

Country	Slovenia
SIGI 2019 Category	Very low
SIGI Value 2019	13%

Discrimination in the family		22%
	Legal framework on child marriage	50%
	Percentage of girls under 18 married	0%
	Legal framework on household responsibilities	50%
	Proportion of the population declaring that children will suffer if mothers are working outside home for a pay	27%
	Female to male ratio of time spent on unpaid care work	1.8
	Legal framework on inheritance	0%
	Legal framework on divorce	0%

Restricted physical integrity		7%
	Legal framework on violence against women	25%
	Proportion of the female population justifying domestic violence	16%
	Prevalence of domestic violence against women (lifetime)	13%
	Sex ratio at birth (natural =105)	105.5
	Legal framework on reproductive rights	0%
	Female population with unmet needs for family planning	9%

Restricted access to productive and financial resources		9%
	Legal framework on working rights	0%
	Proportion of the population declaring this is not acceptable for a woman in their family to work outside home for a pay	8%
	Share of managers (male)	59%
	Legal framework on access to non-land assets	0%
	Share of house owners (male)	-
	Legal framework on access to land assets	25%
	Share of agricultural land holders (male)	73%
	Legal framework on access to financial services	0%
	Share of account holders (male)	50%

Restricted civil liberties		13%
	Legal framework on civil rights	0%
	Legal framework on freedom of movement	0%
	Percentage of women in the total number of persons not feeling safe walking alone at night	79%
	Legal framework on political participation	0%
	Share of the population that believes men are better political leaders than women	23%
	Percentage of male MP's	63%
	Legal framework on access to justice	0%
	Share of women declaring lack of confidence in the justice system	53%

Note: Higher values indicate higher inequality. Percentages range from 0 to 100, while legal variables are categorised as 0%, 25%, 50%, 75% or 100%. See data source [here](#).

Source: OECD (2019), Gender, Institutions and Development Database, <https://oe.cd/ds/GIDDB2019>.

Slovenia

1. Discrimination in the family

a) Overarching legal framework for marriage

Women and men have equal rights to enter into marriage (Law on Marriage and Family Relations, Article 13) and are deemed equal in the marriage union (Law on Marriage and Family Relations, Article 14). They must register their marriage in front of a competent body and under the conditions set by law (Law on Marriage and Family Relations, Article 16 and Constitution, Article 53(1)). Religious marriages do not have a legal status under the national law (Constitution, Article 7).

A marriage entered into without the free consent of one spouse should not be valid, meaning if it has been entered into by force or in error (Law on Marriage and Family Relations, Article 17). The spouse who was forced to enter into marriage or who consented to the marriage in error can demand the annulment of the marriage, with a one-year prescriptive period (Law on Marriage and Family Relations, Article 39).

Forced marriage is criminalised under the Criminal Code, which defines forced marriage or the establishment of similar community in Article 132a(1) as whoever, with the use of force or the threat to use force or abusing of the subordinate or dependent position of another person, forces this person to marriage or to form of a similar union, which is equivalent to marriage in accordance with the law. It is punished with imprisonment up to three years.

The number of marriages has dropped significantly over the past 60 years in Slovenia (Eurostat).

b) Child marriage

The legal age of marriage is 18 for both women and men (Law on Marriage and Family Relations, Article 18). A marriage concluded by a person under 18 should be declared invalid by the court (Law on Marriage and Family Relations, Article 32). As an exception, a social work centre can allow a marriage by someone who has not reached 18 based on “well founded reasons” (Law on Marriage and Family Relations, Article 23). Prior to authorizing the marriage, the social work centre must hear the person that intends to marry, the person with whom they intend to marry as well as their parents or legal guardians (Law on Marriage and Family Relations, Article 24). On the appeal of a parent or legal guardian, a court can decide to annul the marriage of a person under 18 which has been concluded without the permission of a social work centre (Law on Marriage and Family Relations, Article 40). There is no minimum age explicitly provided by the law regarding the exception to the legal age of marriage, however, considering the whole legal system, a social work centre cannot authorise marriage for individuals below the age of 15. The age of maturity, although 18 as a general rule, can be recognised from the age of 15 according under the Law on Marriage and Family Relations. In addition, the age of sexual consent is 15, meaning that any sexual acts with a person under 15 is punishable by law even if the person consented (Criminal Code, Article 173).

Early marriage can be punished by imprisonment up to five years through the criminal provision referring to forced marriage involving a minor person (Criminal Code, Article 132a(2)). This provision is applicable to marriages but also legal cohabitation.

Forced marriage, early marriage and early pregnancies occur among the Roma population in Slovenia (Council of Europe, 2017). There are however disparities by region, the Roma population being very heterogeneous in its customs and practices (Amalipe – Centre for Interethnic Dialog and Tolerance, 2015). UNICEF reported at least 20 cases of forced marriage involving Roma girls in the period 2009-2013 (Council of Europe, 2017). Cases of pregnancy among Roma girls of 12 and 13-year old have also been reported to the Commissioner of the Council of Europe (2017). According to the CEDAW committee, redress mechanisms available to victims of child and/or forced marriage are limited and inefficient (CEDAW, 2015).

Child marriage and early pregnancies may significantly hinder the realisation of the most fundamental rights of all individuals, such as the right to education or the right to be free from physical, mental and sexual violence (Council of Europe, 2017). Despite international efforts to inform and raise awareness about the serious consequences of early marriage on children, the practice is generally not perceived as illegal or unacceptable by the Roma community itself (Early Marriage Prevention Network Project, 2016). Motivations behind child marriage mostly stem from social and cultural norms (Amalipe – Centre for Interethnic Dialog and Tolerance, 2015).

c) Household responsibilities

Married women and men are bound by mutual respect, trust and assistance (Law on Marriage and Family Relations, Article 44). They have equal rights and obligations towards their children (Law on Marriage and Family Relations, Article 45, 102-103 and 123). Women and men have the same rights to be the legal guardian of their children. Parental rights are to be exercised by mutual agreement or if the parents fail to agree, determined by the assistance of a social work centre and/or the court (Law on Marriage and Family Relations, Article 113). The spouses or cohabiting partners are obliged to support the minor child of their partners (Law on Marriage and Family Relations, Article 114). Property of spouse is partial community of property, meaning that everything acquired before the marriage remains property of the spouse while property acquired during the period of marriage is part of their joint property (Law on Marriage and Family Relations, Article 51).

Women and men have the same rights to choose their place of residence (Constitution, Article 32) Likewise, married women and men have equal rights to decide on their place of residence by agreement (Law on Marriage and Family Relations, Article 47).

The CEDAW committee (2015) highlighted the government's efforts to deconstruct gender stereotypes through educational and awareness campaigns but nevertheless observed the persistence of those regarding roles and responsibilities of women and men in the family. Women remain caught in their traditional roles of mothers and wives.

d) Divorce

Women and men have equal rights to initiate divorce. Divorce may be obtained on the basis of a mutual agreement between the spouses, provided they have settled matters of care, upbringing and subsistence of children and agreed on the division of their joint property (Law on Marriage and Family Relations, Article 64(1)). The court cannot grant divorce if matters regarding children have not been agreed (Law on Marriage and Family Relations, Article 64(2)). It is also possible to obtain divorce on request of one of the spouse if the marriage has become unbearable (Law on Marriage and Family Relations, Article 65). Women and men retain equal rights and responsibilities with regard to their children after divorce (Law on Marriage and Family Relations, Articles 64, 102-103, and 123). Upon divorce, if one of the spouses is victim of domestic violence, the court can assign exclusive use of the common household to the victim on their request (Domestic Violence Prevention Act, Article 22).

Alimony can be provided under certain conditions (Law on Marriage and Family Relations, Articles 81 to 83). Article 133 of the Law on Marriage and Family Relations provides a legal basis for suing a person that is bound to financially support their former partner but does not comply with their obligation.

Compared to other countries, divorce is relatively simple in Slovenia given the absence of a justification requirement. On average 1 couple per 1 000 population divorces (Eurostat). Custody is granted in most cases to mothers (Emery, R. 2013). The majority of claims for child allowances is logically brought to court by women (CEDAW, 2014).

e) Inheritance

The right to inheritance is guaranteed by the Constitution to women and men in Article 33. Women and men, as citizens, have equal rights to inherit, irrespective of the whether they are born in or outside marriage (Inheritance Law, Article 4). Daughters and female surviving spouses have the equal rights to inherit as male ones (Inheritance Law, Articles 10, 11). In Intestate succession, the children and the spouse have equal rights to inherit before all others (first class heirs) (Inheritance Law, Article 11).

Women and men have equal rights to make a will (Inheritance Law, Article 59). Mandatory heirs include the deceased's children, his or her parents and spouse (Inheritance Law, Article 25).

Regarding land inheritance, Slovenian farmers traditionally privilege male successors (Kerbler, B. 2012).

2. Restricted Physical integrity

a) Violence against women

Slovenia has ratified the Istanbul Convention in 2015.

There is currently no stand-alone law addressing violence against women (VAW), but integrated into different legislations such as the Criminal Code and the Domestic Violence Prevention Act. Scattered among different documents, some measures relating to VAW can nonetheless be found such as

awareness raising activities on violence against women envisaged in the National Programme for Equal Opportunities for Women and Men 2015-2010 (2.7.2 Objectives).

Moving forward with the implementation of a consistent and effective strategy on VAW implies identifying and addressing the shortcomings in the system. The absence of a permanent mechanism to coordinate, monitor and assess the effectiveness of the measures taken to tackle violence against women constitutes a serious institutional challenge for the country. Furthermore, access to comprehensive disaggregated data on complaints, investigations, prosecutions and convictions in cases of VAW remain limited (CEDAW, 2015).

b) Domestic violence

Domestic violence is a specific criminal offence under the law since 2008. Article 191 of the Criminal Code states that “whoever within a family mistreats another person, beats her/him, or in any other way treats her/him painfully or degradingly, threatens with direct attack on her/his life or limb to throw her/him out of the joint residence or in any other way limits her/his freedom of movement, stalks her/him, forces her/him to work or give up her/his work, or in any other way puts her/him in a subordinate position by aggressively limiting her/his equal rights shall be sentenced to imprisonment for up to five years”.

The Domestic Violence Prevention Act of 2008 is the first comprehensive instrument regarding domestic violence in Slovenia. It lays out the role and tasks of various bodies, including public authorities, public service contractors, and non-governmental organizations. The law recognises abuse from former partners and within the family as domestic violence (Domestic Prevent Act, Article 2). Violence is defined in Article 3 of the Act and covers physical, sexual, psychological and economic violence. Alternative dispute settlement is prohibited in Article 22e. Both victims and perpetrators of violence should be offered social and/or medical assistance and support by social work centres (Domestic Violence Prevention Act, Articles 14 and 15). The court can exclude the alleged perpetrator from the common household for a maximum of 6 to 12 months depending on the housing ownership (Domestic Violence Prevention Act, Articles 21-22). Pursuant Article 18, the police should ensure the safety of the victim at their request. This provision is further detailed in the Tasks and Powers of the Police Act of 2013. The Tasks and Powers of the Police Act grants powers to the police to issue a restraining order. Perpetrators not respecting a restraining order can be held in custody based on Articles 60 and 61. Furthermore, Article 125(2) provides for the statistical processing of personal data relating to the relationship between the victim and the perpetrator. The Domestic Prevention Act also contains provisions in Articles 31 to 33 that require social institutions to collect data and maintain records in the area of domestic violence.

The Housing Act was amended in 2004 to include a provision defining victims of domestic violence as a prioritised group of applicants for non-profit housing (Housing Act, Article 3(2)). In total, there are 274 beds available for women victim of domestic violence provided by 16 shelters (EIGE, 2017). Women victim of domestic violence can receive information, advice and support through a national helpline (although not operating 24 hours a day), via email and online (EIGE, 2017).

According to the first national survey on domestic violence conducted in the period 2009-2014, the number of cases of domestic violence identified and processed by the authorities has increased over the years (CEDAW, 2015), although it likely remains underreported (US Department of State, 2016). The CEDAW committee (2015) has noted that perpetrators of acts of domestic violence are often prescribed lenient sentences by courts. Additionally, it expressed some concerns regarding the effectiveness of the protection for women victim of domestic violence given the lack of enforcement of restraining orders. Rather than evicting the perpetrator from home, institutional actors often refer women to housing centres (European Parliament, 2015).

c) Rape

Sexual violence is addressed in Articles 170 to 174 of the Criminal Code. Rape is criminalised in Article 170 of the Criminal Code which states that whoever compels a person of the same or opposite sex to submit to sexual intercourse with him by force or threat of imminent attack on life or limb is to be sentenced to imprisonment for not less than one and not more than ten years. Aggravating circumstances defined in the same provision, such as gang rape, can increase the sentence up to fifteen years' imprisonment. Paragraph 4 explicitly deals with marital rape and states that in such a case, the prosecution should be initiated upon a complaint.

The European Women's Lobby (2013) has reported that many rape cases are qualified as sexual violence rather than rape. In practice, court proceedings may sometimes include inappropriate and discriminatory practices such as asking the victim about their sexual preferences, sexual history, past abortion, drug or alcohol use (European Women's Lobby, 2013). According to the US Department State (2016), spousal rape is rarely reported to authorities.

d) Sexual harassment

Sexual harassment is prohibited in employment, membership and participation in an organisation of workers or employers or any other organisation whose members carry out a particular profession, social protection, including social security and health care, education and access to goods and services (Protection against Discrimination Act, Articles 2, 4(2) and 7). It is defined as any form of unwanted verbal, non-verbal or physical action or behaviour of a sexual nature with the effect or intent of adversely affecting the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment (Protection against Discrimination Act, Article 8(2)).

Sexual harassment is considered to be discrimination (Protection against Discrimination Act, Article 7). Article 47 of the Act creates an obligation for the employer to inform workers of measures to ensure a working environment free from sexual or other form of harassment by the employer, a superior or co-workers. Sexual harassment is punished of two years' imprisonment (Criminal Code, Article 197(1)).

According to the US Department of State (2016), 28 cases of sexual harassment were reported during the first half of the year 2016, although this number might not reflect the actual prevalence of sexual harassment. In practice, labour inspectors rarely find violations related to sexual harassment. This may be explained by the fact that harassment is often difficult to prove in court. In 2012, 60 violations of

Article 47 of the Employment Relationship Act have been found by the labour inspectors (CEDAW, 2014).

e) Female genital mutilation

To date, there is no specific law dealing with female genital mutilation (FGM) in Slovenia, probably due to its marginal contextual relevance (EIGE (2013)). Nevertheless, the general legal framework can offer some protections. For instance, Articles 123-124 of the Criminal Code refer to grievous bodily injury and especially body injury, irrespective of whether consent was granted. The Family Violence Protection Act, by encompassing physical and sexual violence committed by one family member against another family member, allows FGM cases to be criminalized as domestic violence. It should be noted that according to the principle of extraterritoriality, FGM could be punished even if committed outside of the country. Other applicable provisions can be found in the child protection law or asylum law (EIGE, 2013).

f) Abortion

Abortion is legal in Slovenia upon a woman's request during the first ten weeks of pregnancy (Law on medical measures to implement the right to a free decision regarding the birth of children, Article 17). After that period, the woman must submit an application that is reviewed by a special commission. Based on a balanced assessment of the risks of the procedure to the life and health of a pregnant woman and her future motherhood, and the danger threatening her or the child because of continuation of the pregnancy or the childbirth, abortion may be authorised (Law on medical measures to implement the right to a free decision regarding the birth of children, Article 25). If the woman is minor, the consent of the parents or legal guardians is required (Law on medical measures to implement the right to a free decision regarding the birth of children, Article 22)

As of 2012, abortion-related costs covered by the compulsory insurance dropped from 85% to 80%, potentially restraining access to abortion for women from the most disadvantaged groups (European Parliament, 2015). The national rate of abortion has reportedly declined in the past years (CEDAW, 2014).

3. Restricted Access to productive and financial resources

a) Secure access to land and assets

Married and unmarried women and men have equal rights over land and non-land assets (Constitution, Article 33). Property of spouses is partial community of property, meaning that everything acquired before marriage remains property of the spouse while property acquired during the period of marriage is part of their joint property (Law on Marriage and Family Relations, Article 51). Women and men have equal rights over the ownership, use, decision-making power and use as collateral over the joint property (Law on Marriage and Family Relations, Article 52).

Regarding real estate belonging to both spouses, women and men have equal rights to have both of their names registered in the land register as their joint property with unspecified shares (Law on Marriage and Family Relations, Article 55). The law provides for equal rights to women and men over the ownership, use, decision-making power, and use as collateral over land and non-land assets after

divorce or separation. In the event of divorce, joint property should be divided with a presumption of equal shares (Law on Marriage and Family Relations, Articles 58-59).

Slovenian farmers traditionally privilege male successors in land inheritance. As a possible consequence of this subordination, women often do not encourage their own daughters to work and live on the farm (Kerbler, B. 2012).

b) Secure access to formal financial resources

Women and men have equal rights to open a bank account (Directive 2014/92/EU). They also have equal rights to obtain a credit (Protection against Discrimination Act, Article 2). Discrimination on the basis of sex in access to credit being prohibited (Protection against Discrimination Act, Article 2).

Overall, there is no evident structural gender discrimination in access to formal financial resources. The major challenge is perhaps to be found in women's perception of their own access to opportunities (Smallbone, D. 2017).

c) Workplace rights

Slovenia has ratified the ILO Conventions C100, C111, C156 and C183, but not C189.

Women and men have the same rights to choose their employment freely and to access employment under equal conditions (Constitution, Article 49). Married women and men are equally free to choose a profession and work (Law on Marriage and Family Relations, Article 46).

Equal pay for work of equal value, regardless of sex, is mandated by law. Any act by the employer constituting a breach to this principle is deemed void (Employment Relationships Act, Article 133). In the public sector, the principle of equal pay for women and men is reaffirmed in Article 1 of the System of Salaries in the Public Sector Act. Lack of information and transparency on comparable jobs and their salary in the private sector may constitute an important challenge to the application of equal pay for a victim of discrimination. There is no relevant case law on that matter (European Commission, 2017).

Direct and indirect discrimination in employment is outlawed (Employment relationships Act, Articles 3 and 6(1)). By exception, differential treatment based on sex is allowed provided it is justified if based on the nature of the work or circumstances in which the work is performed, the personal circumstances concerned represents a major and relevant condition for work, provided that the requirements is proportionate and justified by a legitimate objective (Employment Relationship Act, Article 6/5 and 27/1). Multiple discrimination is addressed in Article 12 of the Protection against Discrimination Act as a more serious form of discrimination which exists when a person is discriminated against on multiple grounds at the same time. No relevant case law to this provision has been identified (European Commission, 2017).

Pursuant Article 6 of Employment Relationship Act, employers must ensure equal treatment in access to employment, during employment relationship, and in relation with the termination of employment contract, irrespective of sex. Article 27 of the same Act provides for non-discrimination in job advertisements. The principle of equal access to working positions for civil servants is stipulated in Article 7 of the Public Servants Act. The Protection against Discrimination Act further reiterates that

equal treatment must be ensured irrespective of sex, gender identity or gender expression in relation to conditions for access to employment, self-employment and occupation, including selection criteria and recruitment conditions irrespective of the type of activity and at all levels of the occupational hierarchy, including promotion; access to all forms and levels of career orientation and counselling, vocational and professional education and training, further vocational training and retraining, including practical work experience; employment conditions and working conditions, including the termination of the employment contract and salaries (Protection against Discrimination Act, Article 2).

Discrimination is subject to non-pecuniary damage which is calculated according to Article 8 of the Employment Relationship Act stating that the compensation must be effective and proportionate to the damage suffered by the candidate or worker and must discourage the employer from repeating the violation.

Women are entitled to a maternity leave of 105 days, with 15 days being mandatory, according to Article 19 of the Parental Care and Family Benefits Act. Maternity leave is paid at 100% of the salary (Parental Care and Family Benefits Act, Article 47). As of April 2014, paternity leave is available to fathers for a period of 30 days non-transferable, out of which 15 days must be used before the child is six months and another 15 days must be used before the child finishes the first year of primary school (Parental Care and Family Benefits Act, Articles 25 to 28). Fathers are entitled to 90% of their salary as a general rule, but can receive 100% of the salary if their average salary over the 12 months prior to the date on which the benefit was claimed does not exceed the minimum wage (Parental Care and Family Benefits Act, Articles 47 and 112a(2)).

Parental leave can be granted for a period of 260 days, distributed between both parents. Each parent has the right to parental leave for a period of 130 days, whereby the mother can transfer to her father 100 days of parental leave, and 30 days is non-transferable. The father can transfer to the mother 130 days of parental leave (Parental Care and Family Benefits Act, Article 29). While the mother can transfer 100 days to the father out of 130 days (30 days being non-transferable), the father may transfer all of his 130 days to the mother. Parental benefits equal 90% of the previous salary. Parental benefit can amount to 100 % if the average salary over the 12 months prior to the date on which the benefit was claimed does not exceed 763,06 euros per month (Parental Care and Family Benefits Act, Articles 47 and 112a(2)). The dismissal of a woman during the period of pregnancy is prohibited by Article 115 of the Employment Relationship Act.

The employment rate of women is high in Slovenia, and above the EU average (SGI, 2016). However, occupational segregation is a key feature of women's employment: if they are overrepresented in human sciences, health, social work and education, they remain underrepresented in the mining, quarrying and construction industries. Gender-wage gap in female-dominated sectors is significant. While on average women attain higher levels of education and qualification than their counterparts, the share of women in highest-ranking and best-paid positions is lower than men (CEDAW, 2014). Roma women and other women from disadvantaged and marginalized groups are reported to be excluded and further marginalized from the formal labour market (CEDAW, 2015).

4. Restricted Civil liberties

a) Citizenship rights

Women and men have equal rights to acquire, change and retain nationality (Citizenship Act, Articles 3 and 17). The law grants women and men equal rights to pass on citizenship to their spouse (Citizenship Act, Article 12) and children (Citizenship Act, Articles 4 and 5).

Following the State's independence, Slovenia has deleted from the register of permanent residents a number of individuals who had not applied for Slovenian citizenship before the given deadline. Women and girls constitute one of the most vulnerable segments of this population. The government has not yet taken any measure to regulate the status of those "erased" people (CEDAW, 2015).

Women and men have equal rights to apply for an identity card (ID application procedures) and passport (Passport application procedures). They both have the same rights to travel outside of the country (Constitution, Article 32).

b) Voting

Women and men have equal rights to vote at the age of 18 (Constitution, Article 43). Along with the general voting rights as Slovenian citizens, there are special voting rights for the officially recognized national minorities (SGI, 2016).

Elections in Slovenia are reportedly free and fair, supervised by impartial and effective electoral commissions (BTI, 2016).

c) Political voice

The Constitution grants women and men equal rights to participate in public life and hold public office (Constitution, Article 44). The Equal Opportunities for Women and Men, in Articles 13 and 16, provides a legal basis for the adoption of special measures.

Slovenia has introduced gender quotas at multiple levels of governance. In candidate lists for European and local elections, each gender should be represented by at least 40% (respectively the Election of Members of the European Parliament Act, Article 15 and Local Elections Act, Article 70a). For elections to the National Assembly, the gender quota is 35% (National Assembly Election Act, Article 43). For all quotas, the same sanction applies in case of non-compliance: rejection of the list (Election of Members of the European Parliament Act, Article 16, Local Elections Act, Article 74 and National Assembly Election Act, Article 56). De facto, the quotas have proved successful in the European Parliament, local councils and in the national parliament. However, women remain underrepresented in the National Council and among mayors (CEDAW, 2015). A lack of women's power in decision-making procedure is also observed (European Parliament, 2015).

Slovenia has achieved parity in cabinet posts in 2017 (OECD, 2017).

In the judiciary, women are well represented, especially among judges of the Constitutional Court, in the Supreme Court, Higher Labour and Social Court and Administrative Court. A closer analysis reveals

that if women and men are equally represented among state prosecutors, the share of women prosecutors among senior staff declines toward higher levels of the hierarchy (CEDAW, 2014).

The CEDAW committee (2015) has drawn attention to the harassment and taunting women often have to face in public life as well the negative cultural attitudes and stereotypes perpetuated by political parties, the medias and voters.

d) Access to justice

Under the Constitution, women and men are equal before the law (Constitution, Article 14). Women and men are also guaranteed with the same protection of rights before a court (Constitution, Article 22). Pursuant Article 22 of the Constitution, all procedural laws allow any woman and man to sue and be sued before the court. Slovenian courts are found to act independently (SGI, 2016).

According to the Legal Aid Act of 2001, legal aid is provided for both civil and criminal matters for individuals that would not be able to cover the cost of proceedings otherwise. The financial position of an applicant is assessed on the basis of their monthly income and that of their family as well as in taking into account the property owned by the applicant and their family, according to Article 14 of the Act. Based on Articles 25 and 26 of the Domestic Violence Prevention Act, victims of domestic violence that are recognized in danger are entitled to free legal aid, regardless of the main legislation governing legal aid.

The Slovene legislation provides for a shifted burden of proof in sex discrimination cases, meaning that the respondent has the burden to prove that there has been no breach of the principle of equal treatment (Protection against Discrimination Act, Article 40). A victim of discrimination and the person assisting them should not be subject to unfavourable consequences because of the actions aimed at enforcing compliance with the prohibition of discrimination (Protection against Discrimination Act, Article 11). The prohibition of victimization appears however only notional as there is no specific sanction or protective measures available in case of its violation (OVCA, 2016).

The Advocate is the Slovene equality body and covers all grounds of discrimination. It is set up as an autonomous state body that does not receive binding instructions in relation to its work (Protection against Discrimination Act, Articles 19 and 20). In practice, the Advocate constantly faces a lack of resources and staff shortage (OVCA, 2016).

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