act.

Sexual and other forms of harassment and mobbing at workplace are also prohibited by Article 7 of the ZDR-1. Moreover, the Slovenian legislation defines sexual harassment as a form of

⁴⁸ (Official Gazette of the Socialist Republic of Slovenia [*Uradni list SRS*], Nos. 11/77, 42/86, and the Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 70/00 – ZZNPOB)

discrimination (Article 7 of the ZDR-1 and Article 8 of the ZVarD). Article 47 of the ZDR-1 stipulates that employers are obliged to provide a working environment such that none of the employees is subjected to sexual or other harassment or mobbing on the part of the employer, a superior or co-employees. To this end, the employer must take appropriate steps to protect employees from sexual and other harassment, or from mobbing at the workplace. The employer must inform the employees of the adopted measures in writing. If, in the event of a dispute, an employee cites facts giving grounds for the suspicion that the employer has not provided a working environment such that none of the employees is subjected to sexual or other harassment or mobbing, the burden of proof rests with the employer.

Also stipulating special tasks to employers is Article 24 of the Health and Safety at Work Act⁴⁹ (hereinafter referred to as: ZVZD-1), which says that employers shall adopt measures to prevent, eliminate and manage cases of violence, bullying, harassment and other forms of psychosocial risks at the workplace which can pose a threat to workers' health.

5.7 Aiding or abetting, and attempt

According to the KZ-1, abetting is a criminal act in the case of intentional solicitation (Article 37). In this case, the perpetrator is punished as if they themselves had committed the criminal act. The same is applied if there was an attempt at criminal act by means of criminal attempt. The KZ-1 also envisages punishment for solicitation of an attempt the same as the attempt itself. A person who intentionally supports another person in the committing of a criminal act is punished as if they themselves had committed it. The KZ-1 defines what is considered as support in this respect (for example, instructing the perpetrator, providing the perpetrator with instruments of criminal offence, giving promises to conceal the perpetrator's criminal act or any traces thereof).

For an attempt (Article 34), which is defined in the KZ-1 as an act that was initiated but never completed, a prison sentence of up to three years is imposed, or a more severe sentence in case it was an attempted criminal act. In other cases, an attempt is penalised only when it is specifically defined for the concrete criminal act that an attempt of such an act is also penalised. Considering the fact that a sentence of more than three years in prison is envisaged for a majority of the criminal acts related to the content of the Convention, the general provision may be applied for them.

5.8 Unacceptable justifications for crimes

In the Slovenian criminal legislation, the possibility of justification of criminal acts is defined very restrictively. It is specifically emphasised that criminal acts committed out of honour or other legal norms (for example, religious beliefs) cannot be considered as a mistake of law (Article 31). The KZ-1 also clearly defines that a person younger than 14 cannot be the perpetrator of a criminal act.

5.9 Application of criminal offences

The KZ-1 in principle is applied to any person of full age, but it should be emphasised that certain criminal acts are prosecuted on the proposal of the affected party. Such criminal acts are, for example, rape and sexual violence, if these were committed in a marriage, civil partnership or registered same-sex partnership. However, after such a criminal act is reported, there are no

⁴⁹ (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 43/11)

differences any more regarding further processing and procedures, as well as the punitive policy. With regard to certain criminal acts, such as rape and sexual violence, committed in a marriage, civil partnership or registered same-sex partnership, Slovenia has certain reservations as these acts are prosecuted in the Republic of Slovenia on the proposal of the affected party.

5.10 Jurisdiction

The KZ-1 is applied to any person who commits a criminal act on the territory of the Republic of Slovenia, with the territory including a vessel sailing under the flag of the Republic of Slovenia or an aircraft flying under Slovenian registration (Article 10). Furthermore, the KZ-1 also applies in the case of a criminal act committed abroad, when the victim is a Slovenian citizen (Article 11). It is also stipulated that the KZ-1 applies in the case when a foreigner commits a criminal act against a foreigner and gets apprehended on the territory of Slovenia and does not get extradited (Article 12). In that case, a more severe punishment is applied than that prescribed with the law of the country where the criminal act was committed. Criminal prosecution in Slovenia also applies to anyone who commits a criminal act abroad which, under an international treaty or general legal principles recognised by the international community, is prosecuted in all countries regardless of where it was committed (Article 13).

With regard to the implementation of the provisions of Article 44 of the Convention, Slovenia has certain reservations, namely:

- to point e of paragraph one, as the Slovenian substantive criminal law is not familiar with the term habitual residence;
- paragraph three: under the Slovenian legislation, the so-called double criminality is a condition for jurisdiction of the Republic of Slovenia if the criminal act was committed abroad (Article 14 of the KZ-1), while in certain cases the perpetrator may be persecuted by permission of the Minister of Justice;

Article 15.a of the KZ-1 stipulates that, in the cases when an act referred to in the chapters related to criminal acts against life and limb, human rights and liberties, sexual integrity or an act referred with elements of violence referred to in the KZ-1 is committed against a minor, the provisions of the KZ-1 on the filing of proposal or private lawsuit are not applied in relation to the manner of criminal prosecution, and the perpetrator is prosecuted *ex officio*.

5.11 Sanctions and measures

In Articles 2 and 3, the KZ-1 regulates the lawfulness and the system of criminal sanctions, and it stipulates in Article 3 that the imposition of a sentence must be in proportion to the weight of the committed act and the perpetrator's guilt. A person may be given a sentence or other sanction only for an act that has been defined as a criminal act by the KZ-1 before that act was committed. Furthermore, the KZ-1 determines the types of sanctions which may be imposed by judges depending on the type of criminal act. The KZ-1 also stipulates that the sentence should be imposed in proportion to the weight of the committed criminal act, which is why an admonitory sanction and security measures may be imposed instead of a sentence under certain conditions. What should be emphasised is that security measures include restraining orders or prohibition of communication with the victim, which are imposed in the case of criminal acts defined in accordance with the Convention.

The ZPND defines measures for ensuring the victim's safety, with

- Article 18 defining measures for the protection of life and provision of personal safety of the victim by the police;
- Article 19 defining measures of the court to address acts of violence by perpetrators who have physically harmed the victim or harmed their health or have in any other way unlawfully encroached on their dignity or any other personal rights;
- Article 20 stipulating additional child protection measures;
- and Articles 21 and 22 stipulating that the court may order the perpetrator of violence who lives or lived in a common household with the victim to transfer the accommodation to the victim for exclusive use in the extent enjoyed by the perpetrator, which is also applied in the case of divorce.

The court imposes the measures for not more than 12 months, unless otherwise provided by the ZPND. The victim may propose an extension of the measure before the expiry of the period for which the measure was imposed. The court may extend the validity of the measure several times, each time for not more than 12 months, unless otherwise provided by the Act. In the decision with which it imposes the measure, the court's decision or court also imposes a fine should the perpetrator not act in accordance with the court's decision or violate the obligation referred to in Articles 21 and 22 of the ZPND. Fine is imposed in accordance with the provisions of the act regulating enforcement in terms of the obligation of what to perform, allow or omit.

Article 22.g of the ZPND also stipulates that when making decisions in procedure, the court also takes into account the child's opinion if it has been expressed by the child or by a person the child trusts and was chosen by the child, provided that the child is capable of understanding its meaning and consequences. If the measures are issued for protection of a child, their implementation is monitored by a CSD, which also performs all other required actions related to child protection in accordance with the act governing family relationships. At the request of the victim, a CSD may obtain from the penal institution information about the leaves, possible escape and envisaged date of release of the convicted person who perpetrated violence against the victim or the victim's children (Article 14 of the ZPND).

5.12 Aggravating circumstances

The KZ-1 does not exclude either of the aggravating circumstances envisaged by the Convention, with some of them being listed as examples in Article 49. The same article of the KZ-1 also defines general rules for determining a sentence, with the court being obliged to take into consideration both the mitigating and aggravating circumstances when determining a sentence. When it comes to the acts covered by the Convention, the key aggravating circumstances mentioned by the Convention are specifically emphasised and consequently sanctioned. These circumstances are: minority, defencelessness of the victim, especially cruel treatment, infliction of grievous bodily harm, several perpetrators, perpetrators were, for example, a teacher, parent, priest etc. This makes penalties for individual criminal acts appropriately higher.

5.13 Sentences passed by another Signatory State

The ZKP stipulates that, as part of the chapter, Procedures for international legal aid and the execution of international agreements on matters of penal law, the court may grant a proposal from the prosecution or request from the relevant foreign body, with which the execution of a final criminal conviction by a foreign court is requested, if this is permitted by an international treaty or if reciprocity applies. What also needs to be considered are the conditions individually specified in the Act, including that the judgement of the foreign court does not encroach upon the

fundamental principles of legal order in Slovenia; that the person has not already been convicted or acquitted with a final decision for the same act; that it is an act which is penalised also in the Slovenian legislation; that the judgement was issued in the presence of the person; and that the sentence is not statute-barred under the Slovenian legislation (Article 517). In the case where the above-mentioned conditions are met, it is also permitted to issue a decision on provisional arrest (Article 517a). A foreigner who is serving a prison sentence based on a ruling of a Slovenian court, may also submit a request to serve the sentence in the country of their citizenship or residence (Article 517č). The foreigner needs to be informed about this possibility. If another criminal procedure is not conducted against the person and if the the person has settled the possible fine and other property law claims it is possible to grant such a request.

Ways of even closer cooperation between judicial bodies are defined in the Cooperation in Criminal Matters with the Member States of the European Union Act⁵⁰ (hereinafter referred to as: ZSKZDČEU-1), where cooperation of judicial bodies is defined also in other sections of criminal procedure and not only in the execution of a prison sentence. In the field of international legal aid in criminal matters, the Republic of Slovenia is bound by numerous multilateral treaties. International legal aid in criminal matters is also regulated by numerous bilateral agreements.

5.14 Prohibition of mandatory alternative dispute resolution processes or sentencing

While the criminal law in Slovenia does not know mediation, there exists the procedure of settlement on criminal matters, whose objective is to conclude an agreement which contains certain moral or material satisfactions for the party affected by the act committed by the perpetrator. The Slovenian criminal legislation knows some alternative ways for treating the perpetrator's criminal acts (for example, settlement, suspended prosecution), but the ZKP does not prescribe them as mandatory in any case. The ZKP determines the conditions in which an alternative way of serving a prison sentence is possible. This possibility is, however, prohibited if the criminal act against sexual integrity was committed. The law also clearly states that an alternative way of serving a sentence is possible (for example, a prison sentence of up to nine months, which is implemented with house arrest), but that circumstances which could affect the security of the country also need to be considered (possibility of repeating the act, family and personal circumstances).

A fine may be imposed in the cases when the KZ-1 stipulates this expressly. But a fine may be imposed not only as the main penalty, but also as a legal consequence. If the criminal act was committed out of the self-serving interest, fine may be imposed as a legal consequence even when this is not expressly prescribed by the law. Article 47 of the KZ-1 requires from the court to take into account the perpetrator's family expenditure when determining the amount of the fine. Alternative court dispute settlements are permitted in civil proceedings for compensation (concretely mediation), but the court, in the case that violence is involved, would not allow such a way of dispute settlement, and it should also pay particular attention to the possible court settlement, because in such cases one could hardly speak about settlement to which both parties would give concessions and which would reflect the true will of the affected party. The ZPND expressly prohibits settlement in such procedures and, in procedures which are conducted because of any form of violence, alternative dispute settlement is excluded (Article 22.e).

We cannot answer the question of how internal law makes sure that such procedures are not conducted for women victims of domestic violence in any other way, for example in the

⁵⁰ (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos. 48/13, 37/15 and 22/18)

procedures of divorce and termination of civil partnership, because this data is not being collected and kept systematically and centrally. Being kept centrally is the statistics on individual criminal acts, but the insight in terms of the affected party is not enabled. In order to obtain data, a questionnaire was sent to all courts, and different responses were received, on basis of which it can be concluded that courts do not keep special statistics – register by victims of violence against women neither in terms of criminal acts nor minor offences. For this reason, it is not possible to obtain official and relevant statistical data related to victims of criminal acts or perpetrators.

5.15 Administrative and judicial data

The Slovenian police dealt with the following number of criminal acts of manslaughter under Article 115 of the KZ-1 (included are finalised criminal acts and attempts, with woman victims, and the criminal act committed in a relationship: former spouse or intimate partner, spouse):

2014	2015	2016	2017	2018
4	1	2	2	2

The Slovenian police dealt with the following number of criminal acts of murder under Article 116 of the KZ-1 (included are finalised criminal acts and attempts, with woman victims, and the criminal act committed in a relationship: former spouse or intimate partner, spouse):

2014	2015	2016	2017	2018
6	6	5	7	4

Data in the table show the number of female victims for the specified criminal acts. The police do not keep a record which would show who reported the criminal act (victim of a third person).

Number of actual affected persons	Article	Description of classification of violation	Year			
			2015	2016	2017	2018
122		Light bodily harm	441	399	346	450
123		Aggravated bodily harm	31	32	26	44
124		Grievous bodily harm	3	1	0	0
170		Rape	41	28	38	32
171		Sexual violence	28	38	39	29
172		Sexual abuse of a defenceless person	12	16	14	13
173		Sexual assault on a person below fifteen years of age	61	93	89	85
174		Violation of sexual integrity by abuse of position	9	6	4	7
176		Presentation, manufacture, possession and distribution of pornographic material	26	43	59	69
191		Domestic violence	1,206	1,184	1,227	1,334
192		Neglect and maltreatment of a minor	257	251	275	311

6 INVESTIGATION, PROSECUTION, PROCEDURAL LAW AND PROTECTIVE MEASURES

6.1 General obligations

In accordance with the ZKP, the court shall undertake to ensure that proceedings are conducted without unnecessary delay and that any abuse of the rights of participants in the proceedings is rendered impossible (Article 15).

6.2 Immediate response, prevention and protection

In providing assistance to victims, the relevant bodies and organisations taking quick measures is of key importance. This is done in order to ensure the safety of the victim on the one hand, and so that the victim does not lose trust in the work of bodies and organisations on the other. It is also important that a clear message is sent to the perpetrator that the state does not allow violent conduct. Article 10 of the ZPND stipulates that authorities, organisations and NGOs are bound to, part of their tasks and authorisations pursuant to laws and other regulations, consider instances of violence on a priority basis, and to provide mutual information and assistance intended to prevent and identify violence, as well as eliminate the causes and offer assistance to the victim in establishing safe living conditions.

The ZKP takes into account the obligation of the prosecution authorities in general for all criminal acts. This means that it appropriately regulates responsiveness, prevention and protection in regard to that provision of the Convention. In the chapter regulating the pre-trial procedure, the ZKP stipulates in Article 145 that all state bodies and organisations having public authority are bound to report criminal offences liable to public prosecution *ex officio*. The KZ also stipulates when the failure to report is itself considered a criminal act. Furthermore, Article 148 of the ZKP says that the police are to be bound to take steps necessary for discovering the perpetrator and to protect all evidence needed for successful criminal proceedings. Also relevant for ensuring the protection of the victim under the provisions of the Convention is the provision of the ZKP, which in the case where a risk of re-offending exists, enables detention to be ordered if there is reasonable suspicion that the person has committed a criminal act. What needs to be considered when making such decision is the gravity, manner or circumstances in which the criminal act was committed.

In Article 195.a, the ZKP allows the possibility of the court issuing a restraining order related to a person. Furthermore, the ZKP allows for prohibition of unwanted contact between the victim and perpetrator (by the body which conducts the pre-trial or criminal procedure). Every victim needs to be individually assessed from the aspect of their endangerment to secondary and repeated victimisation (this assessment needs to be updated during the criminal proceedings if the circumstances change) and on this basis the court may take various protective measures (for example, excluding the public from the main hearing, cross-examination via videoconference, etc.). More extensive protective measures are regulated in the Witness Protection Act⁵¹ (hereinafter referred to as: ZZPrič). Furthermore, new court buildings will need to have separate waiting rooms for victims of criminal acts, who consequently will not be waiting for a hearing together with the perpetrators.

⁵¹ (Official Gazette of the Republic of Slovenia [Uradni list RS], No. 81/06 – official consolidated text, 117/06 – ZDoh-2, 110/07 and 30/18)

In addition to the police tasks, the ZNPPol also defines the general principles for the performance of police tasks, where it is emphasised that police officers must treat persons who need additional attention or assistance with special care. An appropriate oversight system has also been established in the police. The police are a hierarchical, three-level institution (local, regional and national level), where the responsibility for lawful work is understood both vertically and horizontally. Responding promptly is important.

In the Slovenian legislation, an offence with elements of violence, as determined by the ZJRM-1, is dealt with when someone provokes or instigates someone for a fight or behaves in a daring, violent, shameless, insulting or similar manner or if someone stalks someone and with this behaviour causes a feeling of humiliation, endangerment, hurt, or fear, when someone hits another person or fights with other persons. If the listed offences are committed against a spouse, cohabiting partner or a partner in a registered same-sex partnership, former spouse or cohabiting partner or a partner in a registered same-sex partnership, blood relative in direct line, adoptive parent or adopted child, foster parent or foster child, guardian or a person entrusted to the care of that person, or against a person living in the same household with the perpetrator, the perpetrator is penalised with a fine. In 2017, the police recorded 2,972 violations of the ZJRM-1 and a total of 2,883 payment orders and 89 warnings were issued to the perpetrators. In 2018, a total of 2,764 violations of the ZJRM-1 were recorded and a total of 2,687 payment orders, and 77 warnings were issued to the perpetrators.

Separately from offences, the police keep a record of the cases of the criminal act domestic violence as per Article 191 of the KZ-1. A total of 1,273 criminal acts were dealt with in 2017, while 1,370 were dealt with in 2018.

6.3 Risk assessment and risk management

The ZPND stipulates in Article 15 (victim assistance plan) that after examining the circumstances of a specific case, a CSD is bound to provide forms of assistance for the victim pursuant to the act regulating social security, as well as to assess whether it is required to also draw up an assistance plan for the victim, done with the victim's help. The assistance plan is drawn up if long-term action needs to be taken to establish a safe environment for the victim, or if multiple actions for providing assistance are required, and in any other case if it is deemed necessary. The assistance plan is drawn up as part of the multidisciplinary team (Article 14). The CSD invites other bodies and organisations, which do or will deal with the victim or perpetrator of violence as part of their field of operation, and NGOs to participate in the team. Responsible persons at bodies and organisations who are asked to prepare an assistance plan shall be bound to ensure cooperation from the representatives of authorities and organisations. If the victim of violence is a child, then actions are envisaged in the assistance plan for providing protection for the child according to the regulations governing family relationships.

The safety plan is drawn up by a member of the professional staff at the CSD. Together with the victim, the member of the professional staff examines the situation and defines the problem of the violence; identifies who else is a (potential) victim of the violence in the family; assesses the victim's psychological and physical condition and the victim's social support network; drafts an initial threat assessment with the help of the victim; defines modes of operation with regard to ensuring safety and strengthening the victim; informs the victim of all of their rights and options on the basis of various acts. The CSD conducts an interview with the victim, and makes a risk analysis, an assessment of endangerment and an individual safety plan.

The task of CSDs is to obtain information about various programmes for the inclusion of victims and perpetrators of domestic violence, so that they could successfully refer them to appropriate programmes, which will help solve their distress and problems. In addition to immediate assistance to a victim of domestic violence, their task is also to ensure their long-term safety and prevent further violence. In collaboration with various services and the victim of violence, the CSD creates the most effective assistance plan for the victim. In drawing up an assistance or safety plan, consent or cooperation of the victim is needed if the victim is an adult, and if the victim is a child, the CSD has the legal obligation and powers to protect the child from further endangerment or abuse.

6.4 Emergency barring orders and restraining or protection orders

The Slovenian legislation knows several forms of restraining orders, which do not differ in their content, while different bodies are competent for their imposition in different procedures:

- the amendments to the ZKP from 1999 introduced alternatives to detention, including the prohibition of approaching a specific place or person (Article 195.a);
- in 2003, the amendments to the Police Act⁵² (hereinafter referred to as: ZPol) introduced the possibility that the police order the prohibition of approaching a specific place or person in cases of domestic violence which represent an offence. The police issues a restraining order for 48 hours, and an investigating judge may extend it for the maximum of 10 days combined;
- since the amendments to the ZPol from 2006 entered into force, it is possible to issue a restraining order not only for offences with elements of violence, but also for a violent criminal act. Also specifying the issuing of restraining orders is the ZNPPol, which replaced the ZPol in 2013;
- the amendments to the ZNPPol from 2017 changed the possibility of the first extension of the measure from 10 to 15 days. Also specified is the obligation of the police to inform a responsible person of the educational institution attended by the victim of violence about the measure, and the obligation of the police or an investigating judge to inform the affected party about the possibility of filing a request to be issued a European decision on protection for cases when they want to leave the country;
- the restraining order is also defined in Article 19 of the ZPND (measures of the court to address acts of violence). Under that Act, a restraining order is issued by the court in a non-contentious procedure on the proposal of the victim (as already mentioned, the victim has the right to free legal aid in this case). In the case of a violation of a restraining order, the perpetrator may be forced to respect it under the rules of the enforcement procedure (imposing of a fine);
- it is also envisaged that the court may prohibit the perpetrator to get closer or communicate with the victim of the criminal act as per the KZ-1 in cases of suspended sentences.

On the basis of Article 60 of the ZNPPol, the police may issue a restraining order relating to a particular person, place or area. The measure is imposed immediately when there is a reasonable suspicion that a person has committed a criminal act or offence with signs of violence, or if they have been apprehended in the act of committing such a criminal act or offence, and there are reasons to suspect that this person is about to endanger the life, personal safety or freedom of a person with whom they are or were in a close relationship in the sense of the provisions of the KZ-1 and ZPND. A restraining order related to a specific place or person is ordered by a police

⁵² (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 66/09 – official consolidated text, 22/10, 26/11 – Constitutional US, 58/11 – ZDT-1, 40/12 – ZUJF, 96/12 – ZPIZ-2, 15/13 – ZNPPol and 15/13 – ZODPol)

officer by immediately making an oral order to the perpetrator to whom the measure relates in the police procedure, and subsequently, within a period which must not be longer than six hours, hand a written order about the imposed measure to the perpetrator. With the order, the police prohibits the perpetrator from coming close to a specific place or person for 48 hours and immediately sends it to an investigating judge of the relevant district court, who may confirm, change or repeal the measure. The investigating judge decides on the measure within 24 hours. If the investigating judge confirms the restraining order related to a specific place or person, the measure may be imposed for up to 15 days, with the day when it is issued by the police counting as the first day. If there are reasonable grounds to suspect that the perpetrator will continue with threats after this 15-day period for which the restraining order related to a specific place or person was imposed expires, the victim may propose to the investigating judge before the expiry of the period that the measure be extended up to 60 days. If the legal conditions are fulfilled, the investigating judge issues a decision by the end of the validity of the measure with which the restraining order related to a specific place or person is extended. An appeal is possible against this decision within three days to the pre-trial panel of the district court, which decides on the appeal within three days. An appeal against the decision of the investigating judge does not suspend its execution. Eligible for lodging an appeal are the perpetrator, victim and police. The investigating judge sends the decision to the perpetrator to the address that the latter provided to the police, and if it is not possible to hand it to the perpetrator at that address, the decision is put on the notice board of the district court. The measures apply for all victims of violence. Supervision over the respect of a restraining order related to a specific place or person is performed by the police, who should immediately remove the perpetrator found in the area which the order refers to from that area. The police immediately verbally inform the investigating judge about the established violation of the restraining order, and later also in writing. The perpetrator who repeats the violation of the restraining order despite being ordered to pay a fine for the first violation, may be detained. On the basis of the ZNPPol, 880 such measures were imposed in 2017, and 1,028 measures in 2018. There were 395 violations of a restraining order in 2017, and 481 in 2018. A total of 395 fines for violations of a restraining order were issued in 2017, and 481 in 2018.

6.5 *Ex parte* and *ex officio* proceedings

As already mentioned in accordance with Article 145 of the ZKP, all state bodies and organisations having public authority are bound to report criminal offences liable to public prosecution *ex officio*. These bodies are also obliged to present all evidence they possess. Belonging to the criminal acts which are prosecuted *ex officio* are all criminal acts which are listed in the Convention, including criminal acts where the proceedings are initiated by the victim (for example, sexual violence by the spouse, light bodily harm), but the proceedings are conducted after the report in the same way, regardless of the report.

The prosecutor must not withdraw from prosecution if the criminal act is prosecuted *ex officio*. The only exception is when the victim personally agrees with this. Withdrawal from criminal prosecution is possible if it relates to a criminal act where a fine or a prison sentence of up to three years in prison is envisaged, or to certain criminal acts individually specified in the ZKP, in which case the perpetrator must perform certain tasks to reduce or eliminate the harmful consequences of the criminal act, for example, respect a restraining order, attend counselling or psychological or psychiatric assistance, perform community work (Articles 161.a and 162).

6.6 Measures of protection

When it comes to measures of protection under national law, the amendments to the ZKP adopted in April 2019 should be particularly highlighted, which take into account the integrity of the victim in criminal proceedings and which include solutions with which the victim is provided with appropriate support. The amendments to the ZKP thus improve the position of the affected party in the case of withdrawal from prosecution by the prosecutor or if the prosecutor has not initiated prosecution. Furthermore, the changes make it easier for the affected party to initiate prosecution when they have not been informed about the rejection of indictment. The changes bring a broader list of criminal acts where a person involved in the proceedings must have a legal representative if that person is a minor (if the person does not have a lawyer, one should be appointed *ex officio*). Being included into that set now are all criminal acts against marriage, family and children (Chapter XXI of the KZ-1).

Furthermore, the ZKP also expressly stipulates that the affected party who is a minor must have a legal representative already when the person is being heard in a pre-trial procedure in relation to the previously listed criminal acts (therefore, not only in the judicial phase of the procedure, but also if an interview is conducted by the police). The best interest of the minor must be the guideline in these procedures.

The ZKP also introduces the obligation of the police, State Prosecutor's Office and court to enable the affected party, both in the criminal procedure and in the pre-trial procedure, to avoid contact with the accused or suspects, unless this is really necessary (for example, separate waiting rooms if the spatial conditions allow this, videoconference etc.). An assessment of the level of exposure to secondary and repeated victimisation, intimidation and retaliation may also be prepared already upon the first contact with the affected party. It is an individual assessment of every victim, which takes into account the nature and weight of the criminal act, personal circumstances of the victim and relationship between the perpetrator and victim, especially when it comes to criminal acts with elements of violence or criminal acts against sexual integrity and trafficking in human beings.

Furthermore, the ZKP stipulates that the victim or affected party should immediately be provided information about:

- free medical, psychological and other assistance and support,
- assistance and measures under the act regulating prevention of domestic violence,
- protective and other measures for providing personal safety under the ZKP and the act regulating protection of victims,
- rights related to the legal representative, and rights to free legal aid,
- possibilities for reimbursement of damages (compensation),
- right to interpreting and translation (the affected party or victim may use their first language in the procedure and interpreting should be provided),
- possibilities for reimbursement of the costs incurred in the criminal procedure (Article 92).
The costs related to prosecution of criminal acts initiated *ex officio* are not charged to the victim or affected party.

After the passing of the amendments to the ZKP, an implementation task force was formed at the MP, which created a special leaflet about the rights of victims of criminal acts, as well as a form for individual assessment of the endangerment of a victim of criminal act. All stakeholders are meanwhile intensively preparing trainings regarding new amendments. These are systemic changes of the procedural and other related legislation since the position and rights of victims of criminal acts are coming to the forefront, and the victim will therefore not be only a witness in the criminal procedure. On the basis of a decision of the Constitutional Court of the Republic of

Slovenia,⁵³ an expanded right of the victim to an appeal against a decision of conviction or acquittal has been introduced, and the Constitutional Court of the Republic of Slovenia changed its practice, with the affected party also having the right to a constitutional appeal.

Based on the ZPND (Article 9), information about the victims or perpetrators of violence, on the basis of which the victim or their family could be identified, must not be disclosed to the public. Information may be disclosed only if the adult victim gives their express consent, and if by doing so does not expose children or reveal their personal information. A child's parents, guardians, foster carers or adoptive parents are bound to protect them against public exposure as part of providing care for the child. Bodies and organisations and NGOs are obliged to protect information about the accommodation of the victim and their children as professional secret, or take other measures to protect them (Article 9.a of the ZPND).

6.7 Legal aid

Women victims of domestic violence have the unconditional right to free legal aid in accordance with the ZBPP and ZPND. The ZPND stipulates that free legal aid is provided to victims of domestic violence in accordance with the ZBPP. Free legal aid represents the exercise of the right to judicial protection, taking into account the social situation of the person, who would not be able to exercise this right without an impact on their livelihood and the livelihood of their family. A person who, in regard to their financial situation and the financial situation of their family, cannot cover the costs of judicial proceedings or costs of obtaining legal aid without affecting their social situation and social situation of their family is entitled to free legal aid. It is understood that the social situation of the applicant and their family is endangered due to the costs of judicial proceedings or costs of obtaining legal aid if the monthly income of the applicant (their own income) or the average monthly income per family member (family's own income) does not exceed twice the minimum income determined by the act regulating social security services. A person who is eligible for such aid under the conditions determined by the law may use it for full or partial coverage of the costs of legal aid or as an exemption from the payment of the court procedure costs. Anyone who may be a beneficiary to free legal aid, and is in a dispute, must make the effort that the dispute is resolved, if the appropriate conditions under the ZSV are provided for this.

It is important that a CSD also informs a victim about the option of free legal aid awarded for legal counselling and representation, which is applied for at the competent district court and which is intended for all victims of domestic violence, regardless of their financial situation. A condition for the awarding of free legal aid is the risk assessment made by a CSD upon the first interview with the victim. Free legal aid is an important instrument which enables any person to exercise judicial protection. A victim may select a lawyer themselves, or be appointed one by the court which will award them the free legal aid.

⁵³ Up-320/14, U-I-5/17, Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 59/2017 and Constitutional Court Decision XXII, 9.

7 MIGRATION AND ASYLUM

7.1 Residence status

At the beginning of 2018, changes to the Foreigners Act⁵⁴ (hereinafter referred to as: ZTuj-2) entered into force, allowing victims of domestic violence to obtain an independent permit for temporary residence (Article 19). The ZTuj-2 thus stipulates the possibility of obtaining an independent permit for temporary residence for a victim of human trafficking, a victim of illegal employment, and a victim of domestic violence in the case the victim needs to stay in the country so that they can cooperate with the competent authorities in an investigation or criminal procedure, and to a victim of illegal employment in the case when the victim has filed a lawsuit against the employer to exercise their rights from the employment relationship and their presence on the territory of the Republic of Slovenia is important for the judicial proceedings (Article 50).

As part of the Act Amending the Foreigners Act, which is currently being drafted, a victim of trafficking in human beings and a victim of domestic violence will be enabled to obtain an independent permit for residence even if they need to stay in the country because of their personal situation.

The official record on permits for temporary residence, kept on the basis of Article 110 of the ZTuj-2, shows that one permit for temporary residence was issued to a victim of illegal employment (a man) and two permits for temporary residence to victims of trafficking in human beings (both were women). In 2018, three permits for permanent residence were issued to victims of illegal employment (all were men), while no permits for permanent residence were issued to victims of human trafficking. In 2018, no permits for temporary residence were issued to victims of domestic violence (legislation which enabled the issuing of independent permits for temporary residence to victims of domestic violence was adopted at the end of 2017, which is why only the data for 2018 is provided).

7.2 Gender-based asylum claims

The International Protection Act⁵⁵ (hereinafter referred to as: ZMZ-1) stipulates in point 22 of Article 2 that a "vulnerable person with special needs" means, in particular, a minor, an unaccompanied minor, a disabled person, an elderly person, a pregnant woman, a single parent with a minor child, a victim of trafficking in human beings, a person with a mental health disorder, a person with mental health problems, or a victim of rape, torture or other severe forms of psychological, physical and sexual abuse. A woman who has experienced such treatment would be defined as a vulnerable person with special needs.

In accordance with the ZMZ-1, vulnerable persons with special needs are provided with special care, attention and treatment. It is assessed as part of a sanitary-disinfection and preventive medical examination whether an applicant has special needs regarding admission, or whether an applicant needs special guarantees in the procedure, and the nature of these needs is assessed. Special needs can also be determined at any point later in the international protection procedure. The material conditions, medical and psychological counselling, as well as care is adapted to applicants with special needs in the course of their admission. Applicants who need special guarantees in the procedure shall be provided with adequate support, so that they may enjoy the

⁵⁴ (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 1/18 – official consolidated text and 9/18 – amended)

⁵⁵ (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 16/17 – official consolidated text)

rights and fulfil the obligations concerning the international protection procedure stipulated by this Act.

The ZMZ-1 does not expressly stipulate that gender-based violence against women is a form of persecution which automatically provides a reason for granting asylum/protection. But such an applicant would be examined from the aspect of possible persecution based on affiliation with a special social group because the gender-related aspect needs to be considered when determining the special social group or defining its characteristics.

In processing an application by an applicant who reports gender based violence, the interpretation and guidelines provided by the UNHCR on gender-related persecution would be considered when examining the justification of claims of persecution based on affiliation with a special social group, where such an application would be placed. There are no special national guidelines or interpretations in Slovenia from the aspect of gender as a form of persecution.

The number of women victims of violence or endangered women who have been granted the status of refugee based on one or more conditions from the Convention Relating to the Status of Refugees

2016 – 223 applications by applicants, refugee status recognised for 35 applicants, of which one refugee status was recognised due to affiliation with a special social group

2017 – 138 applications by applicants, refugee status recognised for 44 applicants, none of whom were granted the status due to affiliation with a special social group

2018 – 276 applications by applicants, refugee status recognised for 39 applicants, of which one refugee status was recognised due to affiliation with a special social group

The number of women victims of violence or endangered women who have received subsidiary protection on this basis

2016 – 223 applications by applicants, subsidiary protection status recognised for 11 applicants, none of whom were granted the status due to violence against women

2017 – 138 applications by applicants, subsidiary protection status recognised for 7 applicants, 2 were granted status due to exposure to violence or danger because of their female gender

2018 – 276 applications by applicants, subsidiary protection status granted to none of them

8 APPENDIX

8.1 Table 1: Basic education (education or training) for 2017 and 2018

	PREVENTION AND DETECTION OF VIOLENCE	STANDARDS FOR INTERVENTION	GENDER EQUALITY	NEEDS AND RIGHTS OF WOMEN	PREVENTION OF SECONDARY VICTIMISATION	INTERGENERATIONAL SOLIDARITY	KNOWLEDGE REQUIRED TO BE QUALIFIED TO PERFORM THE PROFESSION	YEARS OF SERVICE
Police and other employees of prosecuting authorities ⁵⁶	1,400	1,400	1,400	1,400	1,400	1,400	gained education for the profession of police officer	no data available
Prosecutors								
Judges								
Social workers								
Doctors	Within specialisation in paediatrics and family medicine							
Nurses and midwives	<u>2017</u> : 2,693 <u>2018</u> : 3,240	<u>2017</u> : 2,693 <u>2018</u> : 3,240	<u>2017</u> : 2,693 <u>2018</u> : 3,240	<u>2017</u> : 2,693 <u>2018</u> : 3,240	<u>2017</u> : 2,693 <u>2018</u> : 3,240	<u>2017</u> : 2,693 <u>2018</u> : 3,240	gained education for the professions of nurse, junior nurse, medical technician, midwife or registered nurse/midwife	no data available

⁵⁶ The police constantly educate and train their officers and criminal police officers for the prosecution of criminal acts committed against women and criminal acts of domestic violence. Only the data about the most important trainings and panels is included in the figures. The multiplier system is the most important part of the training. Older and more experienced police officers pass their knowledge on the less experienced ones and watch over the investigations conducted by the latter. Sooner or later every police officer may find themselves in a situation in which they will have to take first measures to protect victims. This must be done regardless of whether or not a more experienced police officer or criminal police officer takes over the investigation later. All persons who exercise police powers must possess the basic knowledge of how to protect victims. Further education and training may depend on the field of work of an individual police officer or criminal police officer.

Psychologists, especially counsellors/ psychotherapists								
Officers for migration and asylum								
Teaching staff and school administration staff								
Journalists and other media experts ⁵⁷	2019: 20							
Members of the armed forces	2017: / 2018: /	*2017: 420 2018: 420	*2017: 420 2018: 420	2017: / 2018: /	2017: / 2018: /	**20	*military education and training for the profession of soldier **Gained education for a theologian	various
All other important categories								

⁵⁷ In 2019, the Slovenian Association of Journalists hosted a workshop called "When Victims of Violence Find Themselves in the Media" for journalism students of the Faculty of Social Sciences as part of the Journalist Days, organised by the Association of Journalism Students. The workshop was intended for journalists and journalism students.

8.2 Table 2: On-the-job training

	NUMBER OF TRAINED PERSONS	MANDATORY NATURE	AVERAGE YEARS OF SERVICE	PERIODICITY	FINANCING SOURCES	BODY AUTHORISED FOR ON-THE-JOB TRAINING AND ISSUING OF CERTIFICATES	TRAINING BASED ON GUIDELINES AND PROTOCOLS
Police and other employees of prosecuting authorities	2017: 2 2018: 1 2019: 2	optional	no data available	indicated under the number of trainings	integral funds European funds	The Judicial Training Centre of the Ministry of Justice	no data available
Prosecutors	2017: 2 2018: 3 2019: 4	optional	no data available	indicated under the number of trainings	integral funds European funds	The Judicial Training Centre of the Ministry of Justice	no data available
Judges	2017: 2 2018: 4 2019: 2	optional	no data available	indicated under the number of trainings	integral funds European funds	The Judicial Training Centre of the Ministry of Justice	no data available
Social workers	2017: 0 2018: 1 2019: 0	optional	no data available	indicated under the number of trainings	integral funds European funds	The Judicial Training Centre of the Ministry of Justice	no data available
Doctors	2,400 healthcare workers	optional	no data available	During the project ⁵⁸ (2015–2016)	Norwegian Financial Mechanism	No authorised body	Protocol for recognition and treatment of victims of domestic violence ⁵⁹
	233 ⁶⁰	optional	no data available	3 educational events were held in 2017 and 2018	Medical Chamber of Slovenia		

⁵⁸ <http://www.prepoznajnasilje.si/sl>

⁵⁹ <http://www.prepoznajnasilje.si/docs/default-source/Informacije/protokol-koncni.pdf?sfvrsn=6>

⁶⁰ Total number of participants. The education was a continuation of a series of educational events from the past years, which were held as part of the POND project, more at: <http://www.prepoznajnasilje.si/>

Nurses and midwives	17 ⁶¹	optional	no data available	3 educational events were held in 2017 and 2018	Medical Chamber of Slovenia	No authorised body	Protocol for recognition and treatment of victims of domestic violence ⁶²
	2017: 25 2018: 21	optional	no data available	Some trainings are a single event, while some of them take place every year	Nurses and Midwives Association of Slovenia/ Union of Professional Associations of Nurses, Midwives and Medical Technicians of Slovenia		
Psychologists, especially counsellors/ psychotherapists							
Officers for migration and asylum	Migration Office (Internal Administrative Affairs, Migration and Naturalisation Directorate): 2017 – training by the European Asylum Support Office	when needed	no data available	when needed	the EASO and MNZ	EASO for national trainer certificate. The national training was conducted by an employed officer, who had previously obtained a national trainer certificate from the EASO.	Guidelines from the EASO.

⁶¹ Total number of participants. The education was a continuation of a series of educational events from the past years, which were held as part of the POND project, more at: <http://www.prepoznajnasilje.si/>

⁶² <http://www.prepoznajnasilje.si/docs/default-source/Informacije/protokol-koncni.pdf?sfvrsn=6>

	(EASO) for a national trainer for the "Interviewing Children" module: 1 2018 – national training "Interviews with Vulnerable Groups": 8						
Teaching staff and school administration staff							
Journalists and other media experts ⁶³	30			2018			
Members of the armed forces	2017: 1,586 2018: 1,758 2019: 826 (situation until 23 August 2019)	Mandatory:	various	various, once to more times a year	Slovenian Armed Forces	Military education and training certificates: Military school centre (CVŠ) in the Slovenian Armed Forces. Implemented by: CVŠ and units of the Slovenian Armed Forces. Certificates from international and national educational institutions.	International and national commitments/guidelines, legislation.

⁶³ In 2018, the Slovenian Association of Journalists hosted a workshop for journalists as the Association SOS Help-line presented the project "When he hit the door for the second time, I put a poster over the dent", and a workshop called "How to ethically report on domestic violence and violence against women" for journalism students as part of the journalism ethics course.

All other important categories ⁶⁴	approx. 100 annually			2017 and 2018			
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⁶⁴ Counsellors for assistance and informing about sexual harassment

8.3 List of legal texts

Provisions of the key acts were presented in the text of the report itself, while full texts of relevant legislative documents in English are available on the website of the Legal Information System: <http://www.pisrs.si/Pis.web/cm?idStrani=prevodi>.