SI - Country information

Indicators on political participation

of persons with disabilities

2014

DISCLAIMER: The background country information reports contain background material for the comparative report on *The right to political participation for persons with disabilities: human rights indicators* by the European Union Agency for Fundamental Rights (FRA). The bulk of the information in the background country information reports comes from ad hoc information reports prepared under contract by the FRA’s research network FRANET. The views expressed in the background country information reports do not necessarily reflect the views or the official position of the FRA. These reports are made publicly available for information purposes only and do not constitute legal advice or legal opinion.

FRANET contractor: Mirovni Inštitut

1. **STRUCTURE INDICATORS**

|  |  |
| --- | --- |
| **Structure indicators** | **Source and supporting information** |
| Has Slovenia ratified the CRPD without a reservation to Article 29? Please give details of any reservation. | 24 Apr 2008[[1]](#footnote-1) |
| Has Slovenia ratified the CRPD without a reservation to Article 12? Please give details of any reservation. | 24 Apr 2008[[2]](#footnote-2)  |
| Has Slovenia ratified the CRPD without a reservation to Article 9? Please give details of any reservation. | 24 Apr 2008[[3]](#footnote-3)  |
| Please indicate the legislation which applies to European Parliament and municipal elections in your country. Please highlight possible amendments in view of the 2014 European Parliament elections.Does the same law apply for national, federal, local and regional elections, and referendums? | In Slovenia, different types of elections and referendums are governed by separate pieces of legislation. These include the following:- The Election of Slovenian members to the European Parliament Act (*Zakon o volitvah poslancev iz Republike Slovenije v Evropski parlament*, ZVPEP) – governs EU parliament elections.[[4]](#footnote-4) In respect to the 2014 EU parliament elections, no amendments are currently observed.- The Local Elections Act (*Zakon o lokalnih volitvah*, ZLV) – governs municipal elections;[[5]](#footnote-5)- The National Assembly Elections Act (*Zakon o volitvah v Državni zbor*, ZVDZ) governs elections to the national parliament;[[6]](#footnote-6)- The Election of the President of the Republic Act (*Zakon o volitvah predsednika republike*, ZVPR), governs presidential elections;[[7]](#footnote-7)- The Referendum and popular initiative Act (*Zakon o refendumu in o ljudski iniciativi*, ZRLI) – among other things, the law governs referendums.[[8]](#footnote-8)It is worthwhile noting, however, that provisions of the National Assembly Elections Act are *mutatis mutandis* applicable, or are referred to, regarding various issues which are not specifically determined in other elections-related laws. Several provisions of the mentioned law are specifically relevant for persons with disabilities. For example, regarding the voting right, Article 7 of the National Assembly Elections Act stipulates the following:*Every citizen of the Republic of Slovenia who has reached the age of 18 by the Election Day shall have the right to vote and to be elected as a deputy.**Notwithstanding the provisions of the preceding paragraph, the right to vote and the right to stand for the election shall not be recognised for a citizen of Slovenia who has reached the age of 18, but has for reasons of mental illness, developmental difficulties or impairment legally been deprived of the legal capacity or for whom parental rights have been prolonged for their parents or other persons beyond their majority, and is consequently not capable of understanding the meaning, purpose and impact of elections.* *In the procedure for taking away the legal capacity or extending parental rights beyond majority, the court shall make a separate decision on taking away the right to stand for election and the right to vote*. There are also several relevant provisions related to voting at polling stations. Article 79 reads as follows:*If a voter, because of physical disability or illiteracy, is not able to vote in the manner provided by this Act, they shall have the right to be accompanied by a person who shall help them to cast their vote or deliver the ballot paper. The decision on this shall be made by the electoral committee and entered in the records.*Article 79a, Paragraph 1, stipulates the following: *In the electoral district area, the district electoral commission shall designate at least one polling station accessible to persons with disabilities. Voters who wish to cast their votes at this polling station shall inform the district electoral commission of their intention to vote at least three days prior to Election Day. At this polling station, the electoral commission may facilitate voting by way of specifically adapted ballot papers and voting machines*.[[9]](#footnote-9) The elections and referendum campaign Act (*Zakon o volilni in referendumski kampanji*, ZVRK) further regulates campaign-related matters (e.g. campaign in mass media, electronic publications and campaign using telecommunication services, placing of posters, pre-elections meetings) for all elections and referendums.[[10]](#footnote-10)  |
| Is there a requirement under law to register to vote? If so, please specify the relevant legislation. | There is no such a requirement under the law. |
| Is there any limitation foreseen by law which could affect the right of persons with disabilities to vote in European Parliament and municipal elections? Please give details of any restrictions on the right to vote of persons with disabilities, including any link between a particular type of impairment (e.g. psychosocial/intellectual disability) or substituted decision making (e.g. loss of legal capacity, placement under guardianship)and the right to vote in elections.Does the same law regarding voting rights apply for national, local/regional elections and referendums? | Law on Election to the National Assembly: According to the law, persons with intellectual disabilities who cannot understand the purpose and meaning of elections do not have the right to vote.The first three paragraphs of Article 7 of the National Assembly Elections Act (*Zakon o volitvah v državni zbor, ZVDZ*) read as follows:*Every citizen of the Republic of Slovenia who has reached the age of 18 by the Election Day shall have the right to vote and to be elected as a deputy.**Notwithstanding the provisions of the preceding paragraph, the right to vote and the right to stand for the election shall not be recognised for a citizen of Slovenia who has reached the age of 18, but has for reasons of mental illness, developmental difficulties or impairment legally been deprived of the legal capacity or for whom parental rights have been prolonged for their parents or other persons beyond their majority, and is consequently not capable of understanding the meaning, purpose and impact of elections.* *In the procedure for taking away the legal capacity or extending parental rights beyond majority, the court shall make a separate decision on taking away the right to stand for election and the right to vote.* These provisions of the National Assembly Elections Act also apply to municipal elections and elections to the EU parliament. |
| Is there legislation in place regulating how people living in long-term institutions may vote? | Article 81, Paragraph 2 of the National Assembly Elections Act only stipulates the following:*People in care in retirement homes who do not have permanent residence there, and voters who are hospitalised, may also vote by post, provided that they have notified the district electoral commission or the constituency electoral commission not later than seven days prior to Election Day.*Article 83 of the mentioned law further stipulates the following:*Voters, who, for reasons of illness, cannot go in person to the polling station where they are entered in the electoral register, may vote in their homes before an electoral committee. They must notify the district electoral commission of this no later than three days prior to Election Day*.[[11]](#footnote-11)The provisions in question also apply to municipal and the EU parliament elections. |
| Is there a duty under law to provide reasonable accommodation for persons with disabilities in voting procedures? For example, is there a duty to provide assistance at the polling station (e.g. braille or large print ballot papers, independent support person to assist with voting chosen by the person with a disability) or to allow for alternative means of voting (e.g. postal ballots, voting in advance, home-based voting, voting at institutions, mobile voting)? | Persons with disabilities living in institutions can vote using postal services. On request of persons with disabilities, the Electoral Commission must visit this person on the location where they live to enable them to vote. In some elections and referendums, special tactile ballot templates are used for blind voters. They are not required by law and are therefore not used in every election. In 20 out of about 3.800 polling stations, electronic voting machines for disabled persons are used. |
| Is there a duty under law for public and private providers of internet and web-based information to ensure that public information is subject to accessibility requirements (e.g. equivalent to Web Content Accessibility Guidelines (WCAG) 2.0 AA standard) | Generally, there is no an explicit requirement under the law. The Equalisation of opportunities for persons with disabilities Act (*Zakon o izenačevanju možnosti invalidov*, ZIMI), adopted in 2010 as an instrument of implementation of the United Nations (UN) Convention on the Rights of Persons with disabilities (CRPD) and as a piece of legislation providing for further protection of persons with disabilities against discrimination, prohibits in Article 8 discrimination on the ground of disability with regard to the accessibility of goods and services available to the public. The same article further stipulates that measures to eliminate barriers with respect to access to goods and services shall, among other things, be related in particular: to access to information, communication and other services and emergency assistance; to provision of adequate support, if so necessary when offering goods and services available to the public, especially by another person (readers, Slovenian sign language interpreters), and of declarations in Braille and in easy read and easy-to-understand formats. These measures must be provided as long as they do not impose a disproportionate burden on public and private entities that provide goods and services available to the public. According to the same article, the relevant minister must determine the minimum requirements for accessibility of goods and service available to the public. As of yet, however, no minimum requirements have been adopted. With a view to access to information, the act in question further determines that discrimination on the ground of disability shall include denial of real-time, equal and free of charge access to information for persons with disabilities, while observing the principle of appropriate and reasonable accommodation in formats of records, languages and technologies accessible to persons with disabilities and appropriate for different types of disabilities. The law, however, does not envisage the adoption of certain minimum accessibility standards or other implementing provisions.[[12]](#footnote-12)In terms of sectoral laws, the Electronic commerce market Act (*Zakon o elektronskem poslovanju na trgu, ZEPT*), governing issues related to the information society services as commercial activities on the internet which are constantly available, stipulates in Article 15 that responsible ministry (i.e. Ministry of Education, Science and Sport) encourages preparation of codes of conduct aiming at protection of rights of persons with disabilities.[[13]](#footnote-13) Article 10 of the Access to public information Act (*Zakon o dostopu do informacij javnega značaja*, ZDIJZ) obliges state bodies to publish various types of information on the World Wide Web (e.g. consolidated texts of regulations relating to the field of work of the body; programmes, strategies, views, opinions and instructions of general nature important for the interaction of the body with natural and legal persons and for deciding on their rights or obligations; proposals for regulations, programmes, strategies, and other similar documents relating to the field of work of the body; information on their activities and administrative, judicial and other services). Each body must ensure that this information is available free of charge, while the ministry responsible for public administration provides for access to this information via the joint state portal *e-uprava* (i.e. e-administration). There is, however, no specific provision in the law obliging the state bodies to comply with accessibility requirements in provision of public information.[[14]](#footnote-14) |
| Is there a duty under law for public and private providers of media (including newspapers, TV, radio and internet) to ensure that their information and communications are subject to accessibility requirements? | Generally, the laws do not oblige the media to provide information in formats accessible to persons with disabilities, but only encourages them to do so. Some more duties, however, are imposed on the national public broadcaster. For example, Article 4 of the Media Act (*Zakon o medijih*, ZMed) stipulates that the state specially supports creation and dissemination of programming intended for the blind (i.e. persons with visual impairments) and the deaf who cannot speak (*literally, “gluhoslepe”, deaf-mute*) in adjusted techniques, and supports development of technical infrastructure.[[15]](#footnote-15) Similarly, according to Article 11 of the Audiovisual media services Act (*Zakon o avdiovizualnih medijskih storitvah*, ZAvMS), the state, in accordance with the law governing media, encourages providers to gradually ensure access to their services for persons with visual and hearing impairment.[[16]](#footnote-16) In accordance with Article 4 of the Radio and television of Slovenia Act (*Zakon o Radioteleviziji Slovenija*, ZRTVS-1), a piece of legislation regulating operations of the national public broadcaster, the public broadcaster, on its channels, provides programming intended for the blind and persons with visual impairments and for deaf and persons with hearing impairments using techniques adapted for such persons, and pays special attention to persons with disabilities and to content associated with them.Article 24 of the act in question further stipulates that the Programme Board shall appoint a Programme Committee for the issue of programme content for persons with disabilities. The Programme Committee, composed of nine persons whose disability has been determined by the competent authority in an enforceable decision and who were nominated by associations of persons with disabilities, shall observe: the draft proposal and implementation of the programme plan in parts related to programme content intended for persons with disabilities; comments and proposals by viewers and listeners regarding the programme content intended for persons with disabilities; fulfilment of the broadcasting of programme content aimed at persons with visual and hearing impairment in adjusted techniques. It may also submit initiatives and proposals to bodies of the public broadcasters and the latter are obliged to deal with them and indicate their position in that respect.[[17]](#footnote-17)  |
| Is there legislation requiring that polling stations and voting processes be accessible to persons with disabilities (e.g. a certain percentage of polling stations must be accessible, one polling station per electoral district must be accessible etc)?Please indicate whether the legislation requires that polling stations and voting processes are accessible for all persons with disabilities or for particular impairment groups (e.g. persons with visual, hearing, physical impairments etc). | The National Assembly Elections Act (*Zakon o volitvah v državni zbor, ZVDZ*) provides that at least one polling station in each electoral district must be accessible to persons with disabilities. Voters who wish to cast their votes at this polling station shall inform the district electoral commission of their intention to vote at least three days prior to Election Day. At this polling station, the electoral commission may facilitate voting by way of specifically adapted ballot papers and voting machines.[[18]](#footnote-18) National Assembly Elections Act Presidential elections in November and December 2012 were the last elections held in Slovenia. During these elections, there were a total 3,337 polling stations in Slovenia, of which 1,148 (34.4%) were officially designated as polling stations accessible to persons with disabilities, that is a polling station with no architectural barriers (e.g. stairs) that would prevent persons with physical disabilities from voting. All 3,337 polling stations in the country were equipped with stencils to assist persons with visual impairments. There were also 30 officially designated accessible polling stations with a voting machine to particularly assist persons with visual impairments and physical disability (persons with tetraplegia and muscular dystrophy)... In comparison, at the time of the early parliamentary elections in 2011, there were only 101 polling stations on the official list of polling stations accessible to persons with disabilities representing 2.93% of the total number of polling stations. The National Electoral Commission (*Državna volilna komisija*, DVK) after the 2011 elections instructed, all District Electoral Commissions not to follow the minimum requirement specified by the law (i.e. one accessible polling station per electoral district area), but to formally determine as accessible all polling stations in a specific electoral area which have no built-environment barriers preventing persons with disabilities from voting[[19]](#footnote-19). |
| Does the law foresee training for election authorities and election officials on non-discrimination on the grounds of disability, accessibility and reasonable accommodation? | The law does not foresee such type of training. The National Assembly Elections Act only stipulates that the National Electoral Commission (*Državna volilna komisija*, DVK) organises trainings for other electoral bodies.[[20]](#footnote-20) Guidelines specifically dedicated to training regarding political participation of persons with disabilities do not exist in Slovenia. However, general instructions for the work of electoral committees include some provisions. For example, such instructions were issued during the 2012 presidential electionsand included a section on training of electoral committees. The latter are responsible for managing and carrying out elections at specific polling stations. According to these instructions, all members of electoral committees in charge of the vote at polling stations equipped with the voting machine to assist persons with visual impairments and physical disabilities shall be obliged to take part in training on the use of the machines in question. This training is carried out by the contractor which supplies voting machines for elections. Apart from this, the instructions further stipulate obligatory training for members of electoral committees on the possibility of use and on methods of use of stencils to assist persons with visual impairments.[[21]](#footnote-21) |
| Does the national strategy/action plan on disability cover the right to political participation of persons with disabilities? | Action Plan for Persons with Disabilities 2007-2013 does not cover the right to political participation. |
| Are all persons with disabilities, including those who have been deprived of their legal capacity, able to access redress and complaint mechanisms in cases where they have not been able to exercise the right to vote? | Under certain conditions a person may be deprived of the right to vote. Based on Article 7 of the National Assembly Elections Act (*Zakon o volitvah v Državni zbor*, ZVDZ), which also applies to other elections, a citizen of Slovenia (*and non-national EU citizens or non-EU citizens with permanent residency in other elections, respectively, our remark*) shall not have the right to vote under the following conditions: has reached the age of 18, but has for reasons of mental illness, developmental difficulties or impairment legally been deprived of the legal capacity or for whom parental rights have been prolonged for their parents or other persons beyond their majority, and is consequently not capable of understanding the meaning, purpose and impact of elections. The court decides on the deprivation of legal capacity or prolongation of parental rights in non-litigious proceedings. When deciding on the mentioned matters, the court must provide for a separate decision regarding a person’s right to vote (that is, removal of legal capacity does not automatically affect a person’s right to vote). The affected person may lodge an appeal against the decision of the first instance court. The law also provides for extraordinary legal remedies, namely revision and renewal of the procedure. It is also possible to initiate a procedure for restoration of legal capacity.[[22]](#footnote-22) According to Article 106 of the National Assembly Elections Act, a candidate, a representative of a list of candidates and a voter shall have the right to lodge an objection with the constituency electoral commission in case of irregularities in the work of the electoral committee or the district electoral commission at elections. Such an objection shall be lodged within three days of the Election Day, and the competent constituency electoral commission must adopt a decision on such objection within 48 hours.[[23]](#footnote-23) The same provision applies to elections for the European Parliament. According to the National Electoral Commission, the relevant legislation does not include specific provisions governing complaints procedures involving persons deprived of legal capacity. It shall be sufficient for a person to lodge a complaint that they possess the voting right.[[24]](#footnote-24)Article 98 of the Local Elections Act lays down the right of a candidate, a representative of a list of candidates and a voter to lodge an objection with the municipal electoral commission in case of irregularities in the work of the electoral committee at elections. The objection must be lodged the day after the Election day at the latest, and the competent municipal electoral commission shall decide on the objection within four days after the Election Day.[[25]](#footnote-25) The Human Rights Ombudsman (*Varuh človekovih pravic*, VČP) represents an additional complaint mechanism. The body protects human rights and fundamental freedoms of individuals in relation to state authorities, local self-government authorities and bearers of public authority. Among other things, the Ombudsman examines individual complaints, which can be lodged by any person who believes that their human rights or fundamental freedoms have been violated, provided that they have exhausted all legal means to reach a solution to the alleged violation. The proceedings are informal and free of charge for the complainants. The Ombudsman may warn a body which has violated the complainant’s right(s) to rectify the violation or the irregularity committed, or even propose that it compensates the complainant for the damage caused.[[26]](#footnote-26) According to the Ombudsman, anyone who thinks that their rights have been violated by an action on the part of state authorities, local self-government authorities and bearers of public authority have the right to lodge a complaint with the Ombudsman, including persons who have the right to vote, but were deprived of their legal capacity.[[27]](#footnote-27)The Advocate of the Principle of Equality (*Zagovornik načela enakosti*) is the national equality body under the Act that implements the principle of equal treatment (*Zakon o uresničevanju načela enakega obravnavanja*, ZUNEO), an umbrella law transposing the major EU anti-discrimination directives. The body hears cases of alleged violations of the prohibition of discrimination on a variety of grounds (e.g. race, ethnic origin or disability) and in various fields with the intention to disclose cases of unequal treatment and to raise awareness of the issue and in this respect contributes to the awareness of rights. The hearing of a case is informal and free of charge. After a case has been heard, the Advocate issues legally non-binding opinion. The Advocate can point out irregularities and issue recommendations on how these should be rectified.[[28]](#footnote-28) The Advocate would hear a complaint lodged by a person who has the right to vote but was deprived of legal capacity. Upon assessing particularities of a specific case and the complainant’s best interest, the Advocate would decide if the complainant’s legal representative is contacted or not. For example, if this is not in the best interest of the complainant, their legal representative shall not be contacted.[[29]](#footnote-29)The Equalisation of Opportunities for Persons with Disabilities Act (*Zakon o izenačevanju možnosti invalidov*, ZIMI), a special law providing for the prohibition of discrimination against persons with disabilities (e.g. in access to goods and services, access to information), lays down that provisions of ZUNEO shall also apply in cases of violations of prohibition of discrimination under ZIMI, namely that the Advocate shall also hear cases under ZIMI.[[30]](#footnote-30)  |

1. **PROCESS INDICATORS**

|  |  |
| --- | --- |
| **Process indicators** | **Source and supporting information** |
| Do national, regional, local and municipal election authorities have non-discrimination and accessibility action plans and guidelines in place? | Law on Election to the National Assembly (article 79/a); Law on Election to the National Council; Act on the Alignment of Opportunities for Persons with Disabilities. |
| Are there mechanisms in place to ensure that disabled people’s organisations (DPOs) are consulted and involved in the development of laws and policies in electoral matters? Please give details of the mechanisms through which DPOs are involved. | The Ministry of the Interior (*Ministrstvo za notranje zadeve*, MNZ), responsible for the field of public administration, provided information that it is not a competent institution to elaborate on this issue and referred to the National Electoral Commission.[[31]](#footnote-31)In their response, the National Electoral Commission stated that the law does not provide the commission with the competence to held consultation with voters.[[32]](#footnote-32)Under the Disabled People’s Organisations Act – Article 4, 25 and 26; the state has the duty to consult with the representative organisations of persons with disabilities in all things important to persons with disabilities. The National Council of Disabled People’s Organisation of Slovenia (NSIOS) appoints representatives of Persons with Disabilities in various different Commission, working groups, etc.  |
| Is training provided to election authorities and election officials on non-discrimination on the grounds of disability, accessibility and reasonable accommodation? | The National Electoral Commission organises training for those who work at special polling places established for voters with disabilities. This applies to 60 polling stations out of 3,800. It is not a disability awareness training but training on how to use electronic voting machines for persons with disabilities. |
| Have national judicial redress mechanisms considered any cases related to the right to political participation of persons with disabilities?Please give details of relevant case law and any available data on the number of such cases. | Constitutional Court of the Republic of Slovenia (*Ustavno sodišče Republike Slovenije*) U-I-446/02A complainant challenged provisions of the then elections-related legislation, including the National Assembly Elections Act and Local Elections Act, denying persons who attained 18 years of age and were deprived of legal capacity to exercise the right to vote. At the time, a person without legal capacity was automatically deprived of the right to vote. The complainant claimed that their mother’s parental rights were indeed prolonged because of their physical impairments and impossibility to take care of themselves and of their rights and benefits. They, however, notified the court that they were in perfect mental health and capable to exercise their right to vote. In the Court’s opinion, the criteria under an individual could be deprived of legal capacity, as set out in the Non-litigious Civil Procedure Act and Marriage and Family Relations Act (e.g. parents’ parental rights may be prolonged when a person who attained full age cannot look for themselves because of physical or mental impairments), and were, in conjunction with election legislation, used to restrict the voting right, disproportionately interfered with the right to vote. When determining criteria restricting a person’s right to vote, the legislator should ensure that these criteria are appropriate and necessary to achieve a legitimate objective. The court found the challenged provision inconsistent with the Constitution and further established that an individual’s right to vote should only be restricted in cases when such individuals could not actually understand the meaning and effect of elections. In result, the legislator must provide for procedures that would on case-by-case basis establish if a person deprived of legal capacity or under prolonged parental care was not capable to exercise their right to vote. In 2006 and 2007, respectively, the legislator adopted amendments to the National Assembly Elections Act and Local Elections Act to accommodate the decision by the Constitutional Court.[[33]](#footnote-33) (Please point 1.1. for current provisions)U-I-25/10 The applicant challenged the first paragraph of Article 79 a of the National Assembly Elections Act which stated, among other things, that in the electoral district area the district electoral commission shall designate at least one polling station accessible to persons with disabilities, and that voters who wish to cast their votes at this polling station shall inform the district electoral commission of their intention to vote at least three days prior to Election Day. Because of a disability, the applicant could not vote at the polling station designated in the electoral register (i.e. “domestic” polling station) as the latter was not accessible. According to the applicant, their right to vote was conditioned by submission of an application to the competent electoral commission on their intention to vote at an accessible polling station, which represented discrimination on the ground of disability. They further stated that application form was not available in accessible format and that the application procedure tended to be so complex as to discourage a voter from voting. They, generally, opined that legislation allowing for polling station that were not accessible to persons with disabilities, while also allowing for separate accessible polling station, was contrary to principles of non-discrimination and equal suffrage as well as to provisions of the CRPD Treaty. The Court rejected the complaint as unfounded. It established that application procedure for voting at an accessible polling station represented a reasonable requirement enabling electoral bodies to organise voting process in a smooth manner. The court further established that the law provides for several manners allowing persons with disabilities to effectively exercise their right to vote (e.g. voting at “domestic” polling station when accessible, voting with assistance of another person, voting at specifically designated polling station accessible to persons with disabilities, as electoral bodies must designate at least one polling station accessible to persons with disabilities in an electoral district area). Apart from this, however, the Court provided important clarifications. In order to comply with the principle of positive discrimination and provisions of the Constitution, electoral commissions should understand legal provisions obliging them to specifically designate at least one polling station accessible to persons with disabilities in an electoral district area as imposing on them the task to designate as accessible all polling station in a specific electoral area which are actually accessible to persons with disabilities.[[34]](#footnote-34) By the law, local electoral commissions officially designate at least one polling station as accessible for persons with disabilities, that is a polling station with no built-environment barriers preventing persons with disabilities to cast their vote. The Constitutional Court instructed the relevant electoral bodies not to follow this minimum requirement specified by the law, but to formally determine as accessible all polling stations in a specific electoral area which have no built-environment barriers preventing persons with disabilities from voting. In practice, if there are, for example, five such polling stations in a specific electoral area, all these polling stations should be officially determined as accessible and not just one polling station.  |
| Have national non-judicial redress mechanisms (e.g. National Human Rights Institutions, Equality Bodies, Ombuds institutions) considered any cases related to the right to political participation of persons with disabilities?Please give details of relevant case law and any available data on the number of such cases. | Human Rights Ombudsman:1.5-6/2010In 2006, upon request by parents, the district court issued, in non-litigious proceedings, a decision extending the parents’ parental rights after their child attained 18 years of age on the ground of the child’s lack of independence. In 2010, on its own motion, the court issued amended decision depriving the child of the right to vote stating that this part of the decision was omitted by error. The parents did not agree with the latest decision and sought the Ombudsman’s opinion stating that the child regularly followed media, was interested in politics and already had voted in the past elections. The Ombudsman established that the parents’ complaint was justified and that the court’s decision was not issued in accordance with the law. In the Ombudsman’s opinion, it did not follow from the court’s decision that the court carried out a separate procedure to establish whether the child is capable of understanding the meaning, purpose and effect of elections.[[35]](#footnote-35) The relevant Ombudsman’s annual report says the following: “We have not heard from the complainants since our actions, so we assume that their son was able to exercise his voting right in local elections.”[[36]](#footnote-36)1.5-9/2012In 2012, at the time of presidential elections, a person lodged a complaint with the Ombudsman claiming that their access to a polling station was prevented by the stairs, whereas the polling station in question had been put on the list of accessible polling stations. The affected individual also lodged an objection with the National Electoral Commission. As the Ombudsman opined that the complaint could be justified, they addressed a request for clarification to the Commission. The National Electoral Commission provided a response by the responsible district electoral commission that the affected individual was allowed to vote at home. The latter also promised to immediately take steps for proper accommodation of the polling station.[[37]](#footnote-37) Advocate of the Principle of Equality0700-2/2013/1, before 0921-87/2011-UEMAt the time of the early parliamentary elections in 2011, a person lodged a complaint with the Advocate alleging unequal treatment on the part of the National Electoral Commission of persons with disabilities with regard to access to information and effective exercise of active electoral rights. The complainant pointed to the lack of information provided by the commission in question, particularly on its website (e.g. missing information on manners of exercising the right to vote of persons with disabilities, provided in a transparent manner and in one place; lack of information on how to apply for voting at polling station accessible to persons with disabilities; because of technical issues, existing information was hardly accessible or not accessible to persons with disabilities, particularly persons with visual impairments). Upon analysis of electoral materials as well as the Commission’s website, the Advocate noted that provided information lacked coherence, was insufficient and was not available in formats accessible to persons with disabilities. With the assistance of a person with visual impairments, the Advocate further established that information provided by the Commission is not accessible to this population.[[38]](#footnote-38) In the Advocate’s opinion, these omissions amount to indirect discrimination on the ground of disability and they issued recommendations to the Commission on how to address the problem. They reiterated that subjective intention is not necessarily a decisive element to a finding of discrimination (e.g. the commission stated the increase in participation of persons with disabilities as its objective), but that it is sufficient to establish disparate effects of certain measures or omissions.[[39]](#footnote-39)  |
| Is information about how and where to complain in the case of problems with exercising the right to political participation accessible to all persons with disabilities?  | The website of the National Electoral Commission contains very little information on complaints mechanisms. For example, a section on the protection of the right to vote and on lodging an objection only states that the protection of the right to vote is guaranteed in proceedings before the electoral commissions, National Assembly, and before courts and the Constitutional Court.[[40]](#footnote-40) The website further includes a section on voting at polling stations that are designated as accessible to persons with disabilities.[[41]](#footnote-41) In general, this information is not available in formats accessible to persons with disabilities. The website of the National Electoral Commission does not meet the WCAG 2.0 Level AA standards. According to the National Electoral Commission, printed election materials, documents and brochures produced during elections and disseminated to households are not developed in formats adjusted to the needs of persons with disabilities.[[42]](#footnote-42) Also see 23 and the opinion issued by the Advocate of the Principle of Equality.Complaints related to problems in exercising the right to political participation can be submitted to the Human Rights Ombudsman. Information on how to lodge a complaint with the Human Rights Ombudsman does not specifically focus on the issue of political participation, but, in general terms, explains that it is possible for a person to turn to the Ombudsman when their rights and fundamental freedoms have been violated by an act or an action by the state body, local self-government authorities and bearers of public authority. The website of the Human Rights Ombudsman's web page features pre-recorded video content in sign language, which does not contain captions, requires Javascript to load, and lacks control functions.[[43]](#footnote-43) Apart from this, the Ombudsman produced a leaflet and business cards in Braille.[[44]](#footnote-44) The Advocate of the Principle of Equality is the national equality body and hears cases of discrimination on various grounds, including cases relating to political participation. The same as with the Ombudsman, the Advocate provides general information about the complaining procedure, and does not focus on issue of political participation. The Advocate’s website contains a special web page with information on accessibility. The web page contains a link to an external text to speech service (in testing) and several documents (in rich text and docx formats) with the purpose of making the information contained on the website readable (adapted reading level). It also includes links to the Constitution and the UN CRPD Treaty in easy-to-read format.[[45]](#footnote-45) In the past, the Advocate produced leaflets in large print and in Braille.[[46]](#footnote-46) In spite of the mentioned attempts that have been made by both the Ombudsman and the Advocate to provide some of their content in an accessible way, their web pages do not meet the WCAG 2.0 accessibility standards. The websites both fail on Level A and Level AA criteria.  |

1. **OUTCOME INDICATORS**

|  |  |
| --- | --- |
| **Outcome indicators** | **Source and supporting information** |
| What was the voter turnout rate for persons with disabilities in the most recent municipal elections and in the 2009 European Parliament elections? How does this compare with the voter turnout rate among the general population?What was the voter turnout rate for persons with disabilities in the most recent national elections? How does this compare with the voter turnout rate among the general population? | Data on the number of persons with disabilities who cast their vote in elections are not systematically collected. Currently, only data on the number of voters who, in certain elections, used voting machines aimed at assisting persons with visual impairments and physical disability are at hand. 2008 – National Assembly elections: 55;2009 – elections to the European Parliament: 85;2011 – early National Assembly elections: 127;2012 – presidential elections: 1st round – 632,2nd round: 446.[[47]](#footnote-47) |
| How many members of the current national parliament identify as having a disability? | The National Assembly does not collect these data.[[48]](#footnote-48) |
| How many members of current municipal governments identify as having a disability? | The association of municipalities of Slovenia (*Združenje občin Slovenije*) and the Community of municipalities of Slovenia (*Skupnost občin Slovenije*), do not collect this type of data.[[49]](#footnote-49)Similarly, the Statistical Office of the Republic of Slovenia (*Statistični urad Republike Slovenije*, SURS), the national statistical agency, does not collect these data.[[50]](#footnote-50) The Statistical Office only collects data disaggregated by sex and age groups.[[51]](#footnote-51)  |
| What proportion of polling stations is accessible for persons with disabilities? Please indicate whether polling stations are accessible for all persons with disabilities or for particular impairment groups e.g. persons with visual, hearing, physical impairments etc) | 2012 – presidential elections (latest elections held in Slovenia)- Total no. of polling stations: 3,337;- No. of officially designated polling stations accessible to persons with disabilities, defined as polling stations without architectural barriers: 1,148 (34,4%). Specific accessibility criteria have not been laid down, but the National Electoral Commission adopted the opinion that an accessible polling station shall be a polling station with no architectural barriers (e.g. stairs) preventing access of persons with disabilities.[[52]](#footnote-52)- No. of officially designated accessible polling stations with an voting machine to particularly assist persons with visual impairments and physical disability (persons with tetraplegia and muscular dystrophy): 30;- No. of polling station with stencils to assist persons with visual impairments: 3,337.[[53]](#footnote-53)Organisations of persons with disabilities have criticised the slow implementation of the UN CRPD concerning their right to vote and to a secret ballot. In their opinion, even in the 2012 presidential elections persons with disabilities continued to face architectural barriers and unavailability of the vast majority of polling station. Similarly, notifications and materials that voters receive were not accessible to persons with disabilities in appropriate and usable forms. They found particularly unacceptable that the state provide for accessible polling stations which are 10 or more kilometres far from a voter’s residence.[[54]](#footnote-54)  The legislation currently in place only requires that at least one polling station is officially designated as accessible to persons with disabilities in each electoral district area. In practice, it is understood that such a polling station shall have no architectural barriers. Also in practice, this means that competent district electoral commissions, provided that they officially designate one accessible polling station, are free to choose the total number of accessible polling stations. If their “domestic” polling stations are not accessible, persons with disabilities are only allowed to vote at polling stations officially designated as accessible. For this reason, in case of insufficient number of designated polling stations, or, indeed, by chance, a person with disabilities may have to travel a distance to cast their vote, while there may be an actually accessible polling station which is less remote, but is not on the list of officially accessible polling stations. [[55]](#footnote-55)  |
| Does the website to provide instructions for voting and information on candidates run by the ministry responsible for organising elections meet accessibility standards (e.g. equivalent to Web Content Accessibility Guidelines (WCAG) 2.0 AA standard)? | The website of the National Electoral Commission (*Državna volilna komisija*, DVK) [www.dvk-rs.si/index.php/si/](http://www.dvk-rs.si/index.php/si/) does not meet the WCAG 2.0 Level AA standards. In fact, it does not meet the Level A standards.  |
| What proportion of main public and/or private television broadcasts providing instructions for voting and information on candidates has national language subtitles? | No studies on this issue were identified in desk research.The major national commercial broadcaster failed to provide reply to our request for data. The national public broadcaster informed the NFP that persons qualified to respond to our request for data were out of office, but also doubted the existence of this type of data.[[56]](#footnote-56) |
| What proportion of main public and/or private television broadcasts providing instructions for voting and information on candidates has audio description? | No research on this issue was identified in desk research. The major national commercial broadcaster failed to provide reply to our request for data. The national public broadcaster informed the NFP that persons qualified to respond to our request for data were out of office, but also doubted the existence of this type of data.[[57]](#footnote-57) |
| What proportion of main public and/or private television broadcasts providing instructions for voting and information on candidates has sign language interpretation? | No research on this issue was identified in desk research. The major national commercial broadcaster failed to provide reply to our request for data. The national public broadcaster informed the NFP that persons qualified to respond to our request for data were out of office, but also doubted about the existence of this type of data.[[58]](#footnote-58) |
| How many political parties, out of the total who participated in the most recent European Parliament and municipal elections, made their manifesto/campaign material accessible to persons with disabilities (e.g. large print, braille, easy-to-read, audio versions etc)? | A request for information has been sent to nine political parties. Only two parties provided response. They did not produce their campaign materials in formats accessible to persons with disability.[[59]](#footnote-59) No further studies on this issue were identified in desk research. |
| What proportion of public authority national and municipal buildings is accessible to persons with disabilities? | The Statistical Office of the Republic of Slovenia (*Statistični urad Republike Slovenije*, SURS), the national statistical agency, does not collect these data.[[60]](#footnote-60)The ministry responsible for public administration, similarly, does not have these data.[[61]](#footnote-61)A three-year research projects, lasting from 2008 to 2011, focused on the accessibility of physical environment and public building for the persons with disabilities in Slovenia. The project entitled “Measures for the realisation of the rights of the disabled to barrier-free access” (*Ukrepi za uresničevanje pravic invalidov do dostopa brez ovir*) was conducted by the Urban Planning Institute of the Republic of Slovenia (*Urbanistični inštitut Republike Slovenije*) and the Social Protection Institute of the Republic of Slovenia (*Inštitut Republike Slovenije za socialno varstvo*). It was funded by the Slovenian Research Agency (*Javna agencija za raziskovalno dejavnost Republike Slovenije*) and the then Ministry of Labour, Family and Social Affairs (*Ministrstvo za delo, družino in socialne zadeve*). The project was implemented in three phases, the first in 2008/2009, the second in 2009/2010, while the last phase of the project took place in 2010/2011.[[62]](#footnote-62) This research project was based on the two surveys targeting the individuals with disabilities and the organisation representing the persons with disabilities. It also included a fieldwork research. The survey sample included 181 individual respondents with disabilities and 41 organisations representing this population. The respondents were asked about their experiences with the built-environment and the communication barriers in a variety of sectors, including, among other things, transportation, education, employment and the public administration services. The survey results showed a rather unfavourable picture. For example, 30% of individuals stated that they experienced many or a lot of built-environment and communication barriers regarding the access to city buses, respectively. The figures for access to organisations were 48 and 45%. Regarding the access to elementary schools, 39.6% of the individual respondents tend to face the built-environment barriers and 30.4% of them also experienced the communication barriers. The access to hospitals was assessed rather favourably by the individual respondents, whereas the figures on individual respondents experiencing barriers stood at 13.2% and 31.6%, respectively. The first percentage is related to individual respondents who experienced built-environment barriers in access to hospitals, while the second figure shows the percentage of individual respondents who experienced communication barriers with regard to their access to hospitals. However, the access to the public services tends to be among the most problematic area. The representatives of the organisations included in the survey, 51% of them, stated that they experience many or a lot of built-environment barriers in the access to the public administration services, while the figure for the communication barriers was 53%. Similarly, 45.5% of the individual respondents claimed that they were subject to the built-environment barriers when accessing the municipality building, while the percentage for the communication barriers was 43.3%.[[63]](#footnote-63) |
| How many complaints related to infringements of the right to political participation of persons with disabilities were recorded in 2012? What proportion of these complaints were successful? | 2012- National Electoral Commission: 2 cases before courts involving the Commission as a party (complaints against the Commission rejected);[[64]](#footnote-64)- Human Rights Ombudsman: a total 10 cases related to voting rights; 1 case involving persons with disabilities – complaint justified (see under 23.);[[65]](#footnote-65)- Advocate of the Principle of Equality – no new cases, 1 case pending from 2011 (opinion in 2013 establishing discrimination on the ground of disability regarding access to elections-related information and materials;[[66]](#footnote-66) - Four organisations of persons with disabilities provided response: 2 – no received complaints; 2 – do not record complaints.[[67]](#footnote-67)  |

1. <http://www.un.org/disabilities/countries.asp?navid=12&pid=166> and <http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-15&chapter=4&lang=en> [↑](#footnote-ref-1)
2. <http://www.un.org/disabilities/countries.asp?navid=12&pid=166> and <http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-15&chapter=4&lang=en> [↑](#footnote-ref-2)
3. <http://www.un.org/disabilities/countries.asp?navid=12&pid=166> and <http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-15&chapter=4&lang=en> [↑](#footnote-ref-3)
4. Slovenia, The Election of Slovenian members to the European Parliament Act (*Zakon o volitvah poslancev iz Republike Slovenije v Evropski parlament*, ZVPEP), 25 October 2002, and subsequent modifications (Official Gazette No. 96/2002, and subsequent modifications), available at: <http://www.dz-rs.si/wps/portal/Home/deloDZ/zakonodaja/izbranZakonAkt?uid=8FC8743CC33D537DC12576A3002CB0EE&db=urad_prec_bes&mandat=VI> (unofficial consolidated text). When not stated otherwise, all hyperlinks were accessed on 2 August 2013. [↑](#footnote-ref-4)
5. Slovenia, The Local elections Act (*Zakon o lokalnih volitvah*, ZLV), 22 December 1993, and subsequent modifications (Official Gazette No. 72/1993, 31 December 1993, and subsequent modifications), available at: <http://imss.dz-rs.si/imis/bb28c86b7132207f3e19.pdf> (unofficial consolidated text). [↑](#footnote-ref-5)
6. Slovenia, The National Assembly elections Act *(Zakon o volitvah v Državni zbor*, ZVDZ), 10 September 1992, and subsequent modifications (Official Gazette No. 44/1992, 12 September 1992, and subsequent modifications), available at: [www.uradni-list.si/1/objava.jsp?urlid=2006109&stevilka=4648](http://www.uradni-list.si/1/objava.jsp?urlid=2006109&stevilka=4648) (official consolidated text). See also: [www.mp.gov.si/fileadmin/mp.gov.si/pageuploads/mp.gov.si/zakonodaja/angleski\_prevodi\_zakonov/zvdz\_anglesko.doc](http://www.mp.gov.si/fileadmin/mp.gov.si/pageuploads/mp.gov.si/zakonodaja/angleski_prevodi_zakonov/zvdz_anglesko.doc) (unofficial translation). [↑](#footnote-ref-6)
7. Slovenia, The Election of the President of the Republic Act (*Zakon o volitvah predsednika republike*, ZVPR), 29 July 1992 (Official Gazette No. 39/1992), available at: [www.uradni-list.si/1/objava.jsp?urlid=199239&stevilka=1943](http://www.uradni-list.si/1/objava.jsp?urlid=199239&stevilka=1943) (official text). [↑](#footnote-ref-7)
8. Slovenia, The Referendum and popular initiative Act (*Zakon o refendumu in o ljudski iniciativi*, ZRLI), 8 March 1994, and subsequent modifications (Official Gazette No. 15/1994, 18 March 1994, and subsequent modifications), available at: <http://www.uradni-list.si/1/objava.jsp?urlid=200726&stevilka=1285> (official consolidated text). [↑](#footnote-ref-8)
9. Slovenia, The National Assembly elections Act *(Zakon o volitvah v Državni zbor*, ZVDZ), 10 September 1992, and subsequent modifications (Official Gazette No. 44/1992, 12 September 1992, and subsequent modifications), available at: [www.uradni-list.si/1/objava.jsp?urlid=2006109&stevilka=4648](http://www.uradni-list.si/1/objava.jsp?urlid=2006109&stevilka=4648) (official consolidated text). See also: [www.mp.gov.si/fileadmin/mp.gov.si/pageuploads/mp.gov.si/zakonodaja/angleski\_prevodi\_zakonov/zvdz\_anglesko.doc](http://www.mp.gov.si/fileadmin/mp.gov.si/pageuploads/mp.gov.si/zakonodaja/angleski_prevodi_zakonov/zvdz_anglesko.doc) (unofficial translation). [↑](#footnote-ref-9)
10. Slovenia, Elections and referendum campaign Act (*Zakon o volilni in referendumski kampanji*, ZVRK), 26 April 2007, and subsequent modifications (Official Gazette No. 41/2007, 11 May 2007, and subsequent modifications), available at: <http://www.dz-rs.si/wps/portal/Home/deloDZ/zakonodaja/izbranZakonAkt?uid=C59CBA54BF00559CC125784500342045&db=urad_prec_bes&mandat=VI> (unofficial consolidated text). [↑](#footnote-ref-10)
11. Slovenia, The National Assembly elections Act *(Zakon o volitvah v Državni zbor*, ZVDZ), 10 September 1992, and subsequent modifications (Official Gazette No. 44/1992, 12 September 1992, and subsequent modifications), available at: [www.uradni-list.si/1/objava.jsp?urlid=2006109&stevilka=4648](http://www.uradni-list.si/1/objava.jsp?urlid=2006109&stevilka=4648) (official consolidated text). See also: [www.mp.gov.si/fileadmin/mp.gov.si/pageuploads/mp.gov.si/zakonodaja/angleski\_prevodi\_zakonov/zvdz\_anglesko.doc](http://www.mp.gov.si/fileadmin/mp.gov.si/pageuploads/mp.gov.si/zakonodaja/angleski_prevodi_zakonov/zvdz_anglesko.doc) (unofficial translation). [↑](#footnote-ref-11)
12. Slovenia, The Equalisation of opportunities for persons with disabilities Act (*Zakon o izenačevanju možnosti invalidov*, ZIMI), 16 November 2011 (Official Gazette No. 94/2010, 26 November 2011), available at: [www.uradni-list.si/1/objava.jsp?urlid=201094&stevilka=4936](http://www.uradni-list.si/1/objava.jsp?urlid=201094&stevilka=4936) (official text). [↑](#footnote-ref-12)
13. Slovenia, the Electronic commerce market Act (*Zakon o elektronskem poslovanju na trgu*, ZEPT), 30 May 2006, and subsequent modifications (Official Gazette No. 61/2006, 13 June 2006, and subsequent modifications), available at: [www.uradni-list.si/1/objava.jsp?urlid=200996&stevilka=4180](http://www.uradni-list.si/1/objava.jsp?urlid=200996&stevilka=4180) (official consolidated text). [↑](#footnote-ref-13)
14. Slovenia, The Access to public information Act (*Zakon o dostopu do informacij javnega značaja*, ZDIJZ), 25 February 2003, and subsequent modifications (Official Gazette No. 24/2003, 7 March 2003, and subsequent modifications), available at: [www.uradni-list.si/1/objava.jsp?urlid=200651&stevilka=2180](http://www.uradni-list.si/1/objava.jsp?urlid=200651&stevilka=2180) (official consolidated text). See also: [www.ip-rs.si/index.php?id=324](http://www.ip-rs.si/index.php?id=324) (unofficial translation). [↑](#footnote-ref-14)
15. Slovenia, The Media Act (*Zakon o medijih*, ZMed), 25 April 2001, and subsequent modifications (Official Gazette No. 35/2001, 11 May 2001, and subsequent modifications), available at: [www.dz-rs.si/wps/portal/Home/deloDZ/zakonodaja/izbranZakonAkt?uid=A98F1BD18F83A270C1257A450038E48C&db=urad\_prec\_bes&mandat=VI](http://www.dz-rs.si/wps/portal/Home/deloDZ/zakonodaja/izbranZakonAkt?uid=A98F1BD18F83A270C1257A450038E48C&db=urad_prec_bes&mandat=VI) (unofficial consolidated text). [↑](#footnote-ref-15)
16. Slovenia, The Audiovisual media services Act (*Zakon o avdiovizualnih medijskih storitvah*, ZAvMS), 19 October 2011 (Official Gazette No. 87/2011, 2 November 2011), available at: [www.uradni-list.si/1/objava.jsp?urlid=201187&stevilka=3715](http://www.uradni-list.si/1/objava.jsp?urlid=201187&stevilka=3715) (official text). [↑](#footnote-ref-16)
17. Slovenia, The Radio and television of Slovenia Act (*Zakon o Radioteleviziji Slovenija*, ZRTVS-1), 15 July 2005, and subsequent modifications (Official Gazette No. 96/2005, 28 October 2005, and subsequent modifications), available at: <http://www.dz-rs.si/wps/portal/Home/deloDZ/zakonodaja/izbranZakonAkt?uid=C9904570AFF7CBCEC125759A00430E5B&db=urad_prec_bes&mandat=VI> (unofficial consolidated text). [↑](#footnote-ref-17)
18. FRA Annual Report 2013, forthcoming. [↑](#footnote-ref-18)
19. FRA Annual Report 2013, forthcoming. [↑](#footnote-ref-19)
20. Slovenia, The National Assembly elections Act *(Zakon o volitvah v Državni zbor*, ZVDZ), 10 September 1992, and subsequent modifications (Official Gazette No. 44/1992, 12 September 1992, and subsequent modifications), available at: [www.uradni-list.si/1/objava.jsp?urlid=2006109&stevilka=4648](http://www.uradni-list.si/1/objava.jsp?urlid=2006109&stevilka=4648) (official consolidated text). See also: [www.mp.gov.si/fileadmin/mp.gov.si/pageuploads/mp.gov.si/zakonodaja/angleski\_prevodi\_zakonov/zvdz\_anglesko.doc](http://www.mp.gov.si/fileadmin/mp.gov.si/pageuploads/mp.gov.si/zakonodaja/angleski_prevodi_zakonov/zvdz_anglesko.doc) (unofficial translation). [↑](#footnote-ref-20)
21. Information provided by the National Electoral Commission (*Državna volilna komisija*) upon request (written response of 6 September 2013). See also: Slovenia, National Electoral Commision (*Državna volilna komisija*) (2012) *Instruction for the work of electoral committees during voting at the elections for the President of the Republic on 11 November 2012* (*Navodilo za delo volilnih odborov pri izvedbi glasovanja na volitvah za predsednika republike 11. novembra 2012*), Ljubljana, Državna volilna komisija. [↑](#footnote-ref-21)
22. Slovenia, The National Assembly elections Act *(Zakon o volitvah v Državni zbor*, ZVDZ), 10 September 1992, and subsequent modifications (Official Gazette No. 44/1992, 12 September 1992, and subsequent modifications), available at: [www.uradni-list.si/1/objava.jsp?urlid=2006109&stevilka=4648](http://www.uradni-list.si/1/objava.jsp?urlid=2006109&stevilka=4648) (official consolidated text). See also: [www.mp.gov.si/fileadmin/mp.gov.si/pageuploads/mp.gov.si/zakonodaja/angleski\_prevodi\_zakonov/zvdz\_anglesko.doc](http://www.mp.gov.si/fileadmin/mp.gov.si/pageuploads/mp.gov.si/zakonodaja/angleski_prevodi_zakonov/zvdz_anglesko.doc) (unofficial translation); Slovenia, Non-litigious Civil Procedure Act (Zakon o nepravdnem postopku, ZNP), 18 June 1986, and subsequent modifications (Official Gazette No. 30/1986, 28 July 1986, and subsequent modifications). [↑](#footnote-ref-22)
23. Slovenia, The National Assembly elections Act *(Zakon o volitvah v Državni zbor*, ZVDZ), 10 September 1992, and subsequent modifications (Official Gazette No. 44/1992, 12 September 1992, and subsequent modifications), available at: [www.uradni-list.si/1/objava.jsp?urlid=2006109&stevilka=4648](http://www.uradni-list.si/1/objava.jsp?urlid=2006109&stevilka=4648) (official consolidated text). See also: [www.mp.gov.si/fileadmin/mp.gov.si/pageuploads/mp.gov.si/zakonodaja/angleski\_prevodi\_zakonov/zvdz\_anglesko.doc](http://www.mp.gov.si/fileadmin/mp.gov.si/pageuploads/mp.gov.si/zakonodaja/angleski_prevodi_zakonov/zvdz_anglesko.doc) (unofficial translation). [↑](#footnote-ref-23)
24. Information provided by the National Electoral Commision (*Državna volilna komisija*) upon request (written response of 5 September 2013). [↑](#footnote-ref-24)
25. Slovenia, The Local elections Act (*Zakon o lokalnih volitvah*, ZLV), 22 December 1993, and subsequent modifications (Official Gazette No. 72/1993, 31 December 1993, and subsequent modifications), available at: <http://imss.dz-rs.si/imis/bb28c86b7132207f3e19.pdf> (unofficial consolidated text). [↑](#footnote-ref-25)
26. Slovenia, The Human Rights Ombudsman Act (*Zakon o varuhu človekovih pravic*, ZVarCP), 20 December 1993, and subsequent modifications (Official Gazette No. 71/1993, and subsequent modifications), available at: <http://imss.dz-rs.si/imis/22893ad12e991e14b77f.pdf> (unofficial consolidated text). [↑](#footnote-ref-26)
27. Information provided by the Human Rights Ombudsman (Varuh človekovih pravic) upon request (telephone inquiry of 10 September 2013). [↑](#footnote-ref-27)
28. Slovenia, Act implementing the principle of equal treatment (*Zakon o uresničevanju načela enakega obravnavanja*, ZUNEO), 22 April 2004, and subsequent modifications (Official Gazette No. 50/2004, 6 May 2004, and subsequent modifications), available at: <http://www.uradni-list.si/1/objava.jsp?urlid=200793&stevilka=4600> (official consolidated text). See also: [www.arhiv.uem.gov.si/fileadmin/uem.gov.si/pageuploads/ZUNEO-UPB1\_ang\_KONCNA.doc](http://www.arhiv.uem.gov.si/fileadmin/uem.gov.si/pageuploads/ZUNEO-UPB1_ang_KONCNA.doc) (unofficial translation). [↑](#footnote-ref-28)
29. Information provided by the Advocate of the Principle of equality (*Zagovornik načela enakosti*) upon request (written response of 9 September 2013). [↑](#footnote-ref-29)
30. Slovenia, The Equalisation of opportunities for persons with disabilities Act (*Zakon o izenačevanju možnosti invalidov*, ZIMI), 16 November 2011 (Official Gazette No. 94/2010, 26 November 2011), available at: [www.uradni-list.si/1/objava.jsp?urlid=201094&stevilka=4936](http://www.uradni-list.si/1/objava.jsp?urlid=201094&stevilka=4936) (official text). [↑](#footnote-ref-30)
31. Information provided by the Ministry of the Interior (*Ministrstvo za notranje zadeve*) upon request (written response of 2 August 2013). [↑](#footnote-ref-31)
32. Information provided by the National Electoral Commision (*Državna volilna komisija*) upon request (written response of 5 September 2013). [↑](#footnote-ref-32)
33. Slovenia, Constitutional Court (*Ustavno sodišče*), U-I-446/02, 10 July 2003, available at: <http://odlocitve.us-rs.si/usrs/us-odl.nsf/o/17B6A1BCADFF11D5C125717200288C68>. [↑](#footnote-ref-33)
34. Slovenia, Constitutional Court (*Ustavno sodišče*), U-I-25/10, 21 September 2010, available at: <http://odlocitve.us-rs.si/usrs/us-odl.nsf/o/DE1FEACB7BAB16DCC12577C3002FE48F>. [↑](#footnote-ref-34)
35. Slovenia, Human Rights Ombudsman (*Varuh človekovih pravic*) (2011) *Sixteenth Regular Annual Report of the Human Rights Ombudsman of the Republic of Slovenia for the Year 2010*, Ljubljana, Varuh človekovih pravic Republike Slovenije, pp. 33-34, available at: [www.varuh-rs.si/fileadmin/user\_upload/pdf/lp/Annual\_report\_2010.pdf](http://www.varuh-rs.si/fileadmin/user_upload/pdf/lp/Annual_report_2010.pdf) (Abbreviated English version). [↑](#footnote-ref-35)
36. Slovenia, Human Rights Ombudsman (*Varuh človekovih pravic*) (2011) *Sixteenth Regular Annual Report of the Human Rights Ombudsman of the Republic of Slovenia for the Year 2010*, Ljubljana, Varuh človekovih pravic Republike Slovenije, p. 34, available at: [www.varuh-rs.si/fileadmin/user\_upload/pdf/lp/Annual\_report\_2010.pdf](http://www.varuh-rs.si/fileadmin/user_upload/pdf/lp/Annual_report_2010.pdf) (Abbreviated English version). [↑](#footnote-ref-36)
37. Slovenia, Human Rights Ombudsman (*Varuh človekovih pravic*) (2013) *Letno poročilo Varuha človekovih pravic republike Slovenije za leto 2012*, Ljubljana, Varuh človekovih pravic Republike Slovenije, p. 54, available at: <http://www.varuh-rs.si/fileadmin/user_upload/pdf/lp/Letno_porocilo_Varuha_2012.pdf>. [↑](#footnote-ref-37)
38. This analysis is a part of the Advocate’s opinion issued in relation to this case. It is not publicly available. [↑](#footnote-ref-38)
39. Slovenia, Advocate of the Principle of Equality (*Zagovornik načela enakosti*), 0700-2/2013/1, before 0921-87/2011-UEM, 12 March 2013. [↑](#footnote-ref-39)
40. See section “Varstvo volilne pravice in ugovor” at: [www.dvk-rs.si/index.php/si/kje-in-kako-volim/volilna-pravica](file:///C%3A%5CUsers%5Cgraneal%5CDownloads%5Cwww.dvk-rs.si%5Cindex.php%5Csi%5Ckje-in-kako-volim%5Cvolilna-pravica) [↑](#footnote-ref-40)
41. See section “Glasovanje na voliščih, ki so dostopna invalidom” at: <http://www.dvk-rs.si/index.php/si/kje-in-kako-volim/glasovanje-na-voliscih-ki-so-dostopna-invalidom> [↑](#footnote-ref-41)
42. Information provided by the National Electoral Commision (*Državna volilna komisija*) upon request (written response of 23 July 2013). [↑](#footnote-ref-42)
43. See for example section “Iščete pomoč”/ “Looking for help”, subsection “Kdaj se obrniti na Varuha?” at: [www.varuh-rs.si/iscete-pomoc/kako-vam-lahko-varuh-pomaga/kdaj-se-obrniti-na-varuha/](file:///C%3A%5CUsers%5Cgraneal%5CDownloads%5Cwww.varuh-rs.si%5Ciscete-pomoc%5Ckako-vam-lahko-varuh-pomaga%5Ckdaj-se-obrniti-na-varuha); the content is also available in Slovenian sign language at [www.varuh-rs.si/znakovni-jezik/Kdaj\_se\_obrniti\_na\_Varuha.swf](file:///C%3A%5CUsers%5Cgraneal%5CDownloads%5Cwww.varuh-rs.si%5Cznakovni-jezik%5CKdaj_se_obrniti_na_Varuha.swf); webpage in English with the same content available at: [www.varuh-rs.si/index.php?id=62&L=6](file:///C%3A%5CUsers%5Cgraneal%5CDownloads%5Cwww.varuh-rs.si%5Cindex.php%3Fid%3D62%26L%3D6) [↑](#footnote-ref-43)
44. Information provided by the Human Rights Ombudsman (Varuh človekovih pravic) upon request (written response of 23 July 2013). [↑](#footnote-ref-44)
45. Please see: [www.zagovornik.net/si/informacije/dostopnost/osebe-s-posebnimi-potrebami/index.html](http://www.zagovornik.net/si/informacije/dostopnost/osebe-s-posebnimi-potrebami/index.html). [↑](#footnote-ref-45)
46. Information provided by the Advocate of the Principle of equality (*Zagovornik načela enakosti*) upon request (written response of 30 July 2013). [↑](#footnote-ref-46)
47. Information provided by the National Electoral Commission (*Državna volilna komisija*) upon request (written response of 23 July 2013). [↑](#footnote-ref-47)
48. Information provided by the National Assembly of the Republic of Slovenia (*Državni zbor Republike Slovenije*) upon request (written response of 23 July 2013). [↑](#footnote-ref-48)
49. Information provided by the Association of municipalities of Slovenia (*Združenje občin Slovenije*) and the Community of municipalities of Slovenia (*Skupnost občin Slovenije*) upon request (telephone enquiry of 30 July 2013). [↑](#footnote-ref-49)
50. Information provided by the the Statistical Office of the Republic of Slovenia (*Statistični urad Republike Slovenije*, SURS) upon request (written response of 22 July 2013). [↑](#footnote-ref-50)
51. See e.g. <http://pxweb.stat.si/pxweb/Database/General/06_elections/10_local_elections/06650_mun_council_2010/06650_mun_council_2010.asp>. ( Access to this page, however, may take some amount of time. If not accessible, please follow this route: a) website of the Statistical Office is accessible at the following address – www.stat.si; b) select English version in the top right corner; c) please click then SI-STAT Data Portal in database section on the left; d) on the next page, select “General” in the “Field of statistics” section in the top left corner; e) the next page includes section on elections (e.g. Municipal councils elections, Slovenia, October 10, 2010); f) click the relevant elections and on the next page one finds the relevant data disaggregated by the mentioned variables; g) it is then possible to select specific data and to create the relevant tables. [↑](#footnote-ref-51)
52. Information provided by the National Electoral Commission (*Državna volilna komisija*) upon request (written response of 5 September 2013). [↑](#footnote-ref-52)
53. Information provided by the National Electoral Commission (*Državna volilna komisija*) upon request (written response of 23 July 2013). [↑](#footnote-ref-53)
54. Slovenia, Social Protection Institute of the Republic of Slovenia (*Inštitut Republike Slovenije za socialno varstvo*, IRSSV) (2013) *Spremljanje izvajanja Akcijskega programa za invalide 2007- 2013: Poročilo o uresničevanju Akcijskega programa za invalide 2007 – 2013 v letu 2012: Končno poročilo*, Ljubljana: Inštitut Republike Slovenije za socialno varstvo, p. 18. [↑](#footnote-ref-54)
55. Also see: Organization for Security and Co-operation in Europe (OSCE), Office for Democratic Institutions and Human Rights (ODIHR) (2012) *Republic of Slovenia: Early elections of the National Assembly: OSCE/ODIHR Election Assessment Mission Final Report*, Warsaw: Organization for Security and Co-operation in Europe (OSCE), 7 February 2012, pp. 21-22, available at: [www.osce.org/odihr/elections/Slovenia/87786](http://www.osce.org/odihr/elections/Slovenia/87786). [↑](#footnote-ref-55)
56. Information provided by the Radio and television of Slovenia (*Radiotelevizija Slovenija*) upon request (written response of 25 July 2013). [↑](#footnote-ref-56)
57. Information provided by the Radio and television of Slovenia (*Radiotelevizija Slovenija*) upon request (written response of 25 July 2013). [↑](#footnote-ref-57)
58. Information provided by the Radio and television of Slovenia (*Radiotelevizija Slovenija*) upon request (written response of 25 July 2013). [↑](#footnote-ref-58)
59. Information provided by Social Democrats (*Socialni demokrati*, SD) (written response of 22 July 2013) and New Slovenia (*Nova Slovenija,* N.Si) (written response of 26 July 2013). [↑](#footnote-ref-59)
60. Information provided by the Statistical Office of the Republic of Slovenia (*Statistični urad Republike Slovenije*, SURS) upon request (written response of 22 July 2013). [↑](#footnote-ref-60)
61. Information provided by the Ministry of the Interior (*Ministrstvo za notranje zadeve*, MNZ) upon request (written response of 2 August 2013). [↑](#footnote-ref-61)
62. <http://dostopnost.uirs.si/Oprojektu/Splo%C5%A1neinformacije/tabid/68/Default.aspx>, accessed on 9 September 2013. [↑](#footnote-ref-62)
63. Sendi, R. and Kerbler, B (2009) ‘Disabled people and accessibility: How successful is Slovenia in the elimination and prevention of built-environment and communication barriers?’, Urbani izziv *(Urban challenge)*, Vol. 20, No. 1, pp. 123-140, available at: <http://urbani-izziv.uirs.si/Portals/uizziv/papers/urbani-izziv-en-2009-20-01-001.pdf> Hyperlink was accessed on 9 September 2013. [↑](#footnote-ref-63)
64. Information provided by the National Electoral Commission (*Državna volilna komisija*) upon request (written response of 23 July 2013). [↑](#footnote-ref-64)
65. Slovenia, Human Rights Ombudsman (*Varuh človekovih pravic*) (2013) *Letno poročilo Varuha človekovih pravic republike Slovenije za leto 2012*, Ljubljana, Varuh človekovih pravic Republike Slovenije, pp. 45, 313, available at: <http://www.varuh-rs.si/fileadmin/user_upload/pdf/lp/Letno_porocilo_Varuha_2012.pdf>. [↑](#footnote-ref-65)
66. Information provided by the Advocate of the Principle of equality (*Zagovornik načela enakosti*) upon request (telephone enquiry and written response of 19 July 2013). [↑](#footnote-ref-66)
67. Information provided by *Zveza društev vojnih invalidov Slovenije* (written response of 23 July 2013), by *Društvo študentov invalidov Slovenije* (written response of 26 July 2013), by *Združenje multiple skleroze Slovenije* (written response of 29 July 2013) and by *YHD - Društvo za teorijo in kulturo hendikepa* (written response of 23 July 2013) upon request. [↑](#footnote-ref-67)