

Guiding questions for defining the normative content of the issues examined at the twelfth session

Focus Area 1: Contribution of older persons to sustainable development

Definition

1. How are the key human rights relating to older persons' participation and, therefore, their contribution to sustainable development defined in the national legislation in your country? If definitions are not available, how should such rights be defined considering relevant existing national, regional, and international legal frameworks?

Human rights and freedoms in Slovenia are guaranteed by the Constitution of the Republic of Slovenia and are elaborated in more detail in its 40 articles. In addition to the general provision on the protection of rights and freedoms and their judicial protection, it guarantees the right in equality before the law and with other rights important for the rule of law, such as: protection in proceedings before courts and state bodies at all levels, the right to personal liberty, the right to appeal or legal remedies, the right to compensation, ensuring personal security and dignity, protecting the right to freedom of expression, performance, information, access to information, the right to gather and associate, ensuring participation in the management of public affairs and the right to petition and public initiative.

Under social rights, the protection of freedom of work, social security, health care, of the rights of persons with disabilities, the right to education and its public funding, the right to enjoy public goods and natural resources, the right to drinking water and of the right to a healthy living environment are guaranteed.

Adopted laws regulating individual areas must be harmonized with the aforementioned provisions of the Constitution of the Republic of Slovenia.

Scope of the rights

2. Please provide references to existing national legal standards relating to older persons' contribution to sustainable development on normative elements such as;

- a. right to equality and prohibition of all forms of discrimination against older persons on the basis of age, alone or combined with other grounds, in the context of sustainable development;
- b. elimination of all forms of ageism and age discrimination from sustainable development laws, frameworks, programs, policies, and practices;

Under Article 14 of the Slovenian constitution, everyone shall be guaranteed equal human rights and fundamental freedoms irrespective of national origin, race, sex, language, religion, political, or other conviction, material standing, birth, education, social status, disability, or any other personal circumstance.

In 2016, Slovenia adopted the Protection against Discrimination Act, which provides for the protection of everyone against discrimination regardless of gender, nationality, race or ethnic origin, language, religion or belief, disability, age, sexual orientation, sexual identity and sexual expression, social status, financial status, education or any other personal circumstance.

- c. right to freedom of expression, including freedom to seek, receive and impart information;

Under article 39 of the Slovenian Constitution, freedom of expression of thought, freedom of speech and public appearance, freedom of the press, and other forms of public communication and expression are guaranteed. Everyone may freely collect, receive, and disseminate information and opinions.

- d. right of peaceful assembly;
- e. right to freedom of association;

Under article 42 of the Slovenian Constitution the right of peaceful assembly and public meeting are guaranteed, as well as the right to freedom of association with others.

- f. right to take part in the government of his country, directly or through freely chosen representatives;

Slovenian citizens receive active and passive suffrage (voting right) at the age of 18 and exercise it throughout their lives. This is a value that is particularly pronounced in the population of older persons, as polls and research show that the share of older persons in elections is usually higher than the share of younger age groups.

- g. right to development, including older persons as active participants and beneficiaries of development;
- h. active, free and meaningful participation of older persons and their representative organizations in all matters related to sustainable development, including in political processes;

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The Government of the Republic of Slovenia established a Council for Active Ageing and Intergenerational Cooperation in 2018 for the implementation of the Active Ageing Strategy. Related to this Strategy, an Action Plan with numerous measures was drafted.

In some Slovenian municipalities, the Councils of Seniors are organized as an advisory body to the municipal administration. Even where there are no such councils, organisations of older persons and various civil society organizations have the opportunity to actively contribute to local policy-making and implementation, through public debates on spatial and other development plans, programs and financial plans (participatory budgets), and in designing individual or special social groups.

- i. access to prompt remedies and redress when older persons' above mentioned rights are violated.

The Protection against Discrimination Act, which determines personal conditions (including age) for which protection against discrimination is ensured, also established the Advocate of the Principle of Equality, an independent and autonomous state body mandated to deal with discrimination, also based on age.

State obligations

3. What measures and special considerations should be undertaken by the State to respect, protect and fulfil the above-mentioned rights to ensure older persons' contribution to sustainable development?

In accordance with Article 21 of the Protection Against Discrimination Act, the Advocate of the Principle of Equality's tasks are the following:

- conducting independent research on the position of people with certain personal circumstances, particularly gender, nationality, racial or ethnic origin, religion or belief, disability, age, sexual orientation, and other issues regarding discrimination of people with certain personal circumstances,
- publishing independent reports and making recommendations to state authorities, local communities, holders of public authorisations, employers, business entities and other bodies regarding the established situation of people with certain personal circumstances, i. e. relating to preventing or eliminating discrimination and adopting special and other measures to eliminate discrimination,
- conducting tasks of supervisory inspection on the basis of complaints regarding the observance of the provisions of this or other acts determining the Advocate's competence,
- providing independent assistance to persons subject to discrimination when enforcing their rights regarding protection against discrimination in the form of counselling and legal assistance for clients in other administrative and judicial proceedings related to discrimination,
- raising the general public's awareness on discrimination and measures to prevent it,
- monitoring the general situation in Slovenia as regards protection against discrimination and the situation of people with certain personal circumstances,

- proposing the adoption of special measures to improve the situation of people who are in a less favourable position due to certain personal circumstances,
- participating in judicial proceedings involving discrimination,
- ensuring the exchange of available information on discrimination with bodies of the EU,
- conducting other tasks determined by the Protection Against Discrimination Act.

Another institution that also deals with the protection and promotion of human rights, also of older persons, in Slovenia is The Human Rights Ombudsman of the Republic of Slovenia, which is an independent institution, which contributes to the protection and promotion of human rights and fundamental freedoms in Slovenia through the investigation of the complaints, submission of opinions and recommendations to any authority, addressing pressing human rights issues, conducting on-site inspections, conducting human rights education, research, through cooperation with civil society as well as through own initiatives and statements on legislative proposals.

Slovenia is committed to addressing human rights at different stages of life, so its priority is also to adequately address the rights of older persons in the future. We are committed to the elimination of all forms of discrimination against older persons, as well as combating ageism.

Implementation

4. What are the good practices and main challenges faced by your country in the adoption and implementation of the above-mentioned normative framework to ensure older persons' contribution to sustainable development?

Representatives of ZDUS, the largest pensioners' organization in the Republic of Slovenia, are members of administrative councils and supervisory bodies of various institutions and organizations, for example the Health Insurance Institute, Pension and Disability Insurance Council, Real Estate Housing Supervisory Board, Social Chamber Assembly, etc. Pensioners' associations and other associations are also regular proposers of amendments to the laws on sustainable development, which are in the deliberation process before the National Assembly. There are several other organizations in Slovenia that contribute to the social inclusion of older persons like Srebrna nit, Slovenian Karitas, Red Cross Slovenia, Slovenian Philanthropy, Spominčica, AlzheimerSlovenia – Slovenian Association for Help with Dementia, the Slovenian Seniors Association, Gerontological Society of Slovenia, Simbioza, CNVOS - National NGO umbrella network, and Sloga. They amplify the voice of older persons in proposing measures for sustainable solutions in programming and legislative documents, eradicating poverty, health and well-being, long-term care, education, gender equality, clean water and sanitation, decent work, reducing inequalities, and promoting sustainable cities and communities.

A number of programs take place in different associations of older persons and other age groups at different levels (local, regional, national). These are mainly cultural events, sports and recreational meetings, handicraft workshops, reading culture, and learning digital and other skills. These are joint activities that lead to the exchange and transfer of knowledge, where prejudices and stereotypes are broken down. There are 15 multigenerational centres in Slovenia, where different generations meet, cooperate through concrete activities, and contribute to reducing ageism. Intergenerational centres sponsored by municipalities or city administrations are already opened all over Slovenia. They are an important core of cooperation, socializing and various forms of joint action of people regardless of age.

For more than 20 years, the traditional Festival for the Third Age has been organized. This is the biggest event dedicated to older persons Slovenia. An important component of this festival are also intergenerational events.

One of the main challenges remains how to actively include even more older persons in society as such in preparing future legislation and also in the digitalisation processes of public services, so they do not feel excluded from the progress digitalisation brings.