

Report of Various Size – Fieldwork research (FRANET)

Criminal Detention in the EU – Conditions and Monitoring

Country Report Slovenia

FRANET Contractor: Institute of Criminology at Ljubljana Faculty of Law
Author: Primož Gorkič
Review: Matjaž Jager
Final Submission: June 2018

DISCLAIMER: This document was commissioned under contract as background material for a comparative analysis by the European Union Agency for Fundamental Rights (FRA) for the project 'Criminal Detention – Conditions and Monitoring'. The information and views contained in the document do not necessarily reflect the views or the official position of the FRA. The document is made publicly available for transparency and information purposes only and does not constitute legal advice or legal opinion.

1. Cell space

- a) What is the national standard for cell space available to prisoners in m²? Is it regulated by any legal instrument, such as a legislative act, internal prison regulations, manuals, policy papers etc.?
- b) Please indicate whether there are different standards applicable to different detention regimes (for example, if applicable in your jurisdiction: open, semi-open, closed etc.).
- c) Please, provide a link to the National Preventive Mechanism's reports **from the reference period** (1 January 2015 to 1 May 2018, if no report is available for this period, please provide a link to the most recent one) and whether there are any recommendations regarding this aspect (please provide the exact quotation in the national language and if official translation is available – in English). These reports can be found on the webpage of the National Preventive Mechanism. For ease of reference a list of links can be found here: <https://apt.ch/en/list-of-designated-npm-by-regions-and-countries/>

Please cite any relevant sources

a)

The national standards for cell space are regulated by:

- Rules on the implementation of remand (*Pravilnik o izvrševanju pripora*)
- Rules on the implementation of prison sentences (*Pravilnik o izvrševanju kazni zapora*)
- Strategy of The Prison Administration of the Republic of Slovenia 2017-2020 (*Strategija Uprave RS za izvrševanje kazenskih sankcij 2017-2020*)
- CPT standards
- European Convention on Human Rights with the applicable case law.
- Case law of the Supreme Court of the Republic of Slovenia.

Relevant sources are referenced in-text.

Cell space, available to prisoners, must comply with medical, spatial and hygiene standards.¹

The national standard for cell space, available to prisoners, is 9m² (in single-occupancy cell) and 7m² (in multiple-occupancy cell).² There are no special rules or standards on further limitation of space available to prisoners in exceptional circumstances.³

Strategy of The Prison Administration of the Republic of Slovenia 2017-2020 (*Strategija Uprave RS za izvrševanje kazenskih sankcij 2017-2020*)⁴ requires that standards for cell space comply with CPT standards.

European Convention of Human Rights and the standards, as interpreted by the European Court of Human Rights, are applicable.⁵

1 Slovenia, Rules on the implementation of remand (*Pravilnik o izvrševanju pripora*), published 14 May 1999, available at www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV1028.

2 The standard is set by: Slovenia, Art. 21 of the Rules on the implementation of prison sentences (*Pravilnik o izvrševanju kazni zapora*), published 17 June 2016, available at www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV12759. The standard has been applied by The Supreme Court of the Republic of Slovenia, Judgement No. II Ips 45/2017, 30 November 2017.

3 Information provided by Prison Administration of the Republic of Slovenia, e-mail, 18 June 2018.

4 Slovenia, Strategy of The Prison Administration of the Republic of Slovenia 2017-2020 (*Strategija Uprave RS za izvrševanje kazenskih sankcij 2017-2020*), available at www.mp.gov.si/fileadmin/mp.gov.si/pageuploads/UIKS/Vsebina_strani/2017_STRATEGIJA_URSIKS_2017-20.pdf, accessed 30 May 2018.

5 Slovenia, Act ratifying the Convention on Human Rights and Fundamental Freedoms as amended by Protocols Nos. 3, 5 and 8 and amended by Protocol No. 2 and its Protocols Nos. 1, 4, 6, 7, 9, 10 and 11 (*Zakon o ratifikaciji Konvencije o varstvu človekovih pravic in temeljnih svoboščin, spremenjene s protokoli št. 3, 5 in 8 ter dopolnjene s protokolom št. 2, ter njenih protokolov št. 1, 4, 6, 7, 9, 10 in 11*), published 13 June 1994, available at <https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/1994-02-0041?sop=1994-02-0041>. Laws and other regulations must comply with generally accepted principles of international law and with treaties that are binding on Slovenia. Ratified and published treaties shall be applied directly;

b)
There are no different detention regimes.

c)
Reports of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism are available at:

In Slovenian language:
www.varuh-rs.si/index.php?id=1515

In English language (2016 only):
www.varuh-rs.si/index.php?id=1515&L=6

2017 Report: no recommendations have been issued.

2016 Report

Recommendations relating to specific prisons: Celje Prison

- V ZPMZ KZ Celje smo predlagali, naj zavod pri nameščanju zaprtih oseb v bivalne prostore upošteva standarde oziroma velikost (kvadraturu) bivalnih prostorov glede na dejansko število nameščenih oseb v posamezni bivalni prostor.⁶ / We proposed to Celje Prison and Juvenile Prison that standards or size (floor area) of living premises be observed when accommodating prisoners regarding the actual number of persons accommodated in an individual room.⁷

Recommendations relating to specific prisons: Maribor Prison:

- Poleg tega smo ZPKZ Maribor – odprti oddelek Rogoza predlagali, naj vodja oddelka in medicinska sestra tudi v prihodnje pregledujeta bivalne prostore in naj se proučijo možnosti uvedbe takšne prakse tudi v drugih ZPKZ oziroma njihovih oddelkih.⁸ / Furthermore, we proposed to Rogoza Open Unit of Maribor Prison that the head of the unit and the nurse continue to inspect rooms and that the possibility of introducing this practice also in other prisons or their units be examined.⁹

2015 Report: no recommendations have been issued.

2. Sanitary Facilities

Slovenia, Art. 8 of the Constitution of the Republic of Slovenia (*Ustava Republike Slovenije*), published 28 December 1991, available at <http://pisrs.si/Pis.web/pregledPredpisa?id=USTA1>.

- 6 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2016*), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/Porocilo_DPM_2016_koncno__za_www.pdf, p. 138.
- 7 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016, available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/DPM_2016_-_ANG.pdf, p. 146.
- 8 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2016*), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/Porocilo_DPM_2016_koncno__za_www.pdf, p. 144.
- 9 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016, available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/DPM_2016_-_ANG.pdf, p. 153.

- a) What is the national standard with regard to access to toilets? Are these located in cells? If not, do prisoners have access to these facilities without undue delay, even during the night? Do these facilities offer privacy to prisoners who use them?
- b) What is the national standard with regard to access to regularly cleaned shower/bathing facilities? How often is this access provided? Do these facilities offer privacy to prisoners who use them?
- c) Is the provision of cleanly sanitary facilities regulated by any legal instrument such as a legislative act, internal prison regulations, manuals, policy papers etc.?
- d) Please indicate whether there are different standards applicable to different detention regimes (for example, if applicable in your jurisdiction: open, semi-open, closed etc.).
- e) Please, provide a link to the National Preventive Mechanism's reports **from the reference period** (1 January 2015 to 1 May 2018, if no report is available for this period, please provide a link to the most recent one) and whether there are any recommendations regarding this aspect (please provide the exact quotation in the national language and if official translation is available – in English). These reports can be found on the webpage of the National Preventive Mechanism. For ease of reference a list of links can be found here: <https://apt.ch/en/list-of-designated-npm-by-regions-and-countries/>

Please cite any relevant sources

a)

Cell space, available to prisoners, must comply with medical, spatial and hygiene standards.¹⁰

Toilets are to be accessible to prisoners at all times.¹¹ During detention, personhood and dignity of the prisoners must be respected; prisoners must be treated humanely, with a view of preserving their physical and mental health.¹² There are no special standards on the location of toilets or privacy protection of prisoners who use toilets.¹³

Strategy of The Prison Administration of the Republic of Slovenia 2017-2020 (*Strategija Uprave RS za izvrševanje kazenskih sankcij 2017-2020*)¹⁴ requires that national standards comply with CPT standards.

European Convention of Human Rights and the standards, as interpreted by the European Court of Human Rights, are applicable.¹⁵

b)

- 10 Slovenia, Rules on the implementation of remand (*Pravilnik o izvrševanju pripora*), published 14 May 1999, available at www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV1028.
- 11 Slovenia, Art. 20(3) of the Rules on the implementation of prison sentences (*Pravilnik o izvrševanju kazni zapora*), published 17 June 2016, available at www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV12759.
- 12 Slovenia, Art. 209(1) of the Criminal Procedure Act (*Zakon o kazenskem postopku*), published 13 October 1994, available at <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO362>.
- 13 Information provided by Prison Administration of the Republic of Slovenia, e-mail, 18 June 2018.
- 14 Slovenia, Strategy of The Prison Administration of the Republic of Slovenia 2017-2020 (*Strategija Uprave RS za izvrševanje kazenskih sankcij 2017-2020*), available at www.mp.gov.si/fileadmin/mp.gov.si/pageuploads/UIKS/Vsebina_strani/2017_STRATEGIJA_URSIKS_2017-20.pdf, accessed 30 May 2018.
- 15 Slovenia, Act ratifying the Convention on Human Rights and Fundamental Freedoms as amended by Protocols Nos. 3, 5 and 8 and amended by Protocol No. 2 and its Protocols Nos. 1, 4, 6, 7, 9, 10 and 11 (*Zakon o ratifikaciji Konvencije o varstvu človekovih pravic in temeljnih svoboščin, spremenjene s protokoli št. 3, 5 in 8 ter dopolnjene s protokolom št. 2, ter njenih protokolov št. 1, 4, 6, 7, 9, 10 in 11*), published 13 June 1994, available at <https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/1994-02-0041?sop=1994-02-0041>. Laws and other regulations must comply with generally accepted principles of international law and with treaties that are binding on Slovenia. Ratified and published treaties shall be applied directly. Art. 8 of the Constitution of the Republic of Slovenia (*Ustava Republike Slovenije*), published 28 December 1991, available at www.pisrs.si/Pis.web/pregledPredpisa?id=USTA1.

Bathing is mandatory upon reception in detention facility; during detention, bathing is mandatory every seven days.¹⁶ Prisoners are required to maintain personal hygiene and the necessary arrangements must be provided. Haircuts and shaving are to be arranged as needed; shaving is mandatory prior to any interrogation or court hearing.¹⁷

During detention, personhood and dignity of the prisoners must be respected; prisoners must be treated humanely, with a view of preserving their physical and mental health. There are no specific national standards on providing privacy to prisoners who use bathing/shower facilities.¹⁸

There are no specific standards on providing cleanly sanitary facilities for detention facilities. General national standards require that facilities satisfy health and sanitary conditions. Contagious Diseases Act (*Zakon o nalezljivih boleznih*)¹⁹ in Art. 9 requires that administrators of housing facilities adopt general measures to satisfy 1. Health standards of potable water, provisions and objects in general use, 2. Quality standards of air in closed spaces, 3. Technical and sanitary maintenance of public facilities, including preventative disinfection, disinsection and deratisation, 4. Waste handling in a way that avoids health hazards and excessive environmental burden.²⁰

c)

The national standards for sanitary facilities are regulated by:

- Rules on the implementation of remand (*Pravilnik o izvrševanju pripora*)
- CPT standards
- European Convention on Human Rights with the applicable case law.

Relevant sources are referenced in-text.

d)

There are no different detention regimes.

e)

Reports of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism are available at:

In Slovenian language:

www.varuh-rs.si/index.php?id=1515

In English language (2016 only):

www.varuh-rs.si/index.php?id=1515&L=6

2017 Report

General recommendations:²¹

- Nujno je treba v celoti vzpostaviti prilagojene prostore ali oddelke v enem ali več zavodih za prestajanje kazni zapora, da bodo ti primerni za bivanje obsojencev, ki zaradi starosti, bolezni ali invalidnosti potrebujejo dodatno pomoč pri zadovoljevanju osnovnih potreb, ter jih opremiti s prilagojeno opremo, ki omogoča varno

16 Slovenia, Art. 28(1) and 29(1) of the Rules on the implementation of remand (*Pravilnik o izvrševanju pripora*), published 14 May 1999, available at www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV1028.

17 Slovenia, Art. 29(1) of the Rules on the implementation of remand (*Pravilnik o izvrševanju pripora*), published 14 May 1999, available at www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV1028.

18 Information provided by Prison Administration of the Republic of Slovenia, e-mail, 18 June 2018.

19 Slovenia, Contagious Diseases Act (*Zakon o nalezljivih boleznih*), published 1 December 1995, available at www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO433.

20 Information provided by Prison Administration of the Republic of Slovenia, e-mail, 18 June 2018.

21 Slovenia, Human Rights Ombudsman (2018), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2017 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2017*), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/DPM_2017.pdf, p. 90.

izvajanje aktivnosti ranljivih zaprtih oseb na vseh področjih življenja in omogočala neovirano gibanje, torej brez arhitekturnih ovir (stopnišč in drugih neravnin).

- Nujno bi bilo treba začeti izvajati aktivnosti za zaposlovanje ustreznega negovalnega in oskrbnega osebja za ranljive zaprte osebe, ki (na primer pri vzdrževanju osebne higijene in drugih življenjskih aktivnostih) potrebujejo dodatno pomoč, hkrati pa zaradi varnostnih in drugih razlogov ne morejo biti premeščene v ustrezne socialnovarstvene ali druge ustanove.

2016 Report:

Recommendations relating to specific prisons: Celje Prison

- ZPMZ KZ Celje smo predlagali redno čiščenje kopalnic in opravljanje dezinfekcije.²² / We proposed to Celje Prison and Juvenile Prison that bathrooms be cleaned on a regular basis and disinfection be implemented.²³
- ZPMZ KZ Celje smo še predlagali, naj se v bivalnem prostoru št. 310 preveri ustreznost (funkcionalnost) delovanja vodne armature in popravijo vrata v bivalnem prostoru, da se za bivalni prostor št. 317 prouči možnost namestitve poličke pod ogledalom ter da se v bivalnem prostoru št. 422 namesti zavesa pri kabini za prhanje.²⁴ / We also proposed to Celje Prison and Juvenile Prison that the suitability (functionality) of the water tap be verified, and the doors to the room be repaired in room 310; we also proposed examining the possibility of installing a shelf below the mirror in room 317, and installing a shower curtain in room 422.²⁵
- Poleg tega smo v ZPMZ KZ Celje predlagali, naj se v bivalnem prostoru št. 415 zamenja poškodovana WC-ščetka.²⁶ / We also proposed to Celje Prison and Juvenile Prison that the damaged toilet brush be replaced in room no 415.²⁷

Recommendations relating to specific prisons: Koper Prison

- ZPKZ Koper – oddelek Nova Gorica smo tudi predlagali, naj se zavesa pri prhi odprtega oddelka dejansko namesti in se s tem onemogoči, da bi voda pršla po prostoru, kar bi lahko povzročilo padec zaprte osebe.²⁸ /

22 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2016*), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/Porocilo_DPM_2016_koncno__za_www.pdf, p. 144.

23 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016, available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/DPM_2016_-_ANG.pdf, p. 154.

24 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2016*), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/Porocilo_DPM_2016_koncno__za_www.pdf, p. 140.

25 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016, available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/DPM_2016_-_ANG.pdf, p. 149.

26 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2016*), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/Porocilo_DPM_2016_koncno__za_www.pdf, p. 139.

27 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016, available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/DPM_2016_-_ANG.pdf, p. 149.

28 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in*

We proposed to Nova Gorica Unit of Koper Prison that a shower curtain in the open ward be installed, thus preventing water from spraying all over the bathroom, which could result in prisoners' falling on the floor.²⁹

Recommendations relating to specific prisons: Ljubljana Prison

- ZPKZ Ljubljana smo tudi predlagali, naj se v tuširnici v pritličju pripora prouči možnost popravila pritrjenega okenskega krila, da se bo le ta odpiral in bo s tem omogočeno boljše zračenje prostora.³⁰ / We proposed that Ljubljana Prison to examine the possibility of repairing a fixed casement window in the shower room on the ground floor of the detention unit to enable it to be opened and thus better ventilation of the room.³¹

2015 Report:

Recommendations relating to specific prisons: Koper Prison

- ZPKZ Koper smo opozorili na zastajanje vode v tuš kabini bivalnega prostora št. 231, pri čemer smo že ob obisku prejeli zagotovilo, da bo ta napaka odpravljena.³²

Recommendations relating to specific prisons: Ig Prison

- V ZPKZ Ig smo direktorico že med obiskom seznanili z ugotovljenimi pomanjkljivostmi v sanitarnem prostoru delavnice in hkrati predlagali, da se zamenja steklo okna, ki bo z zunanje strani onemogočal neoviran vpogled v toaletni prostor (WC).³³

Dob

- ZPKZ Dob – polodprti oddelek Slovenska vas smo predlagali, da se stene kopalnice, kjer odpada oziroma se lušči omet, ustrezno sanirajo in da se na talnih odtokih (sifonih) namestijo zaščitni pokrovi, glede na konstantne težave z odpadanjem ometa v izpostavljeni kopalnici pa naj se proučijo možnosti ustreznega zračenja kopalnice in s tem zmanjšanja zadrževanja pare in vlage v kopalnici, kar je lahko eden izmed razlogov težav z odpadanjem ometa.³⁴

Recommendations relating to specific prisons: Maribor Prison

- V ZPKZ Maribor smo predlagali, da se poškodovane vodne armature v čim krajšem času popravijo.³⁵
- ZPKZ Maribor smo predlagali, da zavod poskrbi oziroma organizira, da bodo uporabniki fitnesa po uporabi tuša le-tega tudi redno in ustrezno očistili.³⁶
- V ZPKZ Maribor smo izrazili pričakovanje, da bo v čim krajšem času prišlo do odprave težav z zagotavljanjem tople vode v kopalnicah in da bo urejena napeljava tople vode v vse bivalne prostore zavoda.³⁷

3. Time out of cell

drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2016), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/Porocilo_DPM_2016_koncno__za_www.pdf, p. 143.

29 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016, available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/DPM_2016_-_ANG.pdf, p. 153.

30 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2016*), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/Porocilo_DPM_2016_koncno__za_www.pdf, p. 140.

31 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016, available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/DPM_2016_-_ANG.pdf, p. 150.

32 Slovenia, Human Rights Ombudsman (2016), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2015 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2015*), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/Varuh_DPM_2015.pdf, p. 140.

33 *Ibidem*, p. 144.

34 *Ibidem*, p. 142.

35 *Ibidem*, p. 142.

36 *Ibidem*, p. 147.

37 *Ibidem*, p. 143.

- a) What is the national standard set for time per day/week spent by prisoners outside of their cells:
 - a. Outdoors (within the boundary of the prison)?
 - b. Indoors in the common area?
- b) Are sports or other recreational and educational facilities available to prisoners? If so what types?
- c) Is time spent in cells regulated by any legal instrument, such as a legislative act, internal prison regulations, manuals, policy papers etc.?
- d) Please indicate whether there are different standards applicable to different detention regimes (for example, if applicable in your jurisdiction: open, semi-open, closed etc.).
- e) Please, provide a link to the National Preventive Mechanism's reports **from the reference period** (1 January 2015 to 1 May 2018, if no report is available for this period, please provide a link to the most recent one) and whether there are any recommendations regarding this aspect (please provide the exact quotation in the national language and if official translation is available – in English). These reports can be found on the web-page of the National Preventive Mechanism. For ease of reference a list of links can be found here: <https://apt.ch/en/list-of-designated-npm-by-regions-and-countries/>

Please cite any relevant sources

a)
Prisoners are to be allowed at least two hours of outdoors recreation daily.³⁸ Outdoors activities may be suspended if the interests of maintaining order and discipline or preventing escape so require.³⁹ There are no additional specific national standards on providing outdoors recreation.⁴⁰

b)
Sport activities may be arranged during prisoner's outdoors activities by the administration of the facility.⁴¹ There are no additional specific national standards on arranging sports activities for detained prisoners.⁴²

c)
The national standards for sanitary facilities are regulated by:

- Rules on the implementation of remand (*Pravilnik o izvrševanju pripora*),
- CPT standards
- European Convention on Human Rights with the applicable case law.

Relevant sources are referenced in-text.

d)
There are no different detention regimes.

e)
Reports of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism are available at:

In Slovenian language:

www.varuh-rs.si/index.php?id=1515

In English language (2016 only):

www.varuh-rs.si/index.php?id=1515&L=6

38 Slovenia, Art. 26(1) of the Rules on the implementation of remand (*Pravilnik o izvrševanju pripora*), published 14 May 1999, available at www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV1028.

39 Slovenia, Art. 27(2) of the Rules on the implementation of remand (*Pravilnik o izvrševanju pripora*), published 14 May 1999, available at www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV1028.

40 Information provided by Prison Administration of the Republic of Slovenia, e-mail, 18 June 2018.

41 Slovenia, Art. 27(1) of the Rules on the implementation of remand (*Pravilnik o izvrševanju pripora*), published 14 May 1999, available at www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV1028.

42 Information provided by Prison Administration of the Republic of Slovenia, e-mail, 18 June 2018.

2017 Report

Recommendations relating to specific prisons - Dob Prison⁴³

- DPM predlaga, naj zavod obsojencem v I. in III. oddelku znova omogoči popoldansko gibanje na prostem.
- DPM predlaga, naj zavod poskuša uresničiti predloge obsojencev, ki se nanašajo na posodobitev fitnes opreme, nakup gola, žoge, knjig in razdelivcev. DPM predlaga še, naj zavod prouči možnosti za razširitev TV-programске sheme ter uvedbo igranja odbojke ali tenisa, pri čemer naj znova prouči tudi možnosti umestitve šahovskih turnirjev in drugih turnirjev med oddelki.
- DPM predlaga, naj zavod prouči možnost, da bi obsojencem ponudil tudi možnost izobraževanja za pridobitev voznškega dovoljenja (vsaj teoretični del), kot so to predlagali nekateri izmed obsojencev.

General recommendations:⁴⁴

- Priporočamo, naj UIKS pripravi posebno strategijo s podrobnejšimi navodili in usmeritvami za obravnavo potreb ranljivih zaprtih oseb, da se zagotovi njihova enaka obravnava. Med drugim mora ta vključevati zagotavljanje in usposabljanje osebja, ki bo skrbelo za potrebe te ranljive skupine, določala posebnosti pri razvrščanju in namestitvi ranljivih zaprtih oseb, določala skrb za njihovo zdravstveno varstvo, dostop do dejavnosti in aktivnosti v zavodu za prestajanje kazni zapora, zagotavljanja njihovo varnost in pripravo na odpust, vključno s pripravo zgodnejšega (pogojnega) odpusta.

2016 Report

Recommendations relating to specific prisons: Celje Prison

- V času našega obiska ZPMZ KZ Celje smo opazili, da je poškodovana klop za dvigovanje uteži, zato smo predlagali, naj se popravi, ob tem smo znova predlagali, naj se proučijo možnosti, da bi se fitnes za pripornike dodatno opremil s še kakšno dodatno napravo (npr. večfunkcijsko po vzoru iz fitnesa za obsojence).⁴⁵ / During our visit to Celje Prison and Juvenile Prison, we noticed that the bench press was damaged and proposed that it be repaired, while we also proposed examining the possibilities of equipping the fitness room for detainees with additional devices (e.g. multi-purpose device similar to the one used in the convict unit).⁴⁶
- ZPMZ KZ Celje smo znova predlagali, naj se tudi za pripornike proučijo možnosti pogostejšega prhanja vse leto (ne zgolj v poletnih mesecih) ter da se urnik prhanja prilagodi njihovim aktivnostim (npr. po uporabi fitnesa ali ob vrnitvi s sprehoda).⁴⁷ / We again proposed to Celje Prison and Juvenile Prison that the possibility of more frequent showering throughout the year (and not only in the summer months) also be considered for detainees, and that the schedule for showering be adjusted to their activities (e.g. after the use of the fitness room or after returning from a walk).⁴⁸

43 Varuh človekovih pravic Republike Slovenije (2018), *Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2017*, Ljubljana, Varuh človekovih pravic Republike Slovenije, pp. 83-84.

44 *Ibidem*, p. 90

45 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2016*), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/Porocilo_DPM_2016_koncno__za_www.pdf, p. 140.

46 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016, available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/DPM_2016_-_ANG.pdf, p. 149.

47 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2016*), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/Porocilo_DPM_2016_koncno__za_www.pdf, p. 147.

48 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016, available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/DPM_2016_-_ANG.pdf, p. 157.

Recommendations relating to specific prisons: Ljubljana Prison

- ZPKZ Ljubljana smo še predlagali, naj se proučijo možnosti, da bi zavod fitnes sobo bolje opremil, na primer tudi s sobnim kolesom ali tekaško stezo (ta bi omogočala več gibanja pripornikom tudi ob slabem vremenu) in da se namesti drog za dviganje telesa.⁴⁹ We also proposed that Ljubljana Prison examine the possibilities of improving the equipment in the fitness room, i.e. with an exercise bike or a treadmill (which would enable more exercise for detainees also in bad weather) and to install a pull-up bar.⁵⁰
- ZPKZ Ljubljana smo predlagali, naj strokovni delavci zavoda vložijo več napora pri omogočanju zaprtim osebam (obsojencem in pripornikom) pri vključevanju tako v formalne, kot tudi neformalne oblike izobraževanja, še posebej, če jim bo za ta namen uspelo pridobiti evropska sredstva.⁵¹ / We proposed to Ljubljana Prison that expert workers at the prison invest more effort in including prisoners (convicts and detainees) in formal and informal forms of education, particularly if the prison succeeds in obtaining EU funds for this purpose.⁵²

Recommendations relating to specific prisons: Maribor Prison

- ZPKZ Maribor smo predlagali, naj vložijo več napora za vključitev obsojencev in pripornikov v formalne oblike izobraževanja.⁵³ / We proposed that Maribor Prison invest more effort in encouraging convicts and detainees to participate in formal forms of education.⁵⁴
- ZPKZ Maribor – odprti oddelek Rogoza smo izrazili pričakovanje, da se bo število obsojencev, vključenih v uvedene izobraževalne programe nacionalne poklicne kvalifikacije, zaradi dela osebja oddelka še povečalo.⁵⁵ / We expressed the expectation in Rogoza Open Unit of Maribor Prison that the number of

49 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2016*), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/Porocilo_DPM_2016_koncno__za_www.pdf, p. 140.

50 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016, available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/DPM_2016_-_ANG.pdf, p. 150.

51 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2016*), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/Porocilo_DPM_2016_koncno__za_www.pdf, p. 146.

52 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016, available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/DPM_2016_-_ANG.pdf, p. 155.

53 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2016*), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/Porocilo_DPM_2016_koncno__za_www.pdf, p. 146.

54 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016, available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/DPM_2016_-_ANG.pdf, p. 156.

55 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2016*), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/Porocilo_DPM_2016_koncno__za_www.pdf, p. 147.

convicts participating in the educational programmes of national vocational qualifications that have been introduced would increase due to the work of the unit's staff.⁵⁶

- ZPKZ Maribor smo predlagali, naj bodo tudi priporniki dnevno vsaj osem ur izven svojih celic in vključeni v različne koristne aktivnosti, kot so delo, izobraževanje, šport in druge organizirane aktivnosti, saj bi bilo to primerno zlasti zaradi utesnjenih razmer v pripravnem delu zavoda.⁵⁷ /We proposed to Maribor Prison that detainees be outside their cells at least eight hours a day and attend various useful activities, such as work, education, sports and other organised activities, which would be suitable particularly because of the cramped conditions in the detention section of the prison.⁵⁸
- Poleg tega smo v ZPKZ Maribor predlagali, naj zavod na določena časovna obdobja zagotovi žoge za športne aktivnosti na sprehajališčih.⁵⁹ /Furthermore, we proposed to Maribor Prison that balls for sports activities in the recreation area be provided at certain times.⁶⁰
- ZPKZ Maribor smo predlagali, naj se proučijo možnosti za ureditev stranišča zaprtim osebam na sprehajališču.⁶¹ / We proposed that Maribor Prison examine the possibility of arranging a toilet in the recreation area.⁶²
- ZPKZ Maribor – oddelek Murska Sobota smo znova predlagali, naj se proučijo možnosti ureditve fitnes sobe oziroma da se proučijo možnosti, da bi se »fitnes pod nadstreškom« dodatno opremil, pri čemer smo priporočili, naj bodo tudi priporniki dnevno vsaj osem ur izven svojih celic in vključeni v različne koristne aktivnosti, kot so delo, izobraževanje, šport ali druge primerne aktivnosti.⁶³ / We again proposed that Murska

56 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016, available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/DPM_2016_-_ANG.pdf, p. 157.

57 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2016*), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/Porocilo_DPM_2016_koncno__za_www.pdf, p. 148.

58 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016, available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/DPM_2016_-_ANG.pdf, p. 158.

59 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2016*), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/Porocilo_DPM_2016_koncno__za_www.pdf, p. 149.

60 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016, available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/DPM_2016_-_ANG.pdf, p. 158.

61 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2016*), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/Porocilo_DPM_2016_koncno__za_www.pdf, p. 152.

62 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016, available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/DPM_2016_-_ANG.pdf, p. 162.

63 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2016*), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/Porocilo_DPM_2016_koncno__za_www.pdf, p. 149.

Sobota Unit of Maribor Prison examine the possibilities of arranging a fitness room or additionally equip the 'fitness area under the overhanging roof', whereby we also recommended that detainees be outside their cells at least eight hours a day and take part in various useful activities, such as work, education, sports or other suitable activities.⁶⁴

Recommendations relating to specific prisons: Koper Prison

- Poleg tega smo ZPKZ Koper – oddelek Nova Gorica predlagali, naj se pripornikom tudi konec tedna poskuša omogočiti več gibanja oziroma bivanja na sprehajališču.⁶⁵ / Furthermore, we proposed to Nova Gorica Unit of Koper Prison that detainees should be able to exercise more or move more in the recreation area during the weekend.⁶⁶

2015 Report

Recommendations relating to specific prisons: Ig Prison

- ZPKZ Ig smo predlagali proučitev možnosti, da bi študentke (obsojenke, ki se izobražujejo) nameščali v isti bivalni prostor in bi se jim s tem omogočili boljši pogoji (mir) za študij oziroma šolanje.⁶⁷
- ZPKZ Ig smo predlagali, da se pripornicam čas ostalih aktivnosti, kot so obisk knjižnice, fitnesa in nakupov, ne šteje v čas sprehoda oziroma da se jim v teh primerih čas sprehoda po zmožnostih podaljša. Izrazili smo tudi pričakovanje, da bodo bivalni prostori pripronega oddelka v prihodnje, ko v zavodu ponovno ne bo pripornic, ki bi kaznivo dejanje storile v sosterilstvu, znova odprti in bo s tem pripornicam omogočeno več bivanja izven bivalnih prostorov.⁶⁸

Recommendations relating to specific prisons: Ljubljana Prison

- Glede ZPKZ Ljubljana – oddelek Novo mesto smo izrazili pričakovanje, da bo do realizacije nabave športne opreme prišlo v najkrajšem času.⁶⁹
- ZPKZ Ljubljana – oddelek Novo mesto smo predlagali, da se glede na to, da pripornikom zaradi prostorskih omejitev ni mogoče zagotoviti dela, poskuša omogočiti vsaj več možnosti obiskovanja tečajev oziroma delavnic.⁷⁰

Recommendations relating to specific prisons: Dob Prison

- V ZPKZ Dob smo izrazili pričakovanje, da bodo okna zamenjali tudi v preostalem delu zavoda in da se bo realiziral nakup opreme za fitnes. Hkrati smo predlagali, da se sanira parket, da se v vse bivalne prostore namestijo klicni zvonci za pozivanje pravosodnih policistov in da se proučijo možnosti za namestitev lesene telefonske govornice.⁷¹

Recommendations relating to specific prisons: Maribor Prison

64 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016, available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/DPM_2016_-_ANG.pdf, p. 158.

65 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2016*), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/Porocilo_DPM_2016_koncno__za_www.pdf, p. 153.

66 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016, available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/DPM_2016_-_ANG.pdf, p. 163.

67 Slovenia, Human Rights Ombudsman (2016), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2015 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2015*), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/Varuh_DPM_2015.pdf, p. 138.

68 *Ibidem*, p. 156.

69 *Ibidem*, p. 139.

70 *Ibidem*, p. 150.

71 *Ibidem*, p. 141.

- ZPKZ Maribor smo predlagali, da se proučijo možnosti, da bi se zaprtim osebam omogočil tudi (vsaj kratek) popoldanski izhod na sprehajališče.⁷²

Recommendations relating to specific prisons: Radeče:

- V PD Radeče smo poudarili, da nobena druga aktivnost v domu mladoletniku ne sme omejiti zakonsko predpisanega minimalnega časa bivanja na prostem, obenem pa smo izrazili tudi pričakovanje, da do podobnega primera v prihodnje ne bo več prišlo, ter prosili za pojasnilo v zvezi s tem.⁷³

Koper

- ZPKZ Koper smo predlagali, da bi glede na to, da osnovnošolsko izobraževanje poteka v zavodu, s tem seznanili zaprte osebe, ki bi želele zaključiti osnovnošolsko izobraževanje, in jim to tudi omogočili.⁷⁴

4. Solitary confinement

- What is the national standard set regarding solitary confinement? Is it regulated by any legal instrument, such as a legislative act, internal prison regulations, manuals, policy papers etc.?
- Please indicate whether there are different standards applicable to different detention regimes (for example, if applicable in your jurisdiction: open, semi-open, closed etc.).
- Please, provide a link to the National Preventive Mechanism's reports **from the reference period** (1 January 2015 to 1 May 2018, if no report is available for this period, please provide a link to the most recent one) and whether there are any recommendations regarding this aspect (please provide the exact quotation in the national language and if official translation is available – in English). These reports can be found on the webpage of the National Preventive Mechanism. For ease of reference a list of links can be found here: <https://apt.ch/en/list-of-designated-npm-by-regions-and-countries/>

Please cite any relevant sources

a)

Under Art. 88 of the Enforcement of Criminal Sanctions Act (*Zakon o izvrševanju kazenskih sankcij*),⁷⁵ solitary confinement is a form of disciplinary sanction for convicted prisoners. No solitary confinement in this sense is applicable to prisoners in detention.

However, detained prisoners may be placed in a separate cell if two conditions are met: (i) upon recapture after escape or after being caught during preparations or attempt to escape, (ii) if the prisoner has resisted violently or has otherwise endangered himself or the persons in his vicinity. Prisoner may be hand-cuffed, if necessary to prevent substantial material damage or danger to others.⁷⁶

By virtue of Art. 213č of the Criminal Procedure Act (*Zakon o kazenskem postopku*), Art. 236 of the Enforcement of Criminal Sanctions Act (*Zakon o izvrševanju kazenskih sankcij*) applies,⁷⁷ (1) limiting the time spent to 12 hrs, subject to further extension by periods of 12 hrs, not exceeding a maximum of 72 hrs at a time, if reasons persist; (2) requiring constant supervision, and (3) requiring notification of the medical staff. General rules on time out of cell apply.

Solitary confinement is regulated by:

⁷² *Ibidem*, p. 163.

⁷³ *Ibidem*, p. 154.

⁷⁴ *Ibidem*, p. 151.

⁷⁵ Slovenia, Enforcement of Criminal Sanctions Act (*Zakon o izvrševanju kazenskih sankcij*), published 10 March 2000, available at <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO1223>.

⁷⁶ Slovenia, Art. 62(1) of the Rules on the implementation of remand (*Pravilnik o izvrševanju pripora*), published 14 May 1999, available at www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV1028.

⁷⁷ Information provided by Prison Administration of the Republic of Slovenia, e-mail, 18 June 2018. Art. 213č(1) of the Criminal Procedure Act (*Zakon o kazenskem postopku*) allows for the application of the Enforcement of Criminal Sanctions Act (*Zakon o izvrševanju kazenskih sankcij*) provisions on, *inter alia*, maintaining order and discipline. Full text of the provisions reads: "Unless otherwise stipulated by this Act and by regulations issued pursuant thereto, the provisions of the law which governs the implementation of penal sanctions and of regulations issued pursuant thereto shall apply *mutatis mutandis* to the monitoring, pursuit, surveillance, maintenance of order and discipline, the use of force, personal search and house searches for detainees." Unofficial English translations of 2007 partially outdated text of the Criminal Procedure Act is available at <https://www.policija.si/eng/images/stories/Legislation/pdf/CriminalProcedureAct2007.pdf>.

- Rules on the implementation of remand (*Pravilnik o izvrševanju pripora*),
- CPT standards
- European Convention on Human Rights with the applicable case law.

Relevant sources are referenced in-text.

b)

There are no different detention regimes.

c)

Reports of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism are available at:

In Slovenian language:

www.varuh-rs.si/index.php?id=1515

In English language (2016 only):

www.varuh-rs.si/index.php?id=1515&L=6

2017 Report: no recommendations have been issued.

2016 Report: no recommendations have been issued.

2015 Report: no recommendations have been issued.

5. Access to healthcare

- What is the national standard with regard to access to medical services in prisons? (E.g. do prisoners have prompt access to medical services within prisons or externally? Do prisoners have access to dentists and opticians?)
- Are there any special provisions relating to the provision of specialist care? (E.g. for long-term diseases, for sick and elderly prisoners, the mentally ill, drug addicted prisoners etc.)
- Is access to healthcare in prisons regulated by any legal instrument, such as a legislative act, internal prison regulations, manuals, policy papers etc.?
- Please indicate whether there are different standards applicable to different detention regimes.
- Please, provide a link to the National Preventive Mechanism's reports from the reference period (1 January 2015 to 1 May 2018, if no report is available for this period, please provide a link to the most recent one) and whether there are any recommendations regarding this aspect (please provide the exact quotation in the national language and if official translation is available – in English). These reports can be found on the webpage of the National Preventive Mechanism. For ease of reference a list of links can be found here: <https://apt.ch/en/list-of-designated-npm-by-regions-and-countries/>

Please cite any relevant sources

a)

Prisoners are subject to mandatory health care insurance, including work-related illness and injury.⁷⁸ Insurance premium and the coverage of health service costs is provided by the state budget.⁷⁹

78 Slovenia, Arts. 15 and 16 of the Health Care and Health Insurance Act (*Zakon o zdravstvenem varstvu in zdravstvenem zavarovanju*), published 21 Feb 1992, available at <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO213>.

79 Slovenia, Arts. 24(2), 48 and 49 of the Health Care and Health Insurance Act (*Zakon o zdravstvenem varstvu in zdravstvenem zavarovanju*), published 21 Feb 1992, available at <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO213>.

Medical examination is mandatory within 48 hrs after the reception and prior to leaving detention facility.⁸⁰ Medical examination must be carried out immediately, if there are reasonable grounds that prisoner is suffering from bodily injury, contagious disease or other serious illness.⁸¹

Prisoner's right to choose his medical doctor is limited. Prisoners are provided with health care services in detention facilities' clinic.⁸² Medical treatment outside of detention facilities is authorised by the court upon motion of the facilities doctor. In exigent circumstances, the treatment is authorised by the director of detention facility.⁸³

Prisoner may require a visit and an examination by a medical doctor of his choice, with authorisation of the court and at his own expense.⁸⁴

On medical doctor's recommendation, prisoner may acquire medicine at his own expense, or acquire medicine from his family or other persons.⁸⁵

No specific national standards or rules exist on access to dentist or optician. Access to dentist or optician is governed by general rules on access to medical care.⁸⁶

b)

Access to specialist care is provided within the mandatory health care insurance scheme⁸⁷ or at prisoner's own expense.

c)

Access to health-care is regulated by:

- Health Care and Health Insurance Act (*Zakon o zdravstvenem varstvu in zdravstvenem zavarovanju*),
- Rules on the implementation of remand (*Pravilnik o izvrševanju pripora*),
- CPT standards and the
- European Convention on Human Rights with the applicable case law.

Relevant sources are referenced in-text.

d)

There are no different detention regimes.

e)

Reports of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism are available at:

In Slovenian language:

www.varuh-rs.si/index.php?id=1515

In English language (2016 only):

www.varuh-rs.si/index.php?id=1515&L=6

80 Slovenia, Art. 31 of the Rules on the implementation of remand (*Pravilnik o izvrševanju pripora*), published 14 May 1999, available at www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV1028.

81 Slovenia, Art. 31(2) of the Rules on the implementation of remand (*Pravilnik o izvrševanju pripora*), published 14 May 1999, available at www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV1028.

82 Slovenia, Art. 32(1) of the Rules on the implementation of remand (*Pravilnik o izvrševanju pripora*), published 14 May 1999, available at www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV1028.

83 Slovenia, Art. 32(2) of the Rules on the implementation of remand (*Pravilnik o izvrševanju pripora*), published 14 May 1999, available at www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV1028.

84 Slovenia, Art. 33 of the Rules on the implementation of remand (*Pravilnik o izvrševanju pripora*), published 14 May 1999, available at www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV1028.

85 Slovenia, Art. 34 of the Rules on the implementation of remand (*Pravilnik o izvrševanju pripora*), published 14 May 1999, available at www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV1028.

86 Information provided by Prison Administration of the Republic of Slovenia, e-mail, 18 June 2018.

87 Slovenia, Art. 23 of the Health Care and Health Insurance Act (*Zakon o zdravstvenem varstvu in zdravstvenem zavarovanju*), published 21 Feb 1992, available at <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO213>.

2017 Report

Recommendations relating to specific prisons - Dob Prison:

- Glede na različno urejenost in ne povsem primerno opremljenost teh prostorov, menimo, da je nujno, da se bolniške sobe uredijo in opremijo v skladu z njihovim namenom in enotno po vseh lokacijah ter da se poskrbi tudi za njihovo primerno prostorsko umestitev (po možnosti v pritličju).⁸⁸
- DPM predlaga, naj zavod znova seznaní ZD Trebnje s priporočilom, da ta uresniči priporočilo izvedenke zdravnice s prejšnjega obiska, da mora biti zdravnik splošne prakse dostopen v prostorih zavoda vsak delovni dan, vsekakor pa ob dnevih sprejema.⁸⁹

General recommendations:

- Vsi prostori, ki so v zavodih in dislociranih oddelkih namenjeni za potrebe bolniške sobe, bi morali biti dovolj veliki in brez nepotrebnih arhitekturnih ovir ter enotno opremljeni z ustreznimi bolniškimi posteljami in drugo potrebno opremo.⁹⁰
- Priporočamo, naj UIKS pripravi posebno strategijo s podrobnejšimi navodili in usmeritvami za obravnavo potreb ranljivih zaprtih oseb, da se zagotovi njihova enaka obravnavo. Med drugim mora ta vključevati zagotavljanje in usposabljanje osebja, ki bo skrbelo za potrebe te ranljive skupine, določala posebnosti pri razvrščanju in namestitvi ranljivih zaprtih oseb, določala skrb za njihovo zdravstveno varstvo, dostop do dejavnosti in aktivnosti v zavodu za prestajanje kazni zapora, zagotavljanja njihovo varnost in pripravo na odpust, vključno s pripravo zgodnejšega (pogojnega) odpusta.⁹¹

2016 Report

Recommendations relating to specific prisons - Celje Prison

- ZPMZ KZ Celje smo predlagali še proučitev pomislov zdravnika izvedenca in njegovega priporočila, da se zagotovi prisotnost osebja zdravstvene nege ob vseh odmerjanjih zdravil, kar bi zagotavljalo večjo varnost odmerjanja zdravil v zavodu, vzpostavitev stalne prisotnosti osebja zdravstvene nege pa bi zagotavljala stalno zdravstveno oskrbo tudi osebam, ki tovrstno oskrbo potrebujejo zaradi zdravstvenih razlogov, in zapolnila vrzel pri zagotavljanju zdravstvene oskrbe ob odsotnosti zaporske bolnišnice.⁹² / We also proposed that Celje Prison and Juvenile Prison consider the concern and recommendation of the medical expert to ensure the presence of medical staff during all distributions of medication, which would ensure greater safety of distribution in the prison. The permanent presence of medical staff would guarantee ongoing health care also for persons who need such care for medical reasons, and it would fill the gap when providing health care in the absence of an infirmary.⁹³
- Ob obisku ZPMZ KZ Celje smo predlagali proučitev priporočila zdravnika izvedenca, da se izdelajo pisna navodila glede razdeljevanja in drobljenja zdravil z navedbo zdravil, katerih ni smiselno drobiti (npr. orodisperzibilne tablete), in zdravil, katerih drobljenje utegne vplivati na sproščanje aktivnih spojin iz preparata (npr. zdravila v obliki s podaljšanim sproščanjem, kapsule), ter zdravil, ki jih ni mogoče drobiti (npr. zdravila z inkapsulirano tekočino), pravosodnim policistom ali zagotoviti navzočnost osebja zdravstvene

88 Slovenia, Human Rights Ombudsman (2018), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2017 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2017*), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/DPM_2017.pdf, p. 89

89 *Ibidem*, p. 84

90 *Ibidem*, p. 90

91 *Ibidem*.

92 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2016*), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/Porocilo_DPM_2016_koncno__za_www.pdf, p. 150.

93 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016, available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/DPM_2016_-_ANG.pdf, p. 159.

nege v času razdeljevanja zdravil.⁹⁴ / When visiting Celje Prison and Juvenile Prison, we proposed the consideration of the medical expert's recommendation to draft written instructions on the distribution and crushing of medications with the list of medications which should not be crushed (e.g. orodispersible tablets) and medications which if crushed could affect the release of active compounds from the preparation (e.g. medications with extended release, capsules) and medications which must not be crushed (e.g. medications with encapsulated liquid) for judicial police officers or ensure the presence of medical staff when distributing medication).⁹⁵

- Poleg tega smo ZPMZ KZ Celje predlagali tudi proučitev priporočila zdravnika izvedenca, da se prenovijo prostori, namenjeni zdravstveni dejavnosti v okviru arhitekturnih možnosti v skladu s pravilniki (npr. ekvivalent Pravilnika o pogojih za opravljanje zasebne zdravstvene dejavnosti, II Sanitarno higienske zahteve, člani 8-18).⁹⁶ / Furthermore, we proposed that Celje Prison and Juvenile Prison examine the medical expert's recommendation to renovate premises intended for medical activities within the architectural possibilities in accordance with rules (e.g. equivalent to the Rules on the requirements to be met by persons engaged in private health activities, II Sanitary hygienic requirements, Articles 8 to 18).⁹⁷
- ZPMZ KZ Celje smo predlagali tudi proučitev priporočila zdravnika izvedenca, da bi bilo treba spremeniti prvi odstavek 58. člena Zakona o izvrševanju kazenskih sankcij (ZIKS-1) oziroma iz njega izvzeti omejitev pravice do proste izbire zdravnika v primeru, da se čakalne dobe na specialistični pregled med ponudniki zdravstvenih storitev bistveno razlikujejo.⁹⁸ / We proposed that Celje Prison and Juvenile Prison examine the medical expert's recommendation that paragraph one of Article 58 of the Enforcement of Criminal Sanctions Act (ZIKS-1) would have to be amended, or the limitation on the right to a free choice of a doctor if waiting times for specialist examinations differ considerably between health care providers should be eliminated.⁹⁹
- ZPMZ KZ Celje smo predlagali tudi proučitev priporočila zdravnika izvedenca, da bi bilo smiselno urediti (če ni že drugače urejeno), da se po presoji medicinskega osebja (če je tovrstno zdravilo za ohranjanje zdravja potrebno) in če oseba nima lastnih sredstev, zagotoviti tudi zdravila, ki jih Zavod za zdravstveno zavarovanje Slovenije ali katera izmed zavarovalnic, ki zagotavljajo dodatno zavarovanje, ne plačuje v celoti in je potrebno doplačilo za prejemanje tovrstnih zdravil.¹⁰⁰ / We also proposed that Celje Prison and Juvenile

94 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2016*), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/Porocilo_DPM_2016_koncno__za_www.pdf, p. 149.

95 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016, available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/DPM_2016_-_ANG.pdf, p. 159.

96 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2016*), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/Porocilo_DPM_2016_koncno__za_www.pdf, p. 149.

97 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016, available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/DPM_2016_-_ANG.pdf, p. 159.

98 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2016*), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/Porocilo_DPM_2016_koncno__za_www.pdf, p. 150.

99 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016, available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/DPM_2016_-_ANG.pdf, p. 160.

100 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against

Prison consider the medical expert's recommendation that it would be sensible to arrange (if this is not arranged in another way) after the assessment of medical staff the provision of medication, which the Health Insurance Institute of Slovenia or another insurance company that provides additional insurance does not pay for in full and for which an additional payment is necessary (if such medication is necessary for the maintenance of health and if the person has no financial resources to pay for it).¹⁰¹

- Ne nazadnje smo ZPMZ KZ Celje predlagali še proučitev priporočila zdravnika izvedenca, ki se nanaša na zagotavljanje prednostne obravnave osebam, ki jim je bila odvzeta prostost pri zagotavljanju specialističnih zdravstvenih storitev zaradi sicer omejene možnosti izbire ponudnikov zdravstvenih storitev – če se namreč zamenja terapija med več osebami, bi bilo treba zagotoviti sistem, ki bi zmanjšal možnost pojavljanja tovrstnih napak (na primer zdravila za razdeljevanje vedno pripravi ista oseba, evidentiranje izdanih zdravil).¹⁰² / Finally, we proposed that Celje Prison and Juvenile Prison consider the medical expert's recommendation referring to the priority treatment of persons deprived of liberty when providing specialist health services regarding the limited possibility of selecting health care providers – if medication is prescribed by different persons, a system should be provided which would reduce the possibility of errors occurring (e.g. medication for distribution is always prepared by the same person, recording of medication issued).¹⁰³

Recommendations relating to specific prisons - Ljubljana Prison

- ZPKZ Ljubljana smo predlagali, naj se upošteva priporočilo izvedenca, da je v prostorih zavodske ambulante za intervencije in primarno ter sekundarno oskrbo pacientov, ki jih izvajajo medicinske sestre, treba pridobiti/urediti ustrezen prostor za njihovo delo.¹⁰⁴ / We proposed that Ljubljana Prison consider the expert's recommendation that a suitable room for interventions and the implementation of primary and secondary care for patients provided by nurses must be provided/arranged in the premises of the infirmary.¹⁰⁵

Nova Gorica Prison

- ZPKZ Koper – oddelek Nova Gorica smo predlagali, naj oddelek preveri pripombe zaprtih oseb glede prekratke prisotnosti psihiatra in da v primeru njihove utemeljenosti sprejme potrebne ukrepe, da bodo vse zaprte osebe v času namestitve ustrezno psihiatrično oskrbljene.¹⁰⁶ / We proposed to Nova Gorica Unit of

Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2016*), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/Porocilo_DPM_2016_koncno__za_www.pdf, p. 150.

101 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016, available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/DPM_2016_-_ANG.pdf, p. 160.

102 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2016*), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/Porocilo_DPM_2016_koncno__za_www.pdf, p. 150.

103 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016, available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/DPM_2016_-_ANG.pdf, p. 160.

104 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2016*), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/Porocilo_DPM_2016_koncno__za_www.pdf, p. 151.

105 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016, available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/DPM_2016_-_ANG.pdf, p. 161.

106 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in*

Koper Prison that the unit verify prisoners' complaints about the psychiatrist's brief attendance, and to take necessary measures if the complaints are justified so that all prisoners receive suitable psychiatric treatment during their imprisonment.¹⁰⁷

Maribor Prison

- ZPKZ Maribor smo predlagali, naj se v zavodu dosledno spoštuje razmerje zaupnosti med pacientom (pripornikom oziroma obsojencem) in zdravnikom, razen kadar obstajajo za to objektivni razlogi (npr. varnostni razlogi oziroma prisotnost pravosodnega policista zahteva zdravnik).¹⁰⁸ / We proposed to Maribor Prison that the confidential relationship between patient (detainee or convict) and doctor be respected consistently, unless specific reasons obtain (e.g. security reasons or the presence of a judicial police officer is required by the doctor).
- ZPKZ Maribor smo predlagali, da UIKS zavodu pomaga pri obnovi medicinskega trakta ter prostorov za obiske. / We proposed to Maribor Prison that the Prison Administration of Slovenia help with the renovation of the infirmary wing and rooms for visits.¹⁰⁹

2015 Report

Recommendations relating to specific prisons: Ljubljana Prison

- ZPKZ Ljubljana – oddelek Novo mesto smo predlagali, da se proučijo možnosti za dnevno prisotnost medicinske sestre, ki bo pripravila in delila terapijo.¹¹⁰

Recommendations relating to specific prisons: Dob Prison

- ZPKZ Dob smo predlagali, da se proučijo in realizirajo priporočila izvedenke zdravstvene stroke, in sicer: da mora biti zdravnik splošne prakse dostopen v prostorih ZPKZ Dob vsak delovni dan, vsekakor pa ob dnevih, ko se vršijo sprejemi, saj to med drugim Zdravstvenemu domu Trebnje (ZDT) nalaga tudi pogodba (3. člen); da se opravi skupni pogovor med Zavodom za zdravstveno zavarovanje (ZZZS), UIKS in izvajalci zdravstvene oskrbe za obsojence, v katerem naj se pojasnijo navedene ugotovitve oziroma pripombe in da nas seznanijo z morebitnimi sprejetimi ukrepi v zvezi s tem; da je pri pripravi pogodb in dogovorov treba upoštevati povečano število obsojencev (v času od sklepanja pogodb oziroma dogovorov do danes se je število obsojencev namreč povečalo s 497 na 620); da je treba v zavodu zagotoviti delovanje celotnega psihiatričnega tima, kakršni delujejo tudi pri drugih zdravstvenih izvajalcih; da je treba v sodelovanju s psihiatrično službo v najkrajšem času pripraviti programe za zdravljenje tistih duševnih motenj in bolezni, ki so med obsojenci najpogostejše (odvisnost) oziroma problematične (nasilniško vedenje); da je treba prostore zdravstvene službe obnoviti v najkrajšem času tako, da bodo funkcionalni in bodo zagotavljali nemoteno delo zdravstvenih delavcev, hkrati pa bodo zagotavljali njihovo varnost, ter da je nujno treba realizirati priporočilo DPM o socialnovarstvenem oddelku za tiste obsojence, ki zaradi svojega zdravstvenega stanja ne morejo prestajati kazni na rednih oddelkih zavoda.¹¹¹

drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2016), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/Porocilo_DPM_2016_koncno__za_www.pdf, p. 151.

107 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016, available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/DPM_2016_-_ANG.pdf, p. 161.

108 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2016*), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/Porocilo_DPM_2016_koncno__za_www.pdf, p. 151.

109 Slovenia, Human Rights Ombudsman (2017), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2016, available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/DPM_2016_-_ANG.pdf, p. 150.

110 Slovenia, Human Rights Ombudsman (2016), Report of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the year 2015 (*Poročilo Varuha človekovih pravic RS o izvajanju nalog državnega preventivnega mehanizma po Opcijskem protokolu h Konvenciji OZN proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju za leto 2015*), available at: www.varuh-rs.si/fileadmin/user_upload/pdf/DPM/Porocila/Varuh_DPM_2015.pdf, p. 157.

111 *Ibidem*, p. 158-159.

Recommendations relating to specific prisons: Radeče

- V PD Radeče je bilo ugotovljeno, da bolniška soba ni opremljena z varnimi oprijemali ali kako drugače, da bi bolni ali invalidni osebi olajšalo bivanje v njej, ter nima možnosti dostopa z invalidskim vozičkom do WC-ja in tuša (vhod v kopalnico je očitno preozek), zato smo predlagali, da se opravi ustrezna prilagoditev tega bivalnega prostora.¹¹²

Recommendations relating to specific prisons: Koper Prison

- ZPKZ Koper smo predlagali, da se v zavodski ambulanti uredi oziroma priskrbi mobilni voziček s kolesci za prevoz pacientov.¹¹³
- V ZPKZ Koper je bilo ugotovljeno, da sta dve medicinski sestri premalo za nemoten potek dela v zavodski/-h ambulanti/-ah, zato smo predlagali, da se proučijo možnosti za zaposlitev dodatne medicinske sestre.¹¹⁴
- ZPKZ Koper smo predlagali tudi, da se (glede na dejansko veliko število odvisnikov v zavodu) proučita potreba in možnost, da bi ambulanta za zdravljenje odvisnikov od psihoaktivnih snovi delala še dodatni dan na teden.¹¹⁵
- ZPKZ Koper smo priporočili, da bi bilo prav, da bi pravosodni policisti obvestili medicinske sestre o vsaki prošnji ali želji bolnika (raportu) za pregled, da bi lahko le-te (po potrebi s pomočjo zdravnika) izvedle triažo pred pregledom v ambulanti.¹¹⁶
- V ZPKZ Ig smo izrazili pričakovanje, da so odgovorni v zavodu za december načrtovani pogovor z zobozdravnikom že opravili in zaradi tega smo prosili za sporočilo ugotovitev in morebitnih ukrepov zvezi s tem. Hkrati smo prosili za informacije o tem, kako se zaprtim osebam v praksi zagotavlja dostop do zdravnika (splošne prakse in zobozdravnika) v času, ko zdravnik v zavodu ni navzoč. Zanimalo nas je tudi, kam in kako zaprte osebe sporočijo potrebo za zdravniško pomoč in kdo odloči o tem, če in kdaj bo zaprta oseba deležna zdravniške oskrbe.¹¹⁷

6. Special measures in place to protect juvenile prisoners.

- a) Are there any legal instruments, such as a legislative act, internal prison regulations, manuals, policy papers etc. regulating the separation of juvenile prisoners from adults? (e.g. a separate juvenile ward, or part of the building, canteen, common area etc.?)
- b) What age category falls under this specific juvenile prison regime?
- c) Please indicate whether there are different standards applicable to different detention regimes (for example, if applicable in your jurisdiction: open, semi-open, closed etc.).
- d) Please, provide a link to the National Preventive Mechanism's reports **from the reference period** (1 January 2015 to 1 May 2018, if no report is available for this period, please provide a link to the most recent one) and whether there are any recommendations regarding this aspect (please provide the exact quotation in the national language and if official translation is available – in English). These reports can be found on the webpage of the National Preventive Mechanism. For ease of reference a list of links can be found here: <https://apt.ch/en/list-of-designated-npm-by-regions-and-countries/>

Please cite any relevant sources

a)

112 *Ibidem*, p. 157.

113 *Ibidem*, p. 157.

114 *Ibidem*, p. 157.

115 *Ibidem*, p. 157.

116 *Ibidem*, p. 158.

117 *Ibidem*, p. 159-150.

Juvenile prisoners are to be detained separately from adult detainees.¹¹⁸ If interests of the juvenile detainee so dictate, the court may order that s/he be detained together with adult detainees.

Juvenile prisoners are to be provided with care, safety measures and assistance, as required by their age, gender and personality.¹¹⁹

No additional national standards or rules exist.¹²⁰

b)

Special provisions apply to persons who have committed a criminal offence as minors and have not attained the age of twenty-one at the time of institution or conducting of criminal proceedings.

A minor is a person that has not attained the age of 18. Only minors age 14 or above are liable for criminal offences.

c)

There are no different detention regimes.

d)

Reports of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism are available at:

In Slovenian language:

www.varuh-rs.si/index.php?id=1515

In English language (2016 only):

www.varuh-rs.si/index.php?id=1515&L=6

2017 Report: no recommendations have been issued.

2016 Report: no recommendations have been issued.

2015 Report: no recommendations have been issued.

7. Special measures in place to protect prisoners from violence

- a) Are any special measures in place to protect prisoners against violence, including sexual violence? (E.g. are prisoners supervised by prison staff? Are there emergency call buttons? Do guards receive training in de-escalation? Do prisoners have access to a complaints mechanism?)
- b) Are there any special measures in place to protect LGBTI prisoners, who are particularly vulnerable to violence/sexual violence?
- c) Are these measures regulated by any legal instrument, such as a legislative act, internal prison regulations, manuals, policy papers etc.?
- d) Please indicate whether there are different standards applicable to different detention regimes (for example, if applicable in your jurisdiction: open, semi-open, closed etc.).
- e) Please, provide a link to the National Preventive Mechanism's reports from the reference period (1 January 2015 to 1 May 2018, if no report is available for this period, please provide a link to the most recent one) and whether there are any recommendations regarding this aspect (please provide the exact quotation in the national language and if official translation is available – in English) These reports can be found on the web-

118 Slovenia, Art. 473(1,2) of the Criminal Procedure Act (*Zakon o kazenskem postopku*), published 13 October 1994, available at <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO362>.

119 Slovenia, Art. 473(3) of the Criminal Procedure Act (*Zakon o kazenskem postopku*), published 13 October 1994, available at <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO362>.

120 Information provided by Prison Administration of the Republic of Slovenia, e-mail, 18 June 2018.

page of the National Preventive Mechanism. For ease of reference a list of links can be found here:
<https://apt.ch/en/list-of-designated-npmby-regions-and-countries/>

Please cite any relevant sources

a)

Prisoners must comply with the rules set by the Criminal Procedure Act, house rules and guard's orders.¹²¹ Prison guards are required to maintain safety of prisoners, inter alia by preventing conflicts, disciplinary violations and criminal offences.¹²²

Video surveillance system may be installed in detention facilities and used for security and protection of detainees and employees.¹²³ No video surveillance is allowed in changing cabins, elevators, sanitary facilities, cells or bedrooms, with the exception of solitary confinement cell for prevention of self-injury or suicide.

Physical attacks, insulting or indecent behavior of prisoners are disciplinary violations and may be sanctioned by prohibition or restriction of prisoner's correspondence.¹²⁴ If prisoner's conduct amounts to a criminal offence, criminal prosecution will be instituted.

Prisoners may be relocated to a different cell in order to maintain their physical or mental health and respect for their dignity.¹²⁵

Guards are expected to undergo communication skills training and training in use of coercive powers.¹²⁶

Prisoners may make use of supervisory and complaint mechanisms. Complaints may be filed with president of competent district court,¹²⁷ the human rights ombudsman,¹²⁸ diplomatic or consular staff¹²⁹ or the Director General of the Prison Administration of the Republic of Slovenia.¹³⁰

b)

There are no special provisions on protection of LGBTI prisoner. General obligation to protect the dignity of prisoners¹³¹ applies.

121 Slovenia, Art. 5 of the Rules on the implementation of remand (*Pravilnik o izvrševanju pripora*), published 14 May 1999, available at www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV1028.

122 Slovenia, Art. 13 of Rules on the exercise of the powers and duties of prison guards (*Pravilnik o izvrševanju pooblastil in nalog pravosodnih policistov*), published 18 November 2016, available at <http://pisrs.si/Pis.web/pregledPredpisa?id=PRAV12760>.

123 Slovenia, Art. 235a of the Enforcement of Criminal Sanctions Act (*Zakon o izvrševanju kazenskih sankcij*), published 10 March 2000, available at <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO1223>. Rules on Video Surveillance in the Administration for Enforcement of Penal Sanctions of the Republic of Slovenia (*Pravilnik o videonadzoru v Upravi Republike Slovenije za izvrševanje kazenskih sankcij*), published 30 October 2009, available at <http://pisrs.si/Pis.web/pregledPredpisa?id=PRAV9797>.

124 Slovenia, Art. 213c of the Criminal Procedure Act (*Zakon o kazenskem postopku*), published 13 October 1994, available at <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO362>.

125 Slovenia, Art. 24 of the Rules on the implementation of remand (*Pravilnik o izvrševanju pripora*), published 14 May 1999, available at www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV1028, read in conjunction with Art. 209(1) of the Criminal Procedure Act (*Zakon o kazenskem postopku*), published 13 October 1994, available at <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO362>.

126 Slovenia, Art. 119 and 120 of Rules on the exercise of the powers and duties of prison guards (*Pravilnik o izvrševanju pooblastil in nalog pravosodnih policistov*), published 18 November 2016, available at <http://pisrs.si/Pis.web/pregledPredpisa?id=PRAV12760>.

127 Slovenia, Art. 213d of the Criminal Procedure Act (*Zakon o kazenskem postopku*), published 13 October 1994, available at <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO362>.

128 Slovenia, Art. 213b(3) of the Criminal Procedure Act (*Zakon o kazenskem postopku*), published 13 October 1994, available at <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO362>.

129 Slovenia, Art. 213b(2) of the Criminal Procedure Act (*Zakon o kazenskem postopku*), published 13 October 1994, available at <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO362>.

130 Slovenia, Art. 70 of the Rules on the implementation of remand (*Pravilnik o izvrševanju pripora*), published 14 May 1999, available at www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV1028.

131 Slovenia, Art. 209 of the Criminal Procedure Act (*Zakon o kazenskem postopku*), published 13 October 1994, available at <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO362>.

c)

Measures, protecting the prisoners from violence are regulated by:

- Criminal Procedure Act (*Zakon o kazenskem postopku*)
- Enforcement of Criminal Sanctions Act (*Zakon o izvrševanju kazenskih sankcij*)
- Rules on Video Surveillance in the Administration for Enforcement of Penal Sanctions of the Republic of Slovenia (*Pravilnik o videonadzoru v Upravi Republike Slovenije za izvrševanje kazenskih sankcij*)
- Rules on the exercise of the powers and duties of prison guards (*Pravilnik o izvrševanju pooblastil in nalog pravosodnih policistov*)

Relevant sources are referenced in-text.

d)

There are no different detention regimes.

e)

Reports of the Human Rights Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism are available at:

In Slovenian language:

www.varuh-rs.si/index.php?id=1515

In English language (2016 only):

www.varuh-rs.si/index.php?id=1515&L=6

2017 Report: no recommendations have been issued.

2016 Report: no recommendations have been issued.

2015 Report: no recommendations have been issued.

8. Responsible authorities

- a) What authority is responsible for the provision of additional information requested under Article 15 of the EAW Framework Decision? (*Please specify whether there a central authority deals with these requests, if yes, please provide contact details, such as the name of the institution, a website, physical and email addresses, and a telephone number. In the absence of a central authority, who deals with those requests?*)
- b) What authority is responsible for monitoring conditions of detention and putting forward recommendations?

Please cite any relevant sources

a)

No central authority exists for purposes of requests under Art. 15 EAW Framework Decisions.

Provision of additional information is within the competence of the issuing judicial authority. Issuing judicial authority is the trial court or the court competent for the enforcement of prison sentence.¹³² Information on the issuing judicial authority are provided along with the EAW decision.

b)

Monitoring of detention provisions and putting forward recommendations is within the competence of:

132 Slovenia, Art. 42 of the Cooperation in Criminal Matters with the Member States of the European Union Act (*Zakon o sodelovanju v kazenskih zadevah z državami članicami Evropske unije*), published 4 June 2013, available at www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO6513.

1. The president of the competent district court, ie the court competent in the district where detention facilities are located.¹³³ The president or appointed judge must visit detainees on a weekly basis and may, if deemed necessary, make inquiries concerning detention conditions. The president of the district court may make recommendation to the Prisons Administration of the Republic of Slovenia.¹³⁴
2. The Human Rights Ombudsman, acting as the National Preventive Mechanism,¹³⁵ by virtue of Art. 19 of the Optional Protocol.
3. European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, by virtue of Article 8 and 10 of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment.¹³⁶

133 Slovenia, Art. 213d(2) of the Criminal Procedure Act (*Zakon o kazenskem postopku*), published 13 October 1994, available at <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO362>.

134 Slovenia, Art. 69(2) of the Rules on the implementation of remand (*Pravilnik o izvrševanju pripora*), published 14 May 1999, available at www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV1028.

135 Slovenia, Art. 4 and 5 of the Act of Ratification of the Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (*Zakon o ratifikaciji Opcijskega protokola h Konvenciji proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju*), published 9 November 2006, available at <https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/2006-02-0117?sop=2006-02-0117>.

136 Slovenia, Act of Ratification of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (*Zakon o ratifikaciji Opcijskega protokola h Konvenciji proti mučenju in drugim krutim, nečloveškim ali poniževalnim kaznim ali ravnanju*), published 14 January 1994, available at <https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/1994-02-0001/#10.%C2%A0%C4%8Dlen>.