



Input by: Amnesty International Slovenia

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AIS is an NGO working on Human Rights issues. Country of origin: Slovenia

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**Training of justice professionals (including judges, prosecutors, lawyers, court staff); 3000 character(s) maximum**

Amnesty International Slovenia does not have direct experience in this regard, however we would like to share experience of others working in this field that we know of. In recent years the Judicial Training Center has been offering trainings on topics related to domestic violence, but these trainings are not mandatory for all judicial employees working in this field, non-governmental organizations are not involved and they do not cover the topics about obligations arising from Istanbul Convention. Employees attend trainings according to their interests.

As far as Amnesty International is concerned, we have not been invited or included in any trainings on Human Rights topics within in the judicial system; this is in contrast to our (past, not from 2020) experiences where we've had engagement and cooperation with the Police.

**Efficiency of the justice system (Under this topic, you are not required to give statistical information but should provide input on the type of information outlined under "type of information".)**

**Length of proceedings; 3000 character(s) maximum**

In the past, Slovenia was found guilty at the European Court of Human Rights of violating Human Rights in regard to the lengths of proceedings (ECtHR case Lukenda v Slovenia, 2005). After this conviction, attempts were made to address the issue, and the situation has improved significantly since. It must be noted, that the effects of the judicial-system lock down due to the Coronavirus disease has not been analyzed yet. The courts in Slovenia were de facto closed and non-operational for non-essential cases for

approximately 4 months; it's reasonable to expect that this will have effects regarding length of proceedings.

In practice, before the Coronavirus epidemic and lockdown, the Procedures at Administrative court lasted approximately a year, but Amnesty Slovenia has cases pending at the Administrative court from 2018. Due to a recent decision that the Administrative court needs to execute hearings, we estimate this will prolong the time needed to reach a decision.

Similarly, the proceedings at the Constitutional court are lengthy as well, which is due to the fact that in some cases the Constitutional court is the only court-of-redress available (say, during the Coronavirus lockdown, to assess epidemic-fighting-measures of the authorities).

AIS has no relevant information on the length of proceedings at other (regular) courts. In the latest juridical magazine Pravna praksa, an author estimates that the normal length of proceedings is 2 years or 5 years if the second instance overturns the decision and returns the case to the first instance court (Pravna praksa nr. 9/2021, Boštjan Udovič, Pasti zasebnega oddajanja stanovanj v najem).

### **Measures taken to address corruption risks in the context of the COVID-19 pandemic; 3000 character(s) maximum**

In November 2020, during the Coronavirus epidemic and lockdown, the Law on integrity and prevention of corruption was amended in a way, that the Anti-corruption commission was stripped of part of its competence to resolve specific corruption cases.

Specific cases of investigating alleged corruption related to Coronavirus disease are still pending, in some cases the allegations reach the highest political level.

### **Media Pluralism - Slovenia**

#### **Other - please specify; 3000 character(s) maximum**

Some members of the Government (and executive) have publicly smeared certain journalists and media on Twitter and other social media. In the past, several journalists filed civil law suits against the current Prime minister for slander, and vice versa.

In one of the more emphasized cases, the current Prime minister mr. Janša tagged a female journalist as a "used-up prostitute" in 2016 resulting in mr. Janša's civil case conviction in May 2020.

The Prime minister is not the only politician to use such tactics. Acting so from the position of power creates a chilling-effect on the journalists.

Often verbal attacks of some politicians are directed towards national Radio and television and State press agency – latter was also declined funds for their functioning.

### **Other institutional issues related to checks and balances - Slovenia**

**The process for preparing and enacting laws Framework, policy and use of impact assessments, stakeholders'/public consultations (particularly consultation of judiciary on judicial reforms) and transparency and quality of the legislative process; 3000 character(s) maximum**

The legislative drafting within the ministries has become increasingly hidden from public. Starting with the epidemic in March 2020, draft laws are often not presented to public, not sent for a public debate. Often, the first time a draft law is made public is when it is already approved by the government and sent to the Parliament for adoption.

One of the examples happened in mid-2020 when government gave just 5 days for public discussion on changes of 3 major laws (State press agency, National radio and TV and on media); after uproar this was later prolonged.

Similarly, the Governmental strategy for using EU Recovery mechanism was flagged as “internal” and thus classified as a confidential document (distributing could result in criminal prosecution). It has only been de-classified after this caused problems for a discussion in the Parliament (well after it was drafted and finalized at the Government).

Additionally, draft legislation on interim-coronavirus measures is even more hidden from public scrutiny because of the fact that intervention laws amend previous amendments without clearly presenting changes on edited valid legislation. So, the latter legislation amends previous interim legislation which amended even previous legislation, creating utter confusion. Except for lawyers, this effects in the public not being able to follow and/or comment changes. In time, edited text of valid legislation is published online.

**The enabling framework for civil society**

**Measures regarding the framework for civil society organisations (e.g. access to funding, registration rules, measures capable of affecting the public perception of civil society organisations, etc.); 3000 character(s) maximum**

One of the main issues on 2020 has been the prohibition of public gatherings and assemblies, including and especially the ones with the intent to protest. The prohibition of gatherings during the lockdown has been sent to the Constitutional court for assessment in March 2021.

During anti-government demonstrations between May and December, police conducted random identity checks, detained and fined peaceful protesters simply for carrying anti-government placards and subjected them to legal proceedings. In Amnesty International Slovenia we estimated this to be attacks on freedom of expression and freedom of assembly. People were also subjected to legal proceedings for acts of non-violent disobedience (for example for loudly reading Slovenian constitution in front of the parliament building while distancing themselves from other people).

In November, the authorities considerably increased fines for organizing and participating in public gatherings in defiance of a blanket ban, which was in place intermittently throughout the year.

During the lockdown, there was a lot of smear campaigns not only related to journalists, but also to the civil society. For instance, when the Ministry for Culture tried to evict several NGOs from the Metelkova 6 building in Ljubljana, tensions escalated. The eviction notice was sent on the same day as an epidemic was declared and police-hour enforced. The public discourse was very heated and the process is now being resolved by a court-of-law. More: <https://www.mirovni-institut.si/metelkova6/>

The situation was in 2020 heated also in relation to environmental NGOs whose competence to appear in legal proceedings was significantly limited and in the case of cultural workers who were in constant dispute with the ministry in 2020. The cultural workers protested several times during the year, culminating tensions reaching a high in the graffiti vandalism by unknown persons against the Ministry for culture building. After the action, the PM responded with yet another toxic tweet:

<https://www.slovenskenovice.si/kronika/doma/nocni-napad-na-ministrstvo-oglasil-se-je-jansa-foto/>