

Ministry of Labour, Family and Social Affairs /
Advocate of the Principle of Equality – Slovenia (last
update on 30 November 2012)



Brief profile

Contact details

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Overview

The Ministry of Labour, Family and Social Affairs is a policy-making & administrative body with tasks also in the area of gender mainstreaming and coordination of antidiscrimination policies.

The Advocate of the Principle of Equality (the Advocate) is a special post within the ministry, designed to prevent and eliminate discrimination predominately by hearing cases & offering assistance to victims of discrimination.

Type of equality body

The Advocate of the Principle of Equality is a predominantly quasi-judicial body¹.

Grounds and fields of discrimination covered

Grounds	Fields	
	Employment	Beyond employment (education, goods & services, housing, etc.)
Gender	◆	◆
Race and ethnic origin	◆	◆
Age	◆	◆
Disability	◆	◆
Sexual orientation	◆	◆
Religion and belief	◆	◆
Other *	◆	◆

* Open ground formula: language, parental or other family status, health situation, political belief, social status, wealth, membership in the trade-union, sexual identity, genetics, citizenship, etc.

¹ According to a [European Commission study on Equality Bodies](#), predominantly quasi-judicial bodies are “impartial institutions which spend the bulk of their time and resources hearing, investigating and deciding on individual instances of discrimination brought before them” (page 43).

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Detailed profile

Brief history

As a consequence of a reorganisation the Office for Equal Opportunities (OEO) was in April 2012 merged into the Ministry of Labour, Family and Social Affairs. OEO was established on February 2001 by the decision of the government (internal organizational act) as a successor of the former Office for women policy (originally established in July 1992). The key statutory duties and powers are listed in the Equal Opportunities of Women and Men Act and the Implementing the Principle of Equal Treatment Act (the Act). Duties concerning gender mainstreaming are specified in the governmental decision on establishing the OEO and the National Programme for Equal Opportunities for Women and Men. Tasks and duties of OEO are now performed by the ministry, more specifically by the Equal Opportunities and European Coordination Service (EOEACS), which is an internal horizontal organisational unit.

The Advocate operates since January 2005. The Advocate is a special post within the Ministry (and EOEACS), not a legal entity. The Advocate is nominated by the Government for a fixed period of 5 years on the proposal of the director of the OEO which is based on a public tender procedure. Advocate's position and mandate is regulated by the Act.

Mandate

- **Powers** *The Advocate of the Principle of Equality* is a predominantly quasi-judicial body
- **Litigation powers:**
 - Amicus curiae - Possibly, but not *stricto sensu*, as this is not regulated by national law.
 - Formally deciding on complaints (decision or recommendation) – *not legally binding*
 - Other: the Advocate may also assist the victims in seeking access to remedies, i.e. with information and advice on legislation and other available remedies, and by legal counselling and support in legal proceedings before other authorities (including the courts). The Advocate may submit cases to the relevant inspection authority (in the case of non-compliance, refusal to cooperate), who can then start administrative proceedings to eliminate the violation, which can end in administrative offence proceedings where a fine may be imposed.

Grounds and fields of discrimination covered

Grounds	Fields					
	Employment	Education	Housing	Social protection	Goods and Services	Other**
Gender	♦	♦	♦	♦	♦	♦
Race and ethnic origin	♦	♦	♦	♦	♦	♦
Age	♦	♦	♦	♦	♦	♦
Disability	♦	♦	♦	♦	♦	♦
Sexual orientation	♦	♦	♦	♦	♦	♦
Religion and belief	♦	♦	♦	♦	♦	♦
Other*	♦	♦	♦	♦	♦	♦

* Open ground formula: language, parental or other family status, health situation, political belief, social status, wealth, membership in the trade-union, sexual identity, genetics, citizenship, etc.

** Social security and health care, social benefits, public administration

Activities

- Promotional activities aimed at duty bearers (by way of trainings, guidance material, etc.);
- Promotional activities aimed at potential victims (trainings, awareness raising, etc.);
- Communication activities;
- Publications and research projects;
- Occasional trainings for judges, staff of the administration
- Number of inquiries / complaints lodged and cases handled per year: **100** (in 2011)

Structure

1. Management structure

- Type: Single headed equality body (led by director or ombudsman/commissioner)
- Details: The Advocate is a post with special duties within the Ministry (EOEACS). In performing its functions of assisting victims the Advocate shall be autonomous and independent from instructions of the director of OEO (Article 11.b of the Act) - *mutatis mutandis* - the minister. In relation to the Advocate the director/the minister exercises the rights and obligations of an employer. There is no organisational independence of the Advocate.

2. Institutional structure

- Type: the organisation is part of other structures (ministry)
- Details: The Ministry is a policy making and administrative body of the Government of the Republic of Slovenia. The Advocate is a post within the ministry and its organisational unit EOEACS, not a legal entity.

3. Nomination of senior staff and board:

The Minister for Labour Family, Social Affairs is nominated by the ordinary majority of the Parliament upon the proposal of the President of the Government (who is elected by the Parliament). Staff is recruited as public servants, based on a public tender procedure.

The Advocate is nominated by the Government for a fixed period of 5 years on the proposal of the director of the OEO (*mutatis mutandis* the minister) which is based on a public tender procedure

4. Number of staff: The ministry has 268 staff members. The EOEACS has 11 posts (including the Advocate). Equality policy issues are dealt with by 7 staff members; the Advocate operates alone: when hearing cases, providing assistance to victims of discrimination, guidance and information.

Operating budget (for the parts of the organization dealing with equality issues)

The ministry: 1,678.103.667 Euros / OEO: 626.904 Euros (2011) / Advocate: salary

Accountability (reporting to)

The minister may be hierarchically responsible to the president of the Government and the Government (binding instructions), and is politically responsible both to the President of the Government and the Parliament (the latter may even dismiss the minister). Head of EOEACS is hierarchically responsible for EOEACS work to the minister.

The Advocate is a post with special duties within the ministry / EOEACS (a member of staff). In performing its functions of assisting victims the Advocate shall be autonomous and independent, but in all other organisational and financial issues the advocate is a member of staff. The Advocate is obliged to submit his annual report to adoption of the Government. The minister formally submits this report into the governmental proceedings.

Contact details (address, key contact person, website)

Address:

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