REPUBLIC OF SLOVENIA
HUMAN RIGHTS OMBUDSMAN

Human Rights Ombudsman
Dunajska cesta 56
1109 Ljubljana

European Ombudsman
Ms Emily O'Reilly, European Ombudsman

eo@ombudsman.europa.eu

Number: 0705-22/2021-5-TUR
Date: 16/04/2021

Subject: Response to your letter on strategic inquiry OI/2/2021/MMO into how the European Commission monitors EU funds used to promote the right of persons with disabilities and older persons to independent living

Dear Ms O'Reilly,

I have received your letter announcing your inquiry into how the European Commission monitors and ensures that the European Structural and Investment funds are used to promote independent living and community-based services in all Member States. You are interested in our views regarding the implementation of the right to independent living in our county and whether we consider it feasible and desirable for ombudspersons to participate in national monitoring committees, which would examine the performance of EU-funded programmes.

In the last two years, the Human Rights Ombudsman of the Republic of Slovenia (the Ombudsman) has been particularly active regarding institutional care situations and repeatedly called for deinstitutionalisation. In addition to handling individual complaints and visiting several institutions that provide institutional care, and preparing recommendations for improvements, we also commented on the draft law on long-term care and compulsory insurance for long-term care. We have noticed that the proposal does not reflect the alleged orientation towards deinstitutionalisation.

We are aware that institutional care is necessary and the only choice for many, especially among the elderly, but at the same time, we believe that capacity building in institutions is not the correct answer to an aging society. What we need are faster steps towards deinstitutionalisation. The Ombudsman considers it unacceptable that the elderly are forced to live in institutions, even though they want to live a dignified life in their home environment. Therefore, we believe that comprehensive regulation of long-term care should be a priority. Slovenia urgently needs an accessible, efficient and financially sustainable system based on social justice and intergenerational solidarity. We have also already pointed out that better treatment in the home environment or community, home help, social care could reduce the need for institutional care and the

problems we face due to lack of institutional capacity. Therefore, the Ombudsman recommended in 2019 that the government provide additional incentives and community services to gradually reduce the pressure on institutional forms of treatment.

Unfortunately, in 2020, we have not seen any significant effects of this recommendation in practice. However, we considered it was gratifying that with our support, the project of deinstitutionalisation of Home on Kras was officially approved in 2020.[1] The Ministry of Labour, Family, Social Affairs and Equal Opportunities also announced that it published a public tender for co-financing investments in infrastructure intended to implement daily forms of protection / temporary accommodation for the elderly.[2] 30 projects will be co-funded to set up units providing day care or temporary accommodation for people over the age of 65 who, due to age or other reasons accompanying old age, cannot live entirely independently need a small amount of direct care. In the Resolution on the National Social Protection Program for 2013–2020, the Republic of Slovenia has also set itself to strengthen community forms of social protection, thus increasing the number of users of community services supporting living in the home environment. The establishment of new units will improve the availability, accessibility and diversity of social protection services and programs. By the end of the 2014-2020 financial perspective, the ministry also planned to allocate funds to establish housing groups for adults with long-term mental health problems, mental disabilities and people who cannot live in their home environment due to physical and sensory disabilities. The purpose of the measure is to relocate people under the age of 65 with mental disabilities, mental health problems, sensory disorders, movement disorders and advanced chronic or incurable disease at the end of life from homes for the elderly to newly established housing groups.

I hope you'll find this information helpful. We are available for any additional information you may require regarding implementing the right to independent living in Slovenia.

The Ombudsman will continue to call for deinstitutionalisation and supervise its implementation. However, we do not see ourselves in the role of examining the expenditure of funds.

I wish you all the best with your endeavours.

Yours sincerely,

Peter Svetina
Human Rights Ombudsman of the Republic of Slovenia

For information:
[redacted]

[1] See more at www.gov.si/en/news/2020-03-04-eu-funding-for-the-project-dom-na-krasu/.
[2] In the scope of the Operational Programme for the Implementation of EU Cohesion Policy in the Period 2014-2020 and its specific objective 9.3.1 "Improving the quality of community care services".