**The EU Charter of Fundamental Rights and the Convention on the Rights of Persons with Disabilities**

The horizontal principles set out in Article 9 of Regulation (EU) 2021/1060, which the Member States are obliged to observe in the implementation of EU funds, include the following:

* the respect for fundamental rights and compliance with the [EU Charter of Fundamental Rights (europa.eu)](https://commission.europa.eu/aid-development-cooperation-fundamental-rights/your-rights-eu/eu-charter-fundamental-rights_sl) and
* paying due regard to accessibility for persons with disabilities.

In order to ensure the preliminary conditions required for the successful and efficient use of the EU support granted from the Funds, paragraph one of Article 15 of Regulation (EU) 2021/1060 refers, among other things, to its Annex III, which sets out the horizontal enabling conditions applicable to all specific objectives and the criteria for evaluating their achievement.

In the following, we focus on the conditions of "actual application and implementation of the Charter of Fundamental Rights" and the "implementation and application of the United Nations Convention on the Rights of Persons with Disabilities in accordance with Council Decision 2010/48/EC".

The Ministry of Labour, Family, Social Affairs and Equal Opportunities (hereinafter: MDDSZ) has defined the fulfilment of the aforementioned conditions and criteria for both enabling conditions in detail in the System Description ([link](https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.gov.si%2Fassets%2Fministrstva%2FMDDSZ%2FUrad-za-izvajanje-EKP%2FMPO%2FKljucni-dokumenti%2FOpis-sistema_21_27.docx&wdOrigin=BROWSELINK)), and on this side we enable the fulfilment of the criteria, which provides for the arrangement of reporting on possible complaints regarding the Charter and the Convention submitted in accordance with the arrangements based on Article 69(7) of Regulation (EU) 2021/1060.

**Possibility of complaint**

The purpose of implementing the European Cohesion Policy, including the ESF+ special measure for the elimination of material deprivation, is to ensure the compatibility of support with human rights and fundamental freedoms, as defined in the EU Charter of Fundamental Rights and the United Nations Convention on the Rights of Persons with Disabilities.

To this end, the procedures relating to the use of funds under the ESF+ Programme for the Elimination of Material Deprivation in the Republic of Slovenia for the Period 2021–2027 (hereinafter: the Programme) provide for the possibility of complaint to the management authority on the grounds of violation of fundamental rights or freedoms pursuant to [Council Decision 2010/48/EC](https://eur-lex.europa.eu/legal-content/SL/ALL/?uri=CELEX:32010D0048)Article 69(7) of Regulation (EU) 2021/1060. The management authority responsible for the Programme is the MMDSZ.

**Who has the right to lodge a complaint?**

Anyone who participates in the implementation of the Programme in Slovenia and believes that these fundamental rights or freedoms have been violated has the right to lodge a complaint. Potential and selected beneficiaries or final recipients and others who benefit from the implementation of the Programme or operations within its framework can lodge a complaint with the management authority of the Programme working at the MDDSZ.

**How will the complaint be handled?**

The management authority will examine the complaint and deal with it in accordance with its powers. If the alleged violation falls within the management authority’s jurisdiction, it will verify the facts and evidence of the violation on the spot or review the relevant documents and propose appropriate corrective measures.

If the alleged violation does not fall within the management authority’s jurisdiction, it will consult with other ministries and institutions dealing with the protection of human rights and the rights of persons with disabilities in Slovenia.

The management authority may refer the complainant to another appropriate institution or may, in agreement with the complainant, forward the complaint to other competent institutions.

**How to lodge a complaint**

The form below is available for reporting alleged violations. It is intended to assist complainants and facilitate their lodging of complaints. When lodging a complaint, it is necessary to describe the violation as precisely as possible and attach any relevant documents and other evidence of the violation. The complaint should include the name of the Programme, the alleged violator, the complainant’s contact information and a description of the violation. If the form cannot be completed online, the paper form must be completed and sent to the management authority via email.

**The management authority responsible for the Programme**

**The Ministry of Labour, Family, Social Affairs and Equal Opportunities**

Štukljeva cesta 44, 1000 Ljubljana

Tel.: +386 (0)1 369 77 00

Email: [gp.mddsz@gov.si](mailto:gp.mddsz@gov.si)

All complaints will be treated confidentially, respecting the protection of personal data. The management authority will take note of anonymous reports but will only take action if it has sufficient information to enable consideration.

Please feel free to call us should you require any assistance in lodging a complaint or wish to consult thereon.

**Are there any other means of redress?**

The possibility of lodging a complaint with the management authority does not exclude the possibility of using other regular legal remedies available in Slovenia, nor does it exclude the general possibility of complaints being addressed to the European Commission.

In Slovenia, the protection of rights (e.g. in cases of discrimination or violations of accessibility rules) is ensured in administrative procedures (such as individual inspections and complaints against administrative acts) and in judicial proceedings. Usually, only those whose rights have been violated or whose legal position is directly interfered with are entitled to file claims for judicial protection. Even when the aforementioned means are used, the management authority recommends that the complainant should be apprised of the procedures for using such legal remedies. This is useful for providing a comprehensive overview of the implementation of the European Cohesion Policy and preventing violations.

**Reporting at annual review meetings**

The management authority has the obligation to report at annual review meetings with the European Commission on any inconsistencies of operations supported by the Programme with the EU Charter of Fundamental Rights and the Convention on the Rights of Persons with Disabilities, in accordance with Council Decision 2010/48/EC, and on complaints lodged in accordance with the procedure set out in Article 69(7) of Regulation (EU) 2021/1060. The report does not include personal data, but only covers the nature of the violations and the corrective measures taken. The management authority may report only on the complaints of which it is aware.

**Contact details of the management authority and other institutions in the area of the protection of human rights and persons with disabilities in Slovenia**

**Ministry of Labour, Family, Social Affairs and Equal Opportunities**

Štukljeva cesta 44, 1000 Ljubljana

Tel.: +386 (0)1 369 77 00

Email: [gp.mddsz@gov.si](mailto:gp.mddsz@gov.si)

**Ministry of Labour, Family, Social Affairs and Equal Opportunities – Directorate for the Disabled**

Štukljeva cesta 44, 1000 Ljubljana

Tel.: +386 (0)1 369 75 38

Email: [gp.mddsz@gov.si](mailto:gp.mddsz@gov.si)

**Ministry of Justice**

Župančičeva ulica 3, 1000 Ljubljana

Tel.: +386 (0)1 369 53 42

Email: [gp.mp@gov.si](mailto:gp.mp@gov.si)

**Ministry of Foreign and European Affairs**

**Directorate for Multilateral Cooperation**

**Human Rights Department**

Prešernova cesta 25, 1000 Ljubljana

Tel.: +386 (0)1 478 20 37

Email: [gp.mzez@gov.si](mailto:gp.mzez@gov.si)

**Ministry of Culture**

**Cultural Diversity and Human Rights Service**

Maistrova ulica 10

1000 Ljubljana, Slovenia

Tel.: +386 (0)1 369 59 00

Email: [gp.mk@gov.si](mailto:gp.mk@gov.si)

**Human Rights Ombudsman of the Republic of Slovenia**

Dunajska 56, 1000 Ljubljana

Tel.: +386 (0)1 475 00 50

Email: [info@varuh-rs.si](mailto:info@varuh-rs.si)

Reports to<https://www.varuh-rs.si/kaj-delamo/iscete-pomoc/kdaj-se-obrniti-na-varuha/>

**Advocate of the Principle of Equality**

Železna cesta 16, 1000 Ljubljana

Tel.: +386 (0)5 4735 531

Email: [gp@zagovornik-rs.si](mailto:gp@zagovornik-rs.si)

Reports to<https://zagovornik.si/o-diskriminaciji/predlog-za-obravnavo-diskriminacije/>

**Information Commissioner**

Dunajska cesta 22, 1000 Ljubljana

Tel.: +386 (0)1 230 97 30

Email: [gp.ip@ip-rs.si](mailto:gp.ip@ip-rs.si)

Reports to<https://www.ip-rs.si/varstvo-osebnih-podatkov/pravice-posameznika/vlo%C5%BEitev-prijave>

Violations may also be reported to the competent inspectorates. Some of these are more frequently referred to below, but they are all listed on <https://e-uprava.gov.si/podrocja/drzava-druzba/inspekcijski-postopki.html>.

[Reporting of violations to the Labour Inspectorate of the Republic of Slovenia](https://e-uprava.gov.si/podrocja/drzava-druzba/inspekcijski-postopki/prijava-inspekciji-delo.html)  (e.g. of violations of rights concerning employment and labour and violations of the prohibition of discrimination).

[Reporting of violations to the Market Inspectorate (e.g. of violations of the prohibition of discrimination in the provision of goods and housing and violations of accessibility rules).](https://e-uprava.gov.si/si/podrocja/drzava-druzba/inspekcijski-postopki/prijava-trzni-inspekciji.html)

[Reporting of violations to the Infrastructure Inspectorate](https://e-uprava.gov.si/podrocja/drzava-druzba/inspekcijski-postopki/prijava-infrastruktura.html) (for violations of the provisions of Article 16 of the Equalisation of Opportunities for Persons with Disabilities Act regarding the accessibility of public bus transport).

[Reporting of violations to the Port State Control](https://e-uprava.gov.si/si/podrocja/drzava-druzba/inspekcijski-postopki/prijava-pomorski-inspekciji.html) (for violations of the provisions of Article 16 of the Equalisation of Opportunities for Persons with Disabilities Act regarding the accessibility of transport by ship).

[The Constitutional Court and/or other courts](https://e-uprava.gov.si/drzava-in-druzba/e-demokracija/o-demokraticnih-procesih/clovekove-pravice-in-temeljne-svoboscine/varstvo-clovekovih-pravic-in-temeljnih-svoboscin.html)

It is recommended that you seek advice or assistance from a lawyer or other legal counsel before filing requests for judicial protection.

Non-governmental organisations are also involved in the protection of human rights.

Submission of reports

Vrh obrazca

Name, surname, or title of legal entity or company name and contact details of the reporting entity (email or telephone number):

Who is the alleged violator of the right? Indicate the name of the person or organisation involved.

What has happened or continues to be happening? Describe the violations (please provide as much information as possible on how and where the violation occurred and who was affected by it). What rights under the EU Charter of Fundamental Rights or the Convention on the Rights of Persons with Disabilities have been violated?

When did the violation occur (or begin if it is in the course of being committed)?



Have you already taken action in this regard (if yes, describe what and to which institution you reported it)?

Additional clarifications or relevant pieces of evidence supporting your allegations (e.g. documents, documentary evidence, names of witnesses, etc.).



Add enclosure (optional)

Click or drag a file to this area to upload.



Date



Protection of personal data \*

By submitting this data, I give consent to the Ministry of Labour, Family, Social Affairs and Equal Opportunities (MDDSZ) to use my data for the purposes of handling complaints and reporting at annual meetings with the European Commission without indicating personal data. The MDDSZ shall carefully protect data in accordance with the General Data Protection Regulation (GDPR).

Send reportDno obrazca