



REPUBLIC OF SLOVENIA  
ADVOCATE OF THE PRINCIPLE OF EQUALITY

## Special Report

# Inaccessibility of Public Facilities for Persons with Disabilities



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*"As a society, we need to eliminate obstacles in the public space so that all those with mobility difficulties can reach all spaces that are, as of now, already available to the majority."*

*Miha Lobnik, Advocate of the Principle of Equality*

Ljubljana, September 2023

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## SUMMARY OF THE SPECIAL REPORT

Persons with disabilities must be provided with equal opportunities when accessing goods and services in different areas of their social life, for example in education, in health and social care, in work and employment, in art, and in culture. Pursuant to the Equalisation of Opportunities for Persons with Disabilities Act (the EOPDA), public facilities must be adapted to persons with disabilities no later than 11 December 2025.

As part of the preparation of this Special Report, an enquiry (an online survey) collected information on the assessment of representatives of public authorities and institutions, for which the State and local communities are directly responsible, regarding the accessibility of public facilities. This Special Report:

1. presents an indicative assessment of the state of inaccessibility of certain types of public facilities;
2. describes the key obstacles in ensuring the accessibility of public facilities, as evidenced by the assessments of the respondents to the enquiry;
3. contains recommendations for the competent authorities in order to improve the accessibility of public facilities for persons with disabilities and thus improve their position regarding their access to goods and services which are available to the public.

Based on the self-assessments of responsible persons in individual institutions and bodies, it was possible to collect information on inaccessibility due to the good and extensive response of the addressees of the Advocate's enquiry. Therefore, we would like to thank all 2,217 respondents for their cooperation. The extensive response shows a great awareness of the meaning and importance of the accessibility of public spaces for persons with disabilities. This is the only way to help persons with disabilities and functional impairments to access public spaces and be a part of the society.

The responses of the respondents or their own assessment in ensuring the accessibility of public facilities show that a relatively large proportion of public facilities are not accessible to persons with disabilities. No less than one in four respondents estimates that they will not be able to provide for the construction adaptation of the facilities under their jurisdiction, and that an even larger portion of the facilities will not be adapted through technical adaptations, by the statutory deadline of 11 December 2025. The situation in the field of adaptation of public facilities with sound and light indicators and with written information is especially problematic. Respondents estimate that, by 11 December 2025, they will not provide these three types of adjustments in more than half of the facilities under their jurisdiction. According to their estimate, construction and technical adaptations are currently provided by a relatively large proportion of institutions and bodies. However, only a small proportion of those who do not currently offer these adjustments estimate that they will be able to provide them by the statutory deadline. It can therefore be concluded that no significant progress will be made during this time.

There are several reasons for the relatively poor situation regarding the accessibility of public facilities:

1. In their written explanations to the survey, several respondents cited the **lack of financial resources** or funding from local communities, the State, or other competent stakeholders as an obstacle to ensuring the accessibility of public facilities.
2. Some respondents pointed out that the adaptation of their facilities is prevented or hampered by the **applicable regulations in the field of cultural heritage protection**.

3. As indicated by the additional explanations and responses of the respondents, the problem is also the relatively **poor knowledge of the Equalisation of Opportunities for Persons with Disabilities Act** (and other sectoral legislation), as well as other related legal obligations.
4. A large proportion of respondents are **unaware of their duties** when it comes to ensuring accessibility of facilities for persons with disabilities.
5. Some of the explanations of the respondents also clearly show that, although they have an interest in improving the accessibility of facilities under their jurisdiction, they **do not know where and how to find information** in terms of consulting and support in the preparation of projects for the implementation of these adjustments. Persons who must comply with the EOPDA are extremely diverse, ranging from large State or local authorities and institutions to smaller ones which also have fewer financial and other resources and competencies.

**The key reasons for the inaccessibility of public facilities are the lack of financial resources, challenges in the field of cultural heritage protection regulations, poor knowledge of the Equalisation of Opportunities for Persons with Disabilities Act, lack of knowledge of legal obligations, and lack of information on the possibility of consulting and support in the preparation and implementation of necessary adaptations of facilities.**

The Advocate identified several shortcomings in the field of legislation. Although the EOPDA sets deadlines for the adaptation of existing public facilities, no inspection powers have been granted in this regard. This needs to be introduced.

Violations of the provisions of the Building Act, e.g. with regard to the universal construction and use of facilities, are assessed by the Inspectorate of the Republic of Slovenia for the Environment and Spatial Planning. However, this Act only applies to the construction or reconstruction of buildings, and not to the adaptation of existing buildings, which is regulated by the EOPDA. Therefore, supervision in these cases is limited and deficient already at the level of regulations. This will be particularly problematic after 2025, when the final deadline for adapting all public facilities in the public and private sector expires.

The Advocate made several recommendations with the view to improve the situation.

The Advocate recommends **to the Ministry of Labour, Family, Social Affairs and Equal Opportunities** to perform the following improvements as soon as possible pursuant to the PADA and to the EOPDA:

1. in cooperation with the Urban Planning Institute of the Republic of Slovenia, provide a methodological and professional comprehensive analysis of the state of spatial accessibility of all public facilities, and make it publicly available.
2. establish, in cooperation with the Urban Planning Institute of the Republic of Slovenia, a national advisory information point that will offer comprehensive information, materials, and contacts in one place to help and advise on all aspects of the obligation to ensure the accessibility of public facilities for people with disabilities, particularly for taxpayers, pursuant to the EOPDA. Special attention should be paid to content related to adjustments in the form of sound and light indicators and written information.

3. Adopt a regulation on minimum accessibility requirements for all goods and services for the implementation of the fifth paragraph of Article 8 of the EOPDA, since it also has an important impact on the elimination of obstacles to ensuring the accessibility of public facilities offering goods and services available to the public.

The Advocate recommends to the **Ministry of Culture** to perform the following improvements as soon as possible pursuant to the PADA and to the EOPDA:

1. in cooperation with the Ministry of Natural Resources and Spatial Planning and the Institute for the Protection of Cultural Heritage of Slovenia, prepares guidelines for adopting decisions in the process of obtaining cultural conservation consents, namely in such a way that the bodies and institutions that are obliged to ensure the adaptation of public facilities for people with disabilities will be able to implement these adaptations efficiently and in a financially sustainable manner.

The Advocate recommends to the **Ministry of Natural Resources and Spatial Planning** to perform the following improvements as soon as possible pursuant to the PADA and to the EOPDA:

1. prepare a draft amendment to the Construction Act so as to include the final deadline for the mandatory appropriate adaptation of existing facilities (as already regulated for the construction of new facilities) in public use referred to in Article 38 of the EOPDA, and unambiguously determine the competence of inspection and fines in the event of violations.

The Advocate recommends to the **Government of the Republic of Slovenia** to perform the following improvements as soon as possible pursuant to the PADA and to the EOPDA:

1. prepare an assessment of the necessary budgetary resources and a special investment plan in order to adapt public facilities for people with disabilities, thus eliminating discrimination. Furthermore, the government should also provide the necessary earmarked budgetary resources for the implementation of those actions.
2. Prepare an analysis of the possibility of drawing on European funds for the purpose of ensuring the accessibility of public facilities for people with disabilities, and include it in the investment plan.

## 1 LEGAL BASIS FOR INCLUSIVE ACCESSIBILITY IN PUBLIC SPACE

### 1.1 National law

The Constitution of the Republic of Slovenia<sup>1</sup> defines disability as one of the personal grounds due to which an individual may not be discriminated against. This provides a legal basis for additional protection of the rights of persons with disabilities.

Article 14 of the Constitution of the Republic of Slovenia  
(equality before the law)

In Slovenia, 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 ground.

All are equal before the law.

The prohibition of discrimination is also an independent right protected by the Constitution of the Republic of Slovenia, even in the part which the Constitution itself is not regulating in more detail.

Article 15(5) of the Constitution of the Republic of Slovenia  
(exercise and limitation of rights)

No human right or fundamental freedom regulated by legal acts in force in Slovenia may be restricted on the grounds that this Constitution does not recognise that right or freedom or recognises it to a lesser extent.

The prohibition of discrimination or the right to equal treatment is also binding for third parties (private citizens): protection against discrimination also applies in the event of any violation of consumer rights in relation to access to all goods and services available to the public.

The Protection against Discrimination Act<sup>2</sup> (the PADA) states in Article 1 that protection against discrimination is provided to individuals regardless of their personal grounds, including disability. Article 2 of the PADA initially lists all stakeholders required to provide protection against discrimination or equal treatment in the public and private sectors, including state authorities, holders of public authority and legal entities. They must also provide protection against discrimination in relation to access to goods and services available to the public.

Article 21 of the PADA grants the Advocate the authority and responsibility to, among other things:

1. "publish independent reports and make recommendations to state authorities, local communities, holders of public authorisations, employers, business entities and other bodies regarding the established situation of people in certain personal grounds, i.e. relating to preventing or eliminating discrimination and adopting special and other measures to eliminate discrimination."

In accordance with Article 22 of the PADA, the Advocate shall report to the National Assembly of the Republic of Slovenia (NA) about their work and findings on the existence of

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<sup>1</sup>Constitution of the Republic of Slovenia, Article 14. Available at: <http://pisrs.si/Pis.web/pregledPredpisa?id=USTA1>.

<sup>2</sup>Protection against Discrimination Act (Official Gazette of the RS, No. 33/16 and 21/18 – Non-Governmental Organisations Act). Available at: <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO7273>.

discrimination involving individual groups of people with certain personal grounds in the framework of special reports.

The concept of accessibility is defined by the Action Programme for Persons with Disabilities 2022–2030<sup>3</sup> and "includes not only access to public buildings/institutions, but also access to information or communications".

Access to public facilities, information, and communication enables people with disabilities to participate in various areas of social life, such as education, employment, and access to health, social and other services. Due to accessibility, people with disabilities have the opportunity to participate in social, economic, and political life.

Pursuant to the fourth paragraph of Article 3 of the Equalisation of Opportunities for Persons with Disabilities Act<sup>4</sup> (the EOPDA), ensuring accessibility and equal opportunities for all means "planned activities to enable different parts of society and the environment, such as public services, the built environment, goods and services intended for the public, information, communications, etc., to be accessible to everyone, especially to persons with disabilities".

The first paragraph of Article 9 of the EOPDA states that discrimination on the grounds of disability in the accessibility of goods and services available to the public is prohibited. This includes access to public facilities for persons with disabilities,<sup>5</sup> including in the field of goods and services (Article 8). The second paragraph of Article 9 stipulates that "adaptation of facilities for public use shall be made by installing construction and technical devices, sound and light indicators, written information, and by making other appropriate technical adaptations."

The third paragraph of Article 9 of the EOPDA stipulates that public facilities must already be adapted accordingly during construction or the reconstruction of the facilities that have already been built. According to Article 38 of the EOPDA, the deadline for the adaptation of public facilities for persons with disabilities is 11 December 2025. Until then, customised access must be provided to all persons with disabilities.

This includes employees of bodies, institutions, and organisations in public facilities, as well as users of goods and services which are available to the public in those facilities.

The Building Act<sup>6</sup> regulates in Article 22 the "construction and usability of constructions accessible to all people, regardless of their potential permanent or temporary disability", which stand for the design, construction and use of facilities in a way that enables unhindered access and use of facilities. This falls within the framework of "universal construction and usability of constructions".

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<sup>3</sup>Available at: [https://www.gov.si/assets/ministrstva/MDDSZ/Invalidi/API-2022-2030/Akcijski\\_program\\_za\\_invalidi\\_2022\\_2030-.docx](https://www.gov.si/assets/ministrstva/MDDSZ/Invalidi/API-2022-2030/Akcijski_program_za_invalidi_2022_2030-.docx).

<sup>4</sup>Equalisation of Opportunities for Persons with Disabilities Act (Official Gazette of the Republic of Slovenia, No. 94/10, 50/14 and 32/17). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO4342>.

<sup>5</sup>Public facilities, the use of which is intended for everyone under the same conditions, are defined by the Building Act (the BA), on the basis of which the Decree on the classification of structures was adopted. Said Decree further specifies the list and types of facilities that fall into this category. Decree on the classification of structures (Official Gazette of the Republic of Slovenia, No. 96/22). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=URED8497>.

<sup>6</sup>Building Act (Official Gazette of the Republic of Slovenia, No. 61/17, 72/17 – corr., 65/20 and 15/21 – Additional Measures to Mitigate the Consequences of COVID-19 Act). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO7108>.



The Rules on Universal Construction and Use of Facilities<sup>7</sup> also state, in articles 5 and 6, that all people must be able to move freely and independently when it comes to the construction, use, and maintenance of outdoor areas and facilities.

In Article 3(26) of the Building Act,<sup>8</sup> public facility is defined as "construction or part of it that can be used by all under the same requirements". Pursuant to this article, this category includes non-residential buildings, which are catering buildings, office and administrative buildings, commercial buildings and buildings for service activities, transport buildings and buildings for the implementation of communications, buildings of general social interest, ceremonial buildings and other non-residential buildings, if they are intended for public use.

The same category also includes public areas such as public roads, streets, squares, markets, playgrounds, parking lots, cemeteries, parks, lawns, and recreational areas. On the basis of the Building Act, the Decree on the classification of structures<sup>9</sup> was adopted, which further specifies the list and types of facilities that fall into this category.

Accessibility requirements are therefore already protected under the prohibition of discrimination. The Constitutional Court of the Republic of Slovenia has repeatedly found (indirect) discrimination, i.e. violation of Article 14 of the Constitution of the Republic of Slovenia, due to inaccessibility,<sup>10</sup> at the same time as violations of specific human rights. Otherwise, this obligation in this area of social life is also regulated by EU and international law.

## 1.2 International law

The Convention on the Rights of Persons with Disabilities<sup>11</sup> (the UNCRPD), which Slovenia ratified in 2008, regulates the field of accessibility in its Article 9. This Article ensures access to the physical environment, to transportation, information and communications, and to other facilities, devices and services open or provided to the public. Measures to identify and remove barriers to accessibility also apply, inter alia, to buildings, internal and external adaptations, and equipment. States Parties shall, in accordance with the UNCRPD, take measures to develop, disseminate and monitor the enforcement of minimum standards and guidelines for the accessibility of facilities.

The Treaty on the Functioning of the European Union and the Charter of Fundamental Rights of the European Union (the Charter)<sup>12</sup> provide the basis for the prevention of all forms of discrimination, claiming equality as the basis of policies in the EU.

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<sup>7</sup>Rules on universal construction and the use of construction works (Official Gazette of the Republic of Slovenia, No. 41/18 and 199/21 – the BA). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV12693>.

<sup>8</sup>Building Act (Official Gazette of the Republic of Slovenia, No. 199/21 and 105/22 – ZZNŠPP). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO8244>.

<sup>9</sup>Decree on the classification of structures (Official Gazette of the Republic of Slovenia, No. 96/22). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=URED8497>.

<sup>10</sup>In the first case due to the unavailability of documents (inability to use Braille) for the blind in court proceedings (case U-I-146/07). The regulation of insufficient accessibility of the built environment or the unsatisfactory standard of minimum accessibility of polling stations (case U-I-156/11) has already been identified as a discrimination.

<sup>11</sup>Convention on the Rights of Persons with Disabilities and Optional Protocol to the Convention on the Rights of Persons with Disabilities. See the Official Gazette of the Republic of Slovenia - International Treaties, No. 10/08. Available at: <https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/2008-02-0045?sop=2008-02-0045>.

<sup>12</sup>Available at: <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:083:0389:0403:sl:PDF>.

Article 21 of the Charter prohibits any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation.

Article 26 of the Charter recognises the right of persons with disabilities<sup>13</sup> to independence, social and occupational integration and participation in the social life.

Since the EU as a whole<sup>14</sup> and all of its Member States are also parties to the UNCRPD, this important treaty was also the basis for the adoption of the Strategy for the Rights of Persons with Disabilities 2021–2030 (the Strategy), which was adopted by the European Commission (the EC) in March 2021.<sup>15</sup> The aim of the Strategy is to ensure that all people with disabilities in the EU, regardless of their gender, race, ethnicity, religion or other belief, age or sexual orientation enjoy human rights; have equal opportunities, equal access to participation in society and the economy; are able to decide where, how and with whom they live; move freely in the EU, regardless of support needs; and do not experience discrimination.

This Strategy considers the diverse aspect of disabilities, including long-term physical, mental, intellectual or sensory impairments pursuant to Article 1 of the UNCRPD, which are often invisible.

The European Accessibility Act is an EU<sup>16</sup> directive from 2019 which sets out common accessibility requirements for certain key products and services. These allow persons with disabilities to fully participate in the society at the level of the EU. However, the European Accessibility Act is not binding in all areas of accessibility (the built environment and infrastructure are excluded) and therefore does not fully meet the expectations of disability organisations. Nevertheless, it brings a series of positive commitments and is an important step on the road to equal opportunities for people with disabilities at the EU level.

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<sup>13</sup> The Advocate uses the same terms as those used in official translations of international acts and sectoral legislation. In a broader context, the Advocate uses the term "person/people with disabilities", which is descriptive and follows the original terminology of the Convention on the Rights of Persons with Disabilities (CRPD). Disability is a fact, it describes the state of disability and not the characteristics of these people.

<sup>14</sup>In the EU, it entered into force on January 2011.

<sup>15</sup>Strategy on the Rights of Persons with Disabilities 2021–2030.

Available at: <https://eur-lex.europa.eu/legal-content/SL/TXT/?uri=COM:2021:101:FIN#PP4Contents>.

<sup>16</sup>Available at: <https://eur-lex.europa.eu/legal-content/SL/TXT/HTML/?uri=CELEX:32019L0882&from=EN>.

## 2 PURPOSE OF THE SPECIAL REPORT

The purpose of the Special Report is to encourage the adaptation and construction of public facilities in the Republic of Slovenia without any barriers, in order for them to be accessible to all people.

Therefore, the Special Report emphasizes the importance of consistent implementation of regulations that prevent discriminatory treatment of persons with disabilities in various areas of social life, and draws the attention of the persons who must comply with the PADA and the EOPDA to their legal obligations and related deadlines, thus also strengthening the knowledge of these obligations amongst said persons.

With this Special Report, we are informing decision-makers about the current situation in ensuring the accessibility of public facilities.

This Special Report:

1. summarises, in one place, the key strategic documents and regulations governing the right of persons with disabilities to equal treatment in terms of communication, information, and spatial accessibility;
2. presents an indicative assessment of the state of accessibility of certain types of public facilities, for which the State and local communities are directly responsible;
3. describes the key obstacles in ensuring the accessibility of public facilities, as evidenced by the assessments of the respondents to the Advocate's enquiry;
4. proposes recommendations with the purpose to improve the accessibility of public facilities for persons with disabilities and thus improve their position regarding their access to goods and services which are available to the public.

In the past, the Advocate has repeatedly pointed out the need to ensure accessibility of facilities for persons with disabilities. In July 2022, the Advocate issued a special report entitled "Accessibility of Secondary Schools for Persons with Reduced Mobility", in which it was concluded that, officially, only a quarter of the facilities in which secondary education is conducted provide all the conditions for the inclusion of people with reduced mobility in the educational process.<sup>17</sup>

As part of the report on the accessibility of secondary schools for persons with reduced mobility, the Advocate issued several recommendations to the Government of the Republic of Slovenia, the Ministry of Education, Science and Sport, and the Ministry of the Environment and Spatial Planning regarding the need for legislative changes and other measures to ensure accessibility.

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<sup>17</sup>Accessibility of Secondary Schools for Persons with Reduced Mobility. Special Report. (2022). Available at: <https://zagovornik.si/en/what-we-do/>.

The Advocate made several recommendations to the draft proposal of the Act on Accessibility of Products and Services for Persons with Disabilities.<sup>18</sup> Among other things, the Advocate pointed out that the relationship between the commandments of accessibility, equal treatment (prohibition of discrimination) and ensuring the full and equal enjoyment of the rights of persons with disabilities and other persons with functional impairments must be clear in order to ensure compliance with the Constitution of the Republic of Slovenia, the EU law, the European Convention on Human Rights (the ECHR) and the Convention on the Rights of Persons with Disabilities (the UNCRPD).

The Advocate reminded certain institutions and bodies<sup>19</sup> to arrange everything necessary so that all public facilities for which they are responsible are adapted or accessible to persons with disabilities.<sup>20</sup> The Advocate also called on the Slovenian Railways to ensure accessibility of rail transport for persons with disabilities.<sup>21</sup>

In June 2023, the Advocate issued a special report on the inaccessibility of public inter-urban bus passenger transport for persons with reduced mobility.<sup>22</sup> The deadline to ensure the accessibility of this form of transportation expired on 11 December 2020. This deadline is set out in the EOPDA which requires that the State provides accessible public inter-urban bus transport for persons with physical and sensory disabilities by said deadline. In addition, contractors must also provide information on the possibility of using transport in formats that are also suitably tailored to the needs of these persons. The data received by the Advocate during the preparation of the report clearly shows that the State is gravely disregarding its legal obligations in the field of accessibility of public inter-urban bus passenger transport to persons with disabilities. This situation is unacceptable from the point of view of protection against discrimination, since persons with disabilities are still not guaranteed access to public transport at the level required by the Equalisation of Opportunities for Persons with Disabilities Act and the Convention on the Rights of Persons with Disabilities which was ratified by Slovenia in 2008.

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<sup>18</sup>Recommendations of the Advocate of the Principle of Equality to the Draft proposal of the Act on Accessibility of Products and Services for Persons with Disabilities (EVA 2022-2611-0014) (10 November 2022). Available at: <https://zagovornik.si/wp-content/uploads/2022/12/Priporocila-Zagovornika-nacela-enakosti-k-osnutku-Predloga-Zakona-o-dostopnosti-do-proizvodov-in-storitev-za-invalidide.pdf>.

<sup>19</sup> Primary schools for children with special needs, institutions for children and adolescents, professional centers for children and adolescents with emotional and behavioral problems, secondary schools and boarding schools, student dormitories, universities, higher vocational schools, organizations for the education of the elderly, research institutions, hospitals, health centers, pharmacies, social work centers, maternity homes, safe houses, nursing homes, care work centers, training, work and care centers, special social welfare institutions, libraries, museums, archives, municipalities, administrative units, police stations, prisons, courts, prosecutors' offices, agricultural advisory services and nature parks.

<sup>20</sup>Recommendation of the Advocate of the Principle of Equality in terms of ensuring the accessibility of public facilities for persons with disabilities under the Equalisation of Opportunities for Persons with Disabilities Act. (1 December 2022). Available at: <https://zagovornik.si/wp-content/uploads/2022/12/Priporocilo-Zagovornika-nacela-enakosti-glede-zagotovitve-dostopnosti-stavb-v-javni-rabi.pdf>.

<sup>21</sup>Recommendation of the Advocate of the Principle of Equality on equal access to rail transport for persons with disabilities. Available at: <https://zagovornik.si/wp-content/uploads/2023/01/Priporocilo-Zagovornika-nacela-enakosti-glede-enake-dostopnosti-do-prevoz-v-zelezniskem-prometu-za-invalidide.pdf>.

<sup>22</sup>Available at: <https://zagovornik.si/en/what-we-do/>.

The Advocate therefore recommended to the Ministry of the Environment, Climate and Energy (the MECE) to adopt, as soon as possible, the minimum standards and criteria regarding the accessibility of buses for persons with sensory disability or reduced mobility. The Ministry should also determine the necessary adaptations to be implemented in buses, as well as the share of the buses adapted to persons with disabilities that each individual concessionaire should have in order to comply with the requirement set out in the EOPDA. In addition, the Advocate also recommended that the MECE establishes a system of verification of compliance with legal requirements, as well as provide additional financial resources for the purpose of adapting the buses.

### 3 CLARIFICATION OF THE METHODOLOGY

For the purpose of monitoring the situation in the field of ensuring accessibility of public facilities for persons with disabilities, the Advocate sent an enquiry in the form of an online survey to 2,460 addresses – the bodies and institutions that are obliged to respect the provisions from the EOPDA – on 17 March 2023.

The Advocate selected the addressees of the enquiry on the basis of Article 2 of the Protection against Discrimination Act<sup>23</sup> (the PADA). In their conduct, State authorities, local communities, holders of public authority, and legal and natural persons must ensure protection against discrimination of third parties in different areas of social life, including education, health and social care, administration, employment and work, etc.

The Advocate also selected the addressees of the survey on the basis of the definition of public facilities referred to in point 26 of the first paragraph of Article 3 of the Building Act<sup>24</sup> or on the basis of Annex 1, "Classification of facilities", to the Decree on the classification of structures.<sup>25</sup> In his enquiry, the Advocate included a limited number of authorities and institutions under the jurisdiction of the State or local communities (respondents) from key areas of social life. The enquiry therefore did not cover all providers of goods and services available to the public, including those belonging to the private sector.

The Advocate invited the following respondents to participate in the enquiry:

- kindergartens,
- primary schools,
- institutions for children and adolescents,
- professional centers for children and adolescents with emotional and behavioral problems,
- secondary schools and boarding schools,
- student dormitories,
- universities, vocational colleges,
- organizations for the education of the elderly,
- research institutions,
- hospitals,
- health centres,
- pharmacies,
- social work centres,
- maternity homes,
- safe houses,
- old people's homes,
- protection and work centers,
- training, work and care centres,
- special social welfare institutions,
- libraries,
- museums,

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<sup>23</sup>Protection against Discrimination Act (Official Gazette of the RS, No. 33/16 and 21/18 – Non-Governmental Organisations Act). Available at:

<http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO7273>.

<sup>24</sup>Building Act (Official Gazette of the Republic of Slovenia, No. 199/21 and 105/22 – ZZNŠPP). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO8244>.

<sup>25</sup>Decree on the classification of structures (Official Gazette of the Republic of Slovenia, No. 96/22). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=URED8497>

- archives,
- municipalities,
- administrative units,
- police stations,
- prisons,
- courts,
- prosecutor's offices,
- the Employment Service of Slovenia and regional units,
- agricultural advisory services, and
- nature parks.

Some other institutions, which are detailed below, have also responded to the enquiry.

Respondents were able to complete an online survey from 17 March to 17 April 2023.

Based on the self-assessment of representatives of authorities and institutions, the Advocate collected information on the state of accessibility of a number of public facilities for persons with disabilities, and on the planned adaptations of these facilities in accordance with the EOPDA.

The data from the online survey are based on the self-assessment of respondents, which means that they reflect the situation in terms of inaccessibility, as assessed by the responsible institutions and bodies.

The survey was prepared in a way that was as understandable and easy to complete as possible for the respondents. Therefore, the possibilities of the answers offered were limited. When assessing whether the facilities for which they are responsible had different types of adjustments available, respondents were able to choose between "yes" and "no". If respondents were responsible for several facilities, they provided a common overall assessment of a larger number of facilities. At the end of the survey, respondents therefore had the possibility to provide their additional notes and explanations.

To help understand the types of adjustments that provide accessibility, the survey also included examples or more detailed descriptions. The questions concerned five types of adjustments:<sup>26</sup>

1. construction adjustments (e.g. for persons with reduced mobility – removed stairs, construction of ramps);
2. technical adjustments (e.g. installation of lifts or ramps, induction loop for the deaf and hard of hearing);
3. sound indicators (devices that use sound to warn people with impaired vision of notifications or hazards, e.g. sound notifications in the elevator);
4. light indicators (devices that use light signs to warn people with impaired hearing of notifications or hazards, e.g. light notifications);
5. written information (e.g. Braille designations for the blind in the elevators).

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<sup>26</sup>Among the respondents, the Advocate examined the types of adjustments defined in Article 9 of the Equalisation of Opportunities for Persons with Disabilities Act (Official Gazette of the Republic of Slovenia, No. 94/10, 50/14 and 32/17). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO4342>.

The survey was also completed by other stakeholders who were not primarily invited by the Advocate to participate in the inquiry. Some authorities or institutions namely shared the survey with other authorities or institutions within their jurisdiction through their communication channels, which is why the response rate for some survey data is higher than the original number of addressees.



## 4 RESULTS OF THE QUERY

### 4.1 Structure of the survey sample according to areas of social life

Out of 2,460 respondents, 2,217 of them have (at least partially) responded to the online survey. A total of 1,645 respondents have completed the survey in full. When interpreting the data, the Advocate only considered the responses of the respondents who completed the survey in full. When it came to the written explanations at the end of the survey, the Advocate considered all answers, regardless of whether the survey was completed in full or only partially.

*Table 1: Structure of the survey sample and response according to the area of social life.*

| Area of social life                   | Number of survey respondents |             | Number of respondents who completed the survey in full |             |
|---------------------------------------|------------------------------|-------------|--|-------------|
| Education and Schooling               | 1,226                        | <b>100%</b> | 731  | <b>60%</b>  |
| Health Care                           | 351                          | <b>100%</b> | 192  | <b>55%</b>  |
| Social Security                       | 255                          | <b>100%</b> | 171  | <b>67%</b>  |
| Art and Culture                       | 126                          | <b>100%</b> | 127  | <b>101%</b> |
| Administration                        | 270                          | <b>100%</b> | 230  | <b>85%</b>  |
| Enforcement Authorities <sup>27</sup> | 193                          | <b>100%</b> | 142  | <b>74%</b>  |
| Employment and Labour                 | 14                           | <b>100%</b> | 34   | <b>243%</b> |
| Environment and Agriculture           | 25                           | <b>100%</b> | 18   | <b>72%</b>  |
| <b>Total</b>                          | 2,460                        |             | 1,645  |             |

The number of respondents who answered questions regarding the provision of current and planned accessibility is sometimes higher (more than 100%) than the number of original addressees from each area of social life. The reasons behind this may differ. The Advocate sent an online survey to 126 addressees in the field of art and culture, but representatives of some other institutions (institutes, youth centers, cooperatives etc.) also belonged to the same category. In addition, some respondents also distributed the survey through their communication channels to institutions that were not the initial addressees. In the field of employment and work, the survey was also completed by representatives of some local labour offices.

When interpreting data, it is necessary to consider the size of the sample from each area of social life. Where a smaller number of respondents in individual areas of social life responded, the shares in the tables cannot be generalized to the entire group of persons who must comply with the EOPDA due to a small sample. Therefore, the data used in the interpretation are only in proportions for samples containing 100 or more answers.

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<sup>27</sup>Police stations, courts, prosecutors' offices, prisons or correctional facilities were considered as enforcement authorities.

## 4.2 Current inaccessibility of facilities

With his enquiry, the Advocate examined how respondents assessed the current availability of public facilities for which they are responsible. 1,645 respondents answered the question "Please assess whether the following types of adjustments of public facilities for which you are responsible are already accessible for persons with disabilities."

*Table 2: Answers to the question "Please assess whether the following types of adjustments of public facilities for which you are responsible are already accessible for persons with disabilities."*

|            | Construction adjustments |            | Technical adjustments |            | Sound indicators |            | Light indicators |            | Written information |            |
|------------|--------------------------|------------|-----------------------|------------|------------------|------------|------------------|------------|---------------------|------------|
| <b>YES</b> | 1,163                    | 71%        | 838                   | 51%        | 210              | 13%        | 154              | 9%         | 254                 | 15%        |
| <b>NO</b>  | 482                      | <b>29%</b> | 807                   | <b>49%</b> | 1,435            | <b>87%</b> | 1,491            | <b>91%</b> | 1,391               | <b>85%</b> |
| <b>N</b>   | 1,645                    | 100%       | 1,645                 | 100%       | 1,645            | 100%       | 1,645            | 100%       | 1,645               | 100%       |

29% of respondents estimated that facilities for which they are responsible currently have no construction adjustments for persons with disabilities.

Almost half of the respondents (49%) estimated that the facilities for which they are responsible have no technical adjustments.

The majority of respondents (87%) estimated that facilities for which they are responsible were not equipped with sound indicators, light indicators (91%) or written information (85%).

### 4.3 Anticipated inaccessibility of facilities until the expiration of the statutory deadline

The Advocate verified the adjustments for which the respondents estimated that they were already providing them or that they would provide them by the statutory deadline (11 December 2025). 1,645 respondents who completed the survey in full answered the question "Please assess whether the following types of adjustments of public facilities for which you are responsible are/will be accessible for persons with disabilities no later than on 11 December 2025."

*Table 3: Answers to the question "Please assess whether the following types of adjustments of public facilities for which you are responsible are/will be accessible for persons with disabilities no later than on 11 December 2025."*

|            | <b>Construction adjustments</b> |            | <b>Technical adjustments</b> |            | <b>Sound indicators</b> |            | <b>Light indicators</b> |            | <b>Written information</b> |            |
|------------|---------------------------------|------------|------------------------------|------------|-------------------------|------------|-------------------------|------------|----------------------------|------------|
| <b>YES</b> | 1,227                           | 75%        | 997                          | 61%        | 617                     | 38%        | 585                     | 36%        | 702                        | 43%        |
| <b>NO</b>  | 418                             | <b>25%</b> | 648                          | <b>39%</b> | 1,028                   | <b>62%</b> | 1,060                   | <b>64%</b> | 943                        | <b>57%</b> |
| <b>N</b>   | 1,645                           | 100%       | 1,645                        | 100%       | 1,645                   | 100%       | 1,645                   | 100%       | 1,645                      | 100%       |

25% of respondents estimated that facilities for which they are responsible will not be adapted for persons with disabilities by the statutory deadline.

39% of the respondents estimated that the facilities for which they were responsible would not be technically adapted.

Over one half (62%) of the respondents estimated that facilities for which they were responsible would not be equipped with sound indicators, light indicators (64%) or written information (57%).

#### 4.4 Planned progress by the statutory deadline

The table below shows the progress which can be expected for each type of adjustments in public facilities by 11 December 2025.

*Table 4: Planned progress on the adjustments available by the statutory deadline*

|  |            | Construct. adjustments |            | Technical adjustments |            | Sound indicators |            | Light indicators |            | Written information |            |
|--|------------|------------------------|------------|-----------------------|------------|------------------|------------|------------------|------------|---------------------|------------|
| <b>Assessment of the current accessibility of public facilities</b><br>(N = 1,645)           | <b>YES</b> | 1,163                  | 71%        | 838                   | 51%        | 210              | 13%        | 154              | 9%         | 254                 | 15%        |
|  | <b>NO</b>  | 482                    | <b>29%</b> | 807                   | <b>49%</b> | 1,435            | <b>87%</b> | 1,491            | <b>91%</b> | 1,391               | <b>85%</b> |
| <b>Assessment of progress regarding the adjustments of facilities by 11 December 2025</b>    |            | <b>4%</b>              |            | <b>10%</b>            |            | <b>25%</b>       |            | <b>27%</b>       |            | <b>28%</b>          |            |
| <b>Evaluation of whether adjustments will be provided by 11 December 2025</b><br>(N = 1,645) | <b>YES</b> | 1,227                  | 75%        | 997                   | 61%        | 617              | 38%        | 585              | 36%        | 702                 | 43%        |
|  | <b>NO</b>  | 418                    | <b>25%</b> | 648                   | <b>39%</b> | 1,028            | <b>62%</b> | 1,060            | <b>64%</b> | 943                 | <b>57%</b> |

The survey data shows that the accessibility of public facilities in terms of construction adjustments from April 2023 to 11 December 2025 is expected to only improve by four percentage points.

Slightly greater progress (by ten percentage points) is expected in terms of accessibility when it comes to technical adjustments.

Accessibility in terms of audio indicators is expected to improve by 25 percentage points, in terms of light indicators by 27 percentage points and in terms of providing tailored written information by the expiration of the statutory deadline by 28 percentage points.

Based on the survey data, it can be assumed that at the end of 2025, three quarters of public buildings will be adjusted in terms of construction, while less than two thirds of the buildings will be technically adjusted. 43% of these facilities are expected to provide adjustments in terms of written information, while the share of such adjusted facilities is expected to be around 38% and 36% when it comes to adjustments in terms of sound and light indicators, respectively.

#### 4.5 Inaccessibility of facilities by areas of social life

The Advocate received 731 fully completed surveys from 1,226 addressees working in bodies or institutions active in the field of **education**. Respondents estimated that 37% of the facilities for which they are responsible do not have any construction adjustments, technical adjustments are lacking in more than half (56% percent) of those facilities, while 89% or more institutions do not provide adjustments with sound or light indicators and written information.

In the field of **health care**, 192 bodies or institutions out of 351 addressees have responded to the survey in full. 15% of them estimated that facilities for which they were responsible currently have no construction adjustments, 42% of those buildings had no technical adjustments, and more than three quarters of this type of facilities provide no adjustments with sound or light indicators and written information.

In the field of **social security**, 171 respondents out of 255 addressees have completed the survey in full. According to the survey respondents, 12% of facilities have no construction adjustments, more than a fifth (21%) have no technical adjustments, and 71% or more provide no adjustments with sound and light indicators and written information.

In the field of **art and culture**, 127 respondents have completed the survey in full.<sup>28</sup> According to their own estimates, about a third (35%) of facilities have no construction adjustments, 41% have no technical adjustments, and more than three quarters of institutions do not provide adaptations with sound and light indicators and written information.

In the field of **administration**, 230 respondents out of 270 addressees have completed the survey in full. According to their estimates, 21% of buildings have no construction adjustments, 45% percent have no technical adjustments, and more than four fifths have no sound and light indicators and written information.

In the field of **enforcement authorities and courts**, 142 respondents out of 193 addressees have completed the survey in full. Construction adjustments are not provided in one third (33%) of facilities, while technical adjustments are not provided in nearly two thirds of facilities (63%). Most facilities (86%) provide no adjustments with sound or light indicators and written information.

In the field of **employment and work**, 34 respondents have completed the survey in full.<sup>29</sup> 15 of them assessed that the facilities for which they are responsible have no construction adjustments, and 21 of them estimated that the facilities have no technical adjustments. The vast majority of them also estimated that their facilities provide no adjustments with sound or light indicators and written information.

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<sup>28</sup>The Advocate sent an online survey to 126 addressees in the field of art and culture, but representatives of some other institutions (institutes, youth centers, cooperatives etc.) also placed themselves into that same category. In addition, some respondents also distributed the survey through their communication channels to institutions that were not the initial addressees. The number of respondents is therefore sometimes higher than the number of original addressees from each area of social life.

<sup>29</sup>The survey was initially received by 14 institutions. It was also completed by representatives of some local labor offices.

In the field of **environment and agriculture**, 18 respondents out of 25 institutions have completed the survey in full. 9 of them assessed that their facilities have no construction adjustments, and 15 of them estimated that their facilities have no technical adjustments. Almost all (except one respondent) estimated that the facilities provide no adjustments with sound or light indicators. 12 respondents assessed that their facilities are adjusted using written information.

The data described are also set out in Table 5. In the tables, the number of respondents is indicated in parentheses, in addition to the area of social life. The Advocate verified the current accessibility of facilities with the following question: "Please assess whether the following types of adjustments of public facilities for which you are responsible are already accessible for persons with disabilities."

*Table 5: Answers to the question "Please assess whether the following types of adjustments of public facilities for which you are responsible are already accessible for persons with disabilities."*

| Area of social life                             | Construction adjustments |            | Technical adjustments |            | Sound indicators |             | Light indicators |            | Written information |             |
|---|--------------------------|------------|-----------------------|------------|------------------|-------------|------------------|------------|---------------------|-------------|
|   | YES                      | NO         | YES                   | NO         | YES              | NO          | YES              | NO         | YES                 | NO          |
| <b>Education and Schooling (731)</b>            | 463                      | 268        | 322                   | 409        | 58               | 673         | 43               | 688        | 80                  | 651         |
|   | 63%                      | <b>37%</b> | 44%                   | <b>56%</b> | 8%               | <b>92%</b>  | 6%               | <b>94%</b> | 11%                 | <b>89%</b>  |
| <b>Health Care (192)</b>                        | 163                      | 29         | 112                   | 80         | 41               | 151         | 40               | 152        | 31                  | 161         |
|   | 85%                      | <b>15%</b> | 58%                   | <b>42%</b> | 21%              | <b>79%</b>  | 21%              | <b>79%</b> | 16%                 | <b>84%</b>  |
| <b>Social Security (171)</b>                    | 150                      | 21         | 135                   | 36         | 40               | 131         | 25               | 146        | 50                  | 121         |
|   | 88%                      | <b>12%</b> | 79%                   | <b>21%</b> | 23%              | <b>77%</b>  | 15%              | <b>85%</b> | 29%                 | <b>71%</b>  |
| <b>Art and Culture (127)</b>                    | 82                       | 45         | 75                    | 52         | 18               | 109         | 12               | 115        | 28                  | 99          |
|   | 65%                      | <b>35%</b> | 59%                   | <b>41%</b> | 14%              | <b>86%</b>  | 9%               | <b>91%</b> | 22%                 | <b>78%</b>  |
| <b>Administration (230)</b>                     | 182                      | 48         | 126                   | 104        | 34               | 196         | 20               | 210        | 39                  | 191         |
|   | 79%                      | <b>21%</b> | 55%                   | <b>45%</b> | 15%              | <b>85%</b>  | 9%               | <b>91%</b> | 17%                 | <b>83%</b>  |
| <b>Enforcement Authorities and Courts (142)</b> | 95                       | 47         | 52                    | 90         | 18               | 124         | 12               | 130        | 20                  | 122         |
|   | 67%                      | <b>33%</b> | 37%                   | <b>63%</b> | 13%              | <b>87%</b>  | 8%               | <b>92%</b> | 14%                 | <b>86%</b>  |
| <b>Employment and Labour (34)</b>               | 19                       | 15         | 13                    | 21         | 0                | 34          | 1                | 33         | 0                   | 34          |
|   | 56%                      | <b>44%</b> | 38%                   | <b>62%</b> | 0%               | <b>100%</b> | 3%               | <b>97%</b> | 0%                  | <b>100%</b> |
| <b>Environment and Agriculture (18)</b>         | 9                        | 9          | 3                     | 15         | 1                | 17          | 1                | 17         | 6                   | 12          |
|   | 50%                      | <b>50%</b> | 17%                   | <b>83%</b> | 6%               | <b>94%</b>  | 6%               | <b>94%</b> | 33%                 | <b>67%</b>  |

#### 4.6 Anticipated inaccessibility of facilities by areas of social life after the statutory deadline

The following information is a description of the assessment of respondents regarding the planned accessibility of facilities by the statutory deadline, i.e. 11 December 2025. The future accessibility of public facilities by the expiration of the deadline can be assumed based on these data. For each area, the number of respondents is indicated in parentheses.

*Table 6: Answers to the question "Please assess whether the following types of adjustments of public facilities for which you are responsible are/will be accessible for persons with disabilities no later than on 11 December 2025."*

| Area of social life                             | Construction adjustments |            | Technical adjustments |            | Sound indicators |            | Light indicators |            | Written information |            |
|---|--------------------------|------------|-----------------------|------------|------------------|------------|------------------|------------|---------------------|------------|
|   | YES                      | NO         | YES                   | NO         | YES              | NO         | YES              | NO         | YES                 | NO         |
| <b>Education and Schooling (731)</b>            | 488                      | 243        | 392                   | 339        | 197              | 534        | 185              | 546        | 248                 | 483        |
|   | 67%                      | <b>33%</b> | 54%                   | <b>46%</b> | 27%              | <b>73%</b> | 25%              | <b>75%</b> | 34%                 | <b>66%</b> |
| <b>Health Care (192)</b>                        | 166                      | 26         | 121                   | 71         | 83               | 109        | 85               | 107        | 79                  | 113        |
|   | 86%                      | <b>14%</b> | 63%                   | <b>37%</b> | 43%              | <b>57%</b> | 44%              | <b>56%</b> | 41%                 | <b>59%</b> |
| <b>Social Security (171)</b>                    | 153                      | 18         | 152                   | 19         | 122              | 49         | 107              | 64         | 117                 | 54         |
|   | 89%                      | <b>11%</b> | 89%                   | <b>11%</b> | 71%              | <b>29%</b> | 63%              | <b>37%</b> | 68%                 | <b>32%</b> |
| <b>Art and Culture (127)</b>                    | 90                       | 37         | 83                    | 44         | 49               | 78         | 44               | 83         | 67                  | 60         |
|   | 71%                      | <b>29%</b> | 65%                   | <b>35%</b> | 39%              | <b>61%</b> | 35%              | <b>65%</b> | 53%                 | <b>47%</b> |
| <b>Administration (230)</b>                     | 193                      | 37         | 162                   | 68         | 106              | 124        | 103              | 127        | 118                 | 112        |
|   | 84%                      | <b>16%</b> | 70%                   | <b>30%</b> | 46%              | <b>54%</b> | 45%              | <b>55%</b> | 51%                 | <b>49%</b> |
| <b>Enforcement Authorities and Courts (142)</b> | 99                       | 43         | 59                    | 83         | 40               | 102        | 39               | 103        | 45                  | 97         |
|   | 70%                      | <b>30%</b> | 42%                   | <b>58%</b> | 28%              | <b>72%</b> | 27%              | <b>73%</b> | 32%                 | <b>68%</b> |
| <b>Employment and Labour (34)</b>               | 25                       | 9          | 21                    | 13         | 14               | 20         | 15               | 19         | 16                  | 18         |
|   | 74%                      | <b>26%</b> | 62%                   | <b>38%</b> | 41%              | <b>59%</b> | 44%              | <b>56%</b> | 47%                 | <b>53%</b> |
| <b>Environment and Agriculture (18)</b>         | 13                       | 5          | 7                     | 11         | 6                | 12         | 7                | 11         | 12                  | 6          |
|   | 72%                      | <b>28%</b> | 39%                   | <b>61%</b> | 33%              | <b>67%</b> | 39%              | <b>61%</b> | 67%                 | <b>33%</b> |

On the basis of the assessment of respondents from the field of **education** and schooling who have completed the survey in full, 33% of facilities will not have any construction adjustments, a little less than half (46%) will not have any technical adjustments and about two thirds (66%) or more of facilities will not provide any adjustments with sound or light indicators and written information.

According to the estimates of respondents from the field of **health care** who have completed the survey in full, 14% of facilities will not have any construction adjustments by 11 December 2025, while 37% will not have any technical adjustments. 57% or 56% of facilities will not provide any adjustments with sound or light indicators, while adjustments with written information will not be provided by 59% of respondents.

On the basis of the assessment of respondents from the field of **social security** who have completed the survey in full, 11% of facilities will not have any construction adjustments by 11 December 2025, while 11% of facilities will also have no technical adjustments, and about a third of facilities will not provide any adjustments with sound or light indicators and written information.

In the field of **art and culture**, 29% of respondents who completed the survey in full estimate that the facilities will not have any construction adjustments by the end of the statutory deadline, while 35% will have no technical adjustments. Approximately one half (47%) of respondents in this field are not planning to provide any adjustments with sound or light indicators and written information.

On the basis of the assessment of respondents from the field of **administration** who have completed the survey in full, 16% of facilities will not have any construction adjustments by 11 December 2025, while 30% of facilities will have no technical adjustments, and nearly one half (49%) estimate that they will not provide any adjustments with sound or light indicators and written information by the statutory deadline.

According to the estimates of respondents from the field of **enforcement authorities and courts** who have completed the survey in full, 30% of facilities will not have any construction adjustments, while 58% will not have any technical adjustments. Meanwhile, more than two thirds of respondents in this field estimate that no adjustments of facilities with sound or light indicators and written information will be provided in the facilities for which they are responsible.

In the field of **employment and work**, the Advocate received 34 responses from respondents who completed the survey in full. 9 respondents estimate that, by 11 December 2025, their facilities will not have any construction adjustments, 13 respondents estimate that their facilities will not have any technical adjustments, and 18 or more estimate that they will not provide any adjustments of facilities with sound or light indicators and written information.

In the field of **environment and agriculture**, the Advocate received 18 answers from respondents who completed the survey in full. Five respondents estimate that, by 11 December 2025, their facilities will not have any construction adjustments, 11 estimate that they will not provide any technical adjustments, and 6 or more estimated that they will not provide any adjustments of facilities with sound or light indicators and written information by the statutory deadline.

A more detailed overview of survey data gathered from the respondents' answers by type of institution or body is available in the annex<sup>30</sup> to this Special Report. Respondents' answers are also listed according to the statistical region of the headquarters of the body or institution.

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<sup>30</sup>The annex to the Special Report is available at: <https://zagovornik.si/izdelki-zagovornika/posebna-porocila/>.



## 5 ANALYSIS OF WRITTEN EXPLANATIONS PROVIDED BY RESPONDENTS

At the end of the online survey, the Advocate offered respondents the opportunity to provide any additional notes and explanations at their own discretion. A total of 589 respondents made use of this option. In his analysis, the Advocate considered 275 responses, since other responses were not relevant in terms of content.

These answers allow us to formulate some key challenges encountered by persons who are obliged to ensure the accessibility of public facilities pursuant to the EOPDA. They are presented below; for illustration purposes, anonymised quotations of some of the respondents are also included in the presentation.

### 5.1 Jurisdiction and financing

A significant proportion of respondents pointed out that the facility of the body or institution for which they are responsible is located in leased premises, meaning that they do not have the necessary authority or possibility to provide the legally required adjustments. 97 of them explained that future adjustments of the facilities depend on financial resources that are currently not earmarked for this purpose, or that they depend on the owners of the facilities (as landlords) or on their founders – local communities or competent ministries.

- **Primary school:** *"We would very much like to make all these adjustments, but they depend on the founder, i.e. the Municipality of Ljubljana, since those adjustments are associated with significant financial investments!"*
- **Vocational-educational centre:** *"... we will be able to make all these adjustments by 11 December 2025, if the competent ministry finances the required adjustments."*

### 5.2 Protection of cultural heritage

Several respondents pointed out that the provision of construction or technical adjustments is difficult due to restrictions arising from regulations in the field of cultural heritage protection.

- **School:** *"We sent the Ministry a list of urgent adjustments with a request for funding. Then, we also have problems due to the fact that the school building is protected as cultural heritage, meaning that we do not get all the permits for interventions (e.g. we were not allowed to build an elevator to the top floor etc.). At the national level, it will be necessary to adopt some guidelines on which notion should take precedence (visitors with physical disabilities or the protected pillars on our fence...)."*
- **Public library:** *"The Institute for the Protection of Cultural Heritage does not allow any ramps or elevators to be built in our buildings. In one of our buildings, there is a sliding elevator in the staircase, but its capacity is not sufficient for new wheelchairs. Every day, we set out a moveable metal ramp at the entrance to the main building, and on the ground floor, there is a special access for persons with disabilities and a bell which they can use to call the librarians since the lending desk is not located on the ground floor."*

### 5.3 Providers of goods and services intended to ensure accessibility

Some respondents explained that they lack the necessary knowledge and experience in the field of providing legally required adjustments of public facilities for persons with disabilities, and that they do not have enough information on where to get appropriate support.

- **Municipality:** *"... who can we contact regarding the implementation or installation of light indicators and written information for the blind and visually impaired? We have no experience with this, nor do we know any contractors in this field."*
- **Primary school:** *"[We would need] help and tips on how to acquire lighting and sound devices from providers, as well as inscriptions in Braille. Thank you."*

## 6 KEY FINDINGS

According to the evaluations of the respondents, almost a third of the public facilities covered by the Advocate's enquiry have no construction adjustments that would allow access for persons with disabilities. Almost half of these facilities also have no other technical adjustments (e.g. built-in elevators, wheelchair ramps, induction loops). Moreover, more than four fifths of these facilities are not suitably adapted with written information (e.g. inscription in Braille for the blind in the elevators) and with sound and light indicators (sound and light warnings for

**The assessments of the respondents also show that, by 11 December 2025, which is set as the deadline for ensuring appropriate adjustments, persons who are responsible to comply with the EOPDA will mostly not be able to carry out the necessary interventions that would allow persons with disabilities to access the public facilities managed by said persons.**

people with visual or hearing impairments).

*Table 7: Current and predicted inaccessibility of facilities by areas of social life.*

| Area of social life                             | Construction adjustments |            | Technical adjustments |            | Sound indicators |            | Light indicators |            | Written information |            |
|---|--------------------------|------------|-----------------------|------------|------------------|------------|------------------|------------|---------------------|------------|
|   | Now                      | Dec. 2025  | Now                   | Dec. 2025  | Now              | Dec. 2025  | Now              | Dec. 2025  | Now                 | Dec. 2025  |
|   | NO                       | NO         | NO                    | NO         | NO               | NO         | NO               | NO         | NO                  | NO         |
| <b>Education and Schooling (731)</b>            | 268                      | 243        | 409                   | 339        | 673              | 534        | 688              | 546        | 651                 | 483        |
|   | 37%                      | <b>33%</b> | 56%                   | <b>46%</b> | 92%              | <b>73%</b> | 94%              | <b>75%</b> | 89%                 | <b>66%</b> |
| <b>Health Care (192)</b>                        | 29                       | 26         | 80                    | 71         | 151              | 109        | 152              | 107        | 161                 | 113        |
|   | 15%                      | <b>14%</b> | 42%                   | <b>37%</b> | 79%              | <b>57%</b> | 79%              | <b>56%</b> | 84%                 | <b>59%</b> |
| <b>Social Security (171)</b>                    | 21                       | 18         | 36                    | 19         | 131              | 49         | 146              | 64         | 121                 | 54         |
|   | 12%                      | <b>11%</b> | 21%                   | <b>11%</b> | 77%              | <b>29%</b> | 85%              | <b>37%</b> | 71%                 | <b>32%</b> |
| <b>Art and Culture (127)</b>                    | 45                       | 37         | 52                    | 44         | 109              | 78         | 115              | 83         | 99                  | 60         |
|   | 35%                      | <b>29%</b> | 41%                   | <b>35%</b> | 86%              | <b>61%</b> | 91%              | <b>65%</b> | 78%                 | <b>47%</b> |
| <b>Administration (230)</b>                     | 48                       | 37         | 104                   | 68         | 196              | 124        | 210              | 127        | 191                 | 112        |
|   | 21%                      | <b>16%</b> | 45%                   | <b>30%</b> | 85%              | <b>54%</b> | 91%              | <b>55%</b> | 83%                 | <b>49%</b> |
| <b>Enforcement Authorities and Courts (142)</b> | 47                       | 43         | 90                    | 83         | 124              | 102        | 130              | 103        | 122                 | 97         |
|   | 33%                      | <b>30%</b> | 63%                   | <b>58%</b> | 87%              | <b>72%</b> | 92%              | <b>73%</b> | 86%                 | <b>68%</b> |
| <b>Employment and Labour (34)</b>               | 15                       | 9          | 21                    | 13         | 34               | 20         | 33               | 19         | 34                  | 18         |
|   | 44%                      | <b>26%</b> | 62%                   | <b>38%</b> | 100%             | <b>59%</b> | 97%              | <b>56%</b> | 100%                | <b>53%</b> |
| <b>Environment and Agriculture (18)</b>         | 9                        | 5          | 15                    | 11         | 17               | 12         | 17               | 11         | 12                  | 6          |
|   | 50%                      | <b>28%</b> | 83%                   | <b>61%</b> | 94%              | <b>67%</b> | 94%              | <b>61%</b> | 67%                 | <b>33%</b> |

Based on the survey data, it can therefore be assumed that at the end of 2025, three quarters of public buildings will be adjusted in terms of construction, while less than two thirds of the buildings will be technically adjusted. 43% of these facilities are expected to provide adjustments in terms of written information, while the share of such adjusted facilities is expected to be around 38% and 36% when it comes to adjustments in terms of sound and light indicators, respectively.

More than one half of the respondents estimated that adjustments in the form of sound indicators, light indicators and written information will not be provided in the facilities under their jurisdiction by the statutory deadline. However, these adjustments will be provided by a relatively higher share (approximately a quarter more) than construction and technical adjustments. It is possible that respondents have encountered these types of adjustments set out in the EOPDA for the first time.

In addition, the provision of these types of adjustments represents a lower financial burden, which may be one of the reasons that a relatively higher proportion of respondents estimated that they will be able to provide these types of adjustments.

The Advocate received responses regarding the provided adjustments for persons with disabilities from 731 respondents out of 1,226 addressees from bodies or institutions in the field of **education and schooling** who completed the survey in full. More than a third of them estimated that the facilities for which they were responsible have no construction adjustments, while more than one half of them estimated that their facilities had no technical adjustments, and sound or light indicators and written information are not provided by the majority (89% or more) of institutions. According to the estimates of the respondents, one third of the buildings will not have any construction adjustments, slightly less than half of the buildings will have no technical adjustments, and about two thirds of the buildings will not have provided adjustments with sound or light indicators and written information by 11 December 2025.

In the field of **health care**, 192 bodies or institutions out of 351 addressees have responded to the survey in full. About one sixth of them stated that the facilities for which they were responsible had no construction adjustments. Almost half of them stated that their facilities had no technical adaptations, while more than three quarters of this type of facilities provide no adjustments with sound or light indicators and written information. About one seventh of the respondents estimate that their facilities will not have any construction adjustments until 11 December 2025. More than a third of them estimated that their facilities will not have technical adjustments. More than half of them estimated that, by the expiration of the statutory deadline, their facilities will not have any adjustments with sound or light indicators and written information.

In the field of **social security**, according to the assessment of 171 respondents who completed the survey in full (out of a total of 255 addressees), one in every eight facilities has no construction adjustments, more than one fifth of them have no technical adjustments, and seven tenths or more of them provide no adjustments with sound and light indicators and written information. According to the survey respondents, no more than one tenth of the buildings will have any construction adjustments by 11 December 2025, and a similar share of respondents estimated that the same holds true for technical adaptations in facilities. Moreover, about a third or more of them estimated that, by the expiration of the statutory deadline, they will not provide any adjustments with sound and light indicators and written information.

According to the estimates of 127 respondents (out of the initial 126 addressees)<sup>31</sup> in the field of **art and culture**, approximately one third of facilities currently have no construction adjustments, while two fifths of facilities have no technical adjustments and over three quarters of those facilities provide no adjustments in the form of sound and light indicators and written information. About one third of respondents estimate that the facilities will not have any construction adjustments or technical adjustments. Approximately one half of the respondents (or more) will not provide adjustments with sound or light indicators or written information.

In the field of **administration**, 230 respondents (out of the initial 270 addressees) have completed the survey in full. According to their estimates, about one fifth of facilities for which they are responsible have no without construction adjustments, almost one half have no technical adjustments, and more than four fifths of their facilities provide no adjustments with sound and light indicators and written information. Approximately one in six respondents estimated that, by 11 December 2025, facilities will not have any construction adjustments; a little less than one third estimated that buildings will not have any technical adjustments, while one half or more estimated that they will not provide adjustments with sound and light indicators and written information.

According to the estimates of 142 respondents (out of the initial 193 addressees) in the field of **enforcement authorities and courts**, one third of facilities currently have no construction adjustments, while nearly two thirds of facilities have no technical adjustments. The majority of the respondents estimated that their facilities provide no adjustments with sound and light indicators and written information. About one third of the respondents estimate that their facilities will not have any construction adjustments, while more than one half of the respondents said the same about technical adjustments. More than two thirds of the respondents in this field estimated that sound or light indicators and written information will not be provided by the statutory deadline.

34 respondents (out of the initial 14 addressees) responded to the survey in the field of **employment and work**.<sup>32</sup> 15 of them assessed that the facilities for which they are responsible have no construction adjustments, and 21 of them estimated that the facilities have no technical adjustments. Almost all of them have estimated that their facilities are not adjusted through sound or light indicators and written information. 9 out of 347 respondents estimated that, by 11 December 2025, their facilities will not be adjusted in terms of construction; 13 of them estimated that their facilities will have no technical adjustments, and 18 or more estimated that, by the statutory deadline, sound indicators, light indicators and written information will not be provided in the facilities for which they were responsible.

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<sup>31</sup>The Advocate sent an online survey to 126 addressees in the field of art and culture, but representatives of some other institutions (institutes, youth centers, cooperatives etc.) also placed themselves into that same category. In addition, some respondents also distributed the survey through their communication channels to institutions that were not the initial addressees. The number of respondents is therefore sometimes higher than the number of original addressees from each area of social life.

<sup>32</sup>The survey was initially received by 14 institutions. It was also completed by representatives of some local labor offices.

In the field of **environment and agriculture**, 18 respondents out of the initial 25 addressees have completed the survey in full. Half of them estimated that their facilities had no construction adjustments, and most of them said the same about technical adjustments. Almost all (except one respondent) estimated that their facilities provided no adjustments with sound or light indicators. 12 respondents estimated that written information was provided in their facilities. 5 respondents estimated that, by 11 December 2025, their facilities will not have any construction adjustments (or that they are currently not planning any adjustments), 11 of them estimated that they will not provide any technical adjustments, and 6 or more estimated that, by the statutory deadline, sound indicators, light indicators and written information will not be provided in the facilities for which they were responsible.

**The responses of the respondents arising from their own assessments indicate that a relatively large proportion of public facilities are not accessible to persons with disabilities. No less than one in four respondents namely estimates that they will not be able to provide for the construction adjustments of the facilities for which they were responsible, and that an even larger portion of the facilities will not be adapted through technical adjustments. The situation in the field of adaptation of public facilities with sound and light indicators and with written information is especially problematic. Although approximately one quarter of respondents estimate that, by 11 December 2025, their facilities will be adjusted using these three types of adjustments, currently no more than one half of respondents provide these adjustments. Construction and technical adaptations are currently provided by a relatively large proportion of institutions and bodies. On the other hand, only a small proportion of those who do not currently offer these adjustments estimate that they will be able to provide them by the statutory deadline. It can therefore be concluded that no significant progress will be made during this time.**

## 7 OTHER FINDINGS

### 7.1 Findings regarding the division of obligations between tenants and landlords

Based on the notes provided to the Advocate by the respondents at the end of their surveys, the Advocate notes, *inter alia*, that a significant proportion of respondents operating in rented premises are not aware of their own share of responsibility in ensuring accessibility.

The provision of public services for all, including persons with disabilities, is namely also realised in terms of ensuring accessibility to:

- inclusive education,
- healthcare services,
- modes of residence,
- information,
- cultural goods, and
- public transport.<sup>33</sup>

Measures to ensure accessibility to the services set out above which are available to the public must be executed by public and private entities<sup>34</sup> providing these goods or services. In accordance with Article 38 of the EOPDA, the appropriate adjustment of existing public facilities must be provided by the investor during the first reconstruction of the facility, but no later than 15 years after the entry into force of the EOPDA, i.e. by 11 December 2025. This can be achieved by eliminating construction and communication barriers set out in Article 9 of the EOPDA. Pursuant to Articles 8, 9 and 38 of the EOPDA, the Advocate considered that the responsibility for ensuring accessibility is equally borne by the lessee and the lessor or the owner of the facility.

### 7.2 Findings regarding the reasons for not making the necessary adjustments

There are several reasons for the relatively poor situation regarding the accessibility of public facilities: As indicated by the additional explanations and responses that the respondents were able to provide at the end of the survey, one of the problems is also the relatively poor knowledge of the Equalisation of Opportunities for Persons with Disabilities Act (and other sectoral legislation), as well as other related legal obligations. A large proportion of respondents are unaware of their duties when it comes to ensuring accessibility of facilities for persons with disabilities.

In their written explanations to the survey, several respondents cited the lack of financial resources and funding from local communities, the State, or other competent stakeholders as an obstacle to ensuring the accessibility of public facilities. Some pointed out that the adaptation of their facilities is prevented or hampered by the applicable regulations in the field of cultural heritage protection.

Some of the explanations of the respondents also clearly show that, although they have an interest in improving the accessibility of facilities for which they are responsible, they lack information about consulting and support in the preparation and implementation of the necessary adjustments of their facilities. Persons who must comply with the EOPDA are extremely diverse, ranging from large State or local authorities and institutions to smaller ones which also have fewer financials and other resources and competencies.

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<sup>33</sup>See the EOPDA, Articles 11–16.

<sup>34</sup>See Article 8 of the EOPDA.

### **7.3 Conclusions about the role of the Urban Planning Institute of the Republic of Slovenia**

With a special written enquiry directly with the Urban Planning Institute of the Republic of Slovenia (the UPIRS), the Advocate checked how said institute ensured the implementation of the second paragraph of Article 29 of the EOPDA, which states that the UPIRS performs "analytical, technical and information tasks concerning the use and adaptation of facilities for public use and the accessibility of goods and services provided to the public ". The UPIRS' response shows that, during these past years, they have carried out a number of professional and research projects in the field of ensuring the accessibility of public facilities and outdoor public spaces. These are time-bound projects that are financed by the MLFSAEO from public funds, including European Union funds, on the basis of tenders. It is understood that there is no permanent cooperation based on the EOPDA. It also follows from their answer that the UPIRS does not provide any information for persons who must comply with the EOPDA.

### **7.4 Findings on the parties responsible for the inaccessibility of public facilities**

At the same time, it is worth noting that the ministry responsible for the implementation of the EOPDA as the ministry responsible for the protection of persons with disabilities is the MLFSAEO. The Ministry of Education, the Ministry of the Environment, Climate and Energy, and the Urban Planning Institute are also responsible for performing actions and managing policies in individual areas (according to individual articles in the EOPDA). "The Government of the Republic of Slovenia and the ministries shall have the task of promoting and creating equal opportunities for persons with disabilities and preventing discrimination against persons with disabilities and shall pursue the objectives of the national action programme for persons with disabilities (hereinafter: the action programme) in their respective areas of work," as follows from the first paragraph of Article 26 of the EOPDA.

The general implementation and strategic act for persons with disabilities in Slovenia is the 2022–2030 Action Programme for Persons with Disabilities<sup>35</sup> (the APPD). Target no. 3 from the APPD is related to accessibility. Measures to achieve this target include ensuring accessibility to the built environment or to all public facilities. The holders of the measures intended to achieve the accessibility target are the Ministry of Culture, the former Ministry of the Environment and Spatial Planning, the former Ministry of Education, the Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, the National Institute of Public Health and the National Council of Disability Organizations of Slovenia.

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<sup>35</sup>Action Programme for Persons with Disabilities 2022–2030, p. 7–8. Available at: <https://www.gov.si/zbirke/projekti-in-programi/akcijski-program-za-invalidde/>



## 8 RECOMMENDATIONS

The Advocate recommends to the **Ministry of Labour, Family, Social Affairs and Equal Opportunities** to perform the following improvements as soon as possible pursuant to the PADA and to the EOPDA:

1. in cooperation with the Urban Planning Institute of the Republic of Slovenia, provide a methodological and professional comprehensive analysis of the state of spatial accessibility of all public facilities, and make it publicly available.
2. establish, in cooperation with the Urban Planning Institute of the Republic of Slovenia, a national advisory information point that will offer comprehensive information, materials, and contact information in one place to help and advise on all aspects of the obligation to ensure the accessibility of public facilities for people with disabilities, particularly for taxpayers, pursuant to the EOPDA. Special attention should be paid to content related to adjustments in the form of sound and light indicators and written information.
3. Adopt a regulation on minimum accessibility requirements for all goods and services for the implementation of the fifth paragraph of Article 8 of the EOPDA, since it also has an important impact on the elimination of obstacles to ensuring the accessibility of public facilities offering goods and services available to the public.

The Advocate recommends to the **Ministry of Culture** to perform the following improvements as soon as possible pursuant to the PADA and to the EOPDA:

1. in cooperation with the Ministry of Natural Resources and Spatial Planning and the Institute for the Protection of Cultural Heritage, prepares guidelines for adopting decisions in the process of obtaining cultural conservation consents, namely in such a way that the bodies and institutions that are obliged to ensure the adaptation of public facilities for people with disabilities will be able to implement these adaptations efficiently and in a financially sustainable manner.

The Advocate recommends to the **Ministry of Natural Resources and Spatial Planning** to perform the following improvements as soon as possible pursuant to the PADA and to the EOPDA:

1. prepare a draft amendment to the Construction Act so as to include the final deadline for the mandatory appropriate adaptation of existing facilities (as already regulated for the construction of new facilities) in public use referred to in Article 38 of the EOPDA, and determine the competence of inspection and fines in the event of violations.

The Advocate recommends to the **Government of the Republic of Slovenia** to perform the following improvements as soon as possible pursuant to the PADA and to the EOPDA:

prepare an assessment of the necessary budgetary resources and a special investment plan in order to adapt public facilities for people with disabilities, thus eliminating discrimination. Furthermore, the government should also provide the necessary earmarked budgetary resources for the implementation of those actions.

2. prepare an analysis of the possibility of drawing on European funds for the purpose of ensuring the accessibility of public facilities for people with disabilities, and include it in the investment plan.

## ACRONYMS AND ABBREVIATIONS

|                      |  |
|----------------------|--|
| APPD                 | Action Programme for Persons with Disabilities 2022–2030           |
| NA                   | National Assembly of the Republic of Slovenia                      |
| EC                   | European Commission  |
| ECHR                 | European Convention on Human Rights                                |
| EU                   | European Union   |
| BA                   | Building Act   |
| Charter              | Charter of Fundamental Rights of the European Union                |
| MLFSAEO              | Ministry of Labour, Family, Social Affairs and Equal Opportunities |
| MESS                 | Ministry of Education, Science and Sport                           |
| UNCRPD               | Convention on the Rights of Persons with Disabilities              |
| MECE                 | Ministry of Environment, Climate and Energy                        |
| ME                   | Ministry of Education  |
| RS                   | Republic of Slovenia   |
| Strategy             | Strategy on the Rights of Persons with Disabilities 2021–2030      |
| UPIRS                | Urban Planning Institute of the Republic of Slovenia               |
| Constitution         | Constitution of the Republic of Slovenia                           |
| Government of the RS | Government of the Republic of Slovenia                             |
| Advocate             | The Advocate of the Principle of Equality                          |
| EOPDA                | Equalisation of Opportunities for Persons with Disabilities Act    |
| PADA                 | Protection against Discrimination Act                              |

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## **ACKNOWLEDGEMENTS**

Based on the self-assessments of responsible persons in individual institutions and bodies, it was possible to collect information on inaccessibility due to the good and extensive response of the addressees of the Advocate's enquiry. Therefore, we would like to thank all 2,217 respondents for their cooperation. The extensive response shows a great awareness of the meaning and importance of the accessibility of public spaces for persons with disabilities. This is the only way to help persons with disabilities and functional impairments to access public spaces and be a part of the society.

## Inaccessibility of Public Facilities for Persons with Disabilities – Special Report

### **Issued by**

The Advocate of the Principle of Equality

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The purpose of the Advocate's Special Report is to increase the accessibility of public spaces for persons with different disabilities. Pursuant to the Equalisation of Opportunities for Persons with Disabilities Act, public facilities must be adapted to persons with disabilities. Such is the obligation of public and private entities from various areas of social life.

The Special Report finds that a relatively large share of public facilities are not accessible to persons with disabilities. The reasons for this are, among other things, the lack of financial resources, the lack of awareness of the duty of obliged entities to ensure the accessibility of facilities for persons with disabilities, and regulations in the field of cultural heritage protection, which further complicate the process of adaptation of facilities.

The Special Report also summarises international documents and national regulations to which the Republic of Slovenia has committed itself, and further contains recommendations to the government and ministries to improve the accessibility of public facilities for persons with disabilities.

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