



EUROPEAN COURT OF HUMAN RIGHTS  
COUR EUROPÉENNE DES DROITS DE L'HOMME

Press Unit  
Unité de la Presse

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# Slovenia

## Ratified the European Convention on Human Rights in 1994

**National Judge: Marko Bošnjak (30 May 2016 -)**

[Judges' CVs](#) are available on the ECHR Internet site

Previous Judge: Peter Jambrek (1993-1998), Boštjan Zupančič (1998-2016) [List of judges of the Court since 1959](#)

The Court dealt with 205 applications concerning Slovenia in 2023, of which 203 were declared inadmissible or struck out. It delivered two judgments (concerning two applications), which found at least one violation of the European Convention on Human Rights.

Applications processed in	2021	2022	2023
Applications allocated to a judicial formation	234	287	978
Communicated to the Government	9	30	10
Applications decided:	179	275	205
- Declared inadmissible or struck out (Single Judge)	160	249	194
- Declared inadmissible or struck out (Committee)	12	21	9
- Declared inadmissible or struck out (Chamber)	0	1	0
- Decided by judgment	7	4	2

For information about the Court's judicial formations and procedure, see the [ECHR internet site](#).  
Statistics on interim measures can be found [here](#).

Applications pending before the court on 01/01/2024	
Applications pending before a judicial formation:	909
Single Judge	103
Committee (3 Judges)	780
Chamber (7 Judges)	26
Grand Chamber (17 Judges)	0

## Slovenia and ...

### The Registry

The task of the Registry is to provide legal and administrative support to the Court in the exercise of its judicial functions. It is composed of lawyers, administrative and technical staff and translators. There are currently **618** Registry staff members.

## Noteworthy cases, judgments delivered

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### Grand Chamber

#### [Lekić v. Slovenia](#)

11.12.2018

The case concerned striking a company off a court register and the subsequent liability of its managing director for its debts. The strike off procedure was used against the applicant's company under new legislation introduced in 1999, which gave courts the power to strike off dormant companies without having to wind them up. It resulted in him having to pay 32,795 euros to one of the company's creditors, the Railway Company of Slovenia.

[No violation of Article 1 of Protocol No. 1 \(protection of property\)](#)

#### [Ališić and Others v. Bosnia and Herzegovina, Croatia, Serbia, Slovenia and "The former Yugoslav Republic of Macedonia"](#)

16.07.2014

Concerned the applicants' inability to recover "old" foreign-currency savings – deposited with two banks in what is now Bosnia and Herzegovina – following the dissolution of the former Socialist Federal Republic of Yugoslavia (SFRY).

The Court held:

With regard to Mr Šahdanović: unanimously, that there had been a violation of Article 1 of Protocol No. 1 (protection of property) and a violation of Article 13 (right to an effective remedy) by Serbia;

With regard to Ms Ališić and Mr Sadžak: unanimously, that there had been a violation of Article 1 of Protocol No. 1 and a violation of Article 13 by Slovenia;

With regard to the other respondent States: by a majority, that there had been no violation of Article 1 of Protocol No.1 and no violation of Article 13, and, unanimously, that there had been no violation of Article 14 taken together with Article 13 and Article 1 of Protocol No. 1.

#### [Kurić and others v. Slovenia](#)

26.06.2012<sup>1</sup>

The applicants belong to a group of persons known as the "erased", who on 26 February 1992 lost their status as permanent residents following Slovenia's declaration of independence in 1991, and faced almost 20 years of extreme hardship. The number of "erased" people in 1991 amounted to 25,671.

[Violation of Article 8 \(right to respect for private and/or family life\) of the European Convention on Human Rights;](#)

[Violation of Article 13 \(right to an effective remedy\) in combination with Article 8 of the Convention, and;](#)

[Violation of Article 14 \(prohibition of discrimination\) in combination with Article 8](#)

The Court also decided to apply the pilot-judgment procedure, holding that the Government should, within one year, set up a compensation scheme for the "erased" in Slovenia. It decided it would adjourn examination of all similar applications in the meantime.

#### [Šilih v. Slovenia](#)

09.04.2009

Ineffectiveness of the proceedings conducted by the authorities to establish liability for the death of the applicant's son as a result of a medical error.

[Violation of Article 2 \(lack of an effective investigation\)](#)

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<sup>1</sup> In the same case, by a Grand Chamber [judgment](#) of 12 March 2014 on the just satisfaction, the Court held, unanimously, that the Slovenian Government was to pay the six applicants whose rights under the European Convention on Human Rights had been violated amounts between 29,400 and 72,770 euros (EUR) each.

## Noteworthy cases, judgments delivered

### Chamber

#### Cases dealing with inhuman and/or degrading treatment (Article 3)

##### [Boris Butolen v. Slovenia](#)

26.04.2012

Mr Butolen alleged that he had been ill-treated by police officers in February 2001.

[Violation of Article 3 \(treatment\)](#)

[Violation of Article 3 \(investigation\)](#)

##### [Mandić and Jović v. Slovenia and Štrucl and others v. Slovenia](#)

20.10.2011

Detention conditions in Ljubljana Prison, Slovenia.

[Violation of Article 3 and Article 13 \(right to an effective remedy\) in both cases](#)

##### [Matko v. Slovenia](#)

02.11.2006

Violent arrest of the applicant by the police and lack of an effective investigation.

[Violation of Article 3 \(treatment and investigation\)](#)

[No violation of Article 6 § 1 \(right to a fair hearing within a reasonable time\)](#)

##### [Rehbock v. Slovenia](#)

28.11.2000

The case concerned the applicant's conviction of drug offences, the conditions of his arrest and detention, the lawfulness of his detention and the monitoring of his correspondence with the European Commission of Human Rights.

[Violation of Article 3](#)

[Violation of Article 5 \(right to liberty and security\)](#)

[Violation of Article 8 \(right to respect for private and family life\)](#)

#### Cases regarding Article 6

[Right to a fair hearing](#)

##### [Dolenc v. Slovenia](#)

20.10.2022

The case concerned an Israeli citizen who had been left paralysed after being operated on by the applicant, a well-known neurosurgeon, in a Ljubljana hospital and

the ensuing proceedings in both Israel and Slovenia.

[Violation of Article 6 § 1](#)

##### [Cimperšek v. Slovenia](#)

30.06.2020

The case concerned the rejection by the Minister of Justice of Mr Cimperšek's application to become a court expert owing to a lack of the required personal qualities. The Minister referred to the contents of Mr Cimperšek's blog and emails he had sent to complain about the work of the Ministry.

[Violation of Article 6 § 1](#)

##### [Gaspari v. Slovenia](#)

21.07.2009

Constitutional appeals by the opposing party not served on the applicant.

[Violation of Article 6 § 1](#)

[Right to be informed promptly of accusation/ right to an interpreter](#)

##### [Vizgirda v. Slovenia](#)

28.08.2018

The case concerned the complaint of the applicant, whose native language is Lithuanian, that he had not had a fair trial after being charged with robbery because he had not understood the interpreting provided to him, which had been in Russian.

[Violation of Article 6 §§ 1 and 3](#)

[Right to a fair hearing within a reasonable time](#)

##### [Lukenda v. Slovenia](#)

06.10.2005

Pilot judgment concerning the excessive length of proceedings.

[Violation of Article 6 § 1 and of Article 13 \(right to an effective remedy\) and existence of a systemic problem](#)

Following the adoption of the *Lukenda* judgment, a law has been passed in Slovenia to remedy this systemic situation.

In the following cases the Court found violations of Article 6 § 1 on account of the length of the proceedings and of Article 13 (right to an effective remedy)

[Sirc v. Slovenia](#)

08.04.2008

[Tomažič v. Slovenia](#)

13.12.2007

[Grzinčič v. Slovenia](#)

03.05.2007

[Švarc and Kavnik v. Slovenia](#)

08.02.2007

Presumption of innocence

[Bavčar v. Slovenia](#)

07.09.2023

Mr Bavčar, a former Government minister, was found guilty of money laundering in 2016. The case concerned appeal proceedings during which the then Minister of Justice Goran Klemenčič had given a television interview captioned "Mr Klemenčič: If the Bavčar case becomes time-barred, a lot of people will have to answer [for that]".

[Violation of Article 6 § 2](#)

**Cases concerning Article 7  
(no punishment without law)**

[Rola v. Slovenia](#)

04.06.2019

The case concerned a liquidator's complaint that he had lost his licence to act in bankruptcy proceedings following his conviction for violent behaviour.

[No violation of Article 7](#)

[Violation of Article 1 of Protocol No. 1 \(protection of property\)](#)

**Private and family life cases  
(Article 8)**

[Škoberne v. Slovenia](#)

15.02.2024

The case concerned the proceedings against a former judge and his conviction in 2013 for accepting bribes. His conviction had been based on statements by his two co-defendants who had admitted to being intermediaries and on traffic and location data obtained under the data-retention regime in force at the time in Slovenia.

[Hudrovič and Others v. Slovenia](#)

10.03.2020

The case concerned complaints by the applicants, who are all Slovenian nationals

of Roma origin, about an alleged lack of access to drinking water and sanitation, taking into consideration their lifestyle and minority status.

[No violation of Article 8 in respect of the applicants in application no. 24816/14](#)

[No violation of Article 8 in respect of the applicants in application no. 25140/14](#)

[No violation of Article 14 \(prohibition of discrimination\) taken in conjunction with Article 8](#)

[No violation of Article 3 \(prohibition of torture or inhuman or degrading treatment\) taken alone or in conjunction with Article 14](#)

[Benedik v. Slovenia](#)

24.04.2018

The case concerned the Slovenian police's failure to obtain a court order to access subscriber information associated with a dynamic IP address recorded by the Swiss law-enforcement authorities during their monitoring of users of a certain file-sharing network. This led to the applicant being identified after he had shared files over the network, including child pornography.

[Violation of Article 8](#)

[Eberhard and M. v. Slovenia](#)

01.12.2009

A father was hardly able to see his daughter for more than four years because of the Slovenian authorities' inactivity.

[Violation of Article 8](#)

**Freedom of expression**

**(Article 10)**

[Cimperšek v. Slovenia](#)

30.06.2020

The case concerned the rejection by the Minister of Justice of Mr Cimperšek's application to become a court expert owing to a lack of the required personal qualities. The Minister referred to the contents of Mr Cimperšek's blog and emails he had sent to complain about the work of the Ministry.

[Violation of Article 10](#)

**Property rights  
(Article 1 of Protocol No. 1)**

[Rola v. Slovenia](#)

04.06.2019

The case concerned a liquidator's complaint that he had lost his licence to act in

bankruptcy proceedings following his conviction for violent behaviour.

[No violation of Article 7 \(no punishment without law\)](#)

[Violation of Article 1 of Protocol No. 1](#)

### **Right to free elections (Article 3 of Protocol No. 1)**

#### **[Zevnik and Others v. Slovenia](#)**

5.12.2019

The case concerned the authorities' rejection of lists submitted by a coalition party for elections in 2018 owing to the lists' lack of female candidates.

## Noteworthy cases, decisions delivered

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### **Inter-state case**

#### **[Slovenia v. Croatia](#)**

16.12.2020

The case concerned unpaid and overdue debts owed to Ljubljana Bank by various Croatian companies on the basis of loans granted at the time of the former Yugoslavia.

[The Court declared that it did not have jurisdiction to hear the case.](#)

#### **[Anastasov and Others v. Slovenia](#)**

17.11.2016

The 212 applicants in this case belong to a group of people known as the "erased" (*izbrisani*). Former nationals of the Socialist Federal Republic of Yugoslavia ("the SFRY") with permanent residence in Slovenia, their names were deleted from Slovenia's Register of Permanent Residents following the dissolution of the SFRY, Slovenia's declaration of independence and passing of the "independence legislation" in 1991. They thus became aliens with no legal status in Slovenia and remained so for periods ranging from seven months to more than 22 years.

In a previous pilot judgment ([Kurić and Others v. Slovenia](#)), of June 2012 the Court found that the Slovenian authorities had failed to regulate the issue of "erased" people and to provide them with adequate redress for the years during which they had been in a position of vulnerability and legal

insecurity; it also ordered Slovenia to set up a domestic compensation scheme.

The Court was satisfied that the system introduced by the Slovenian Government (and its functioning in practice) following the *Kurić and Others* judgment offered to the remaining "erased" persons who had regularised their legal status in Slovenia reasonable prospects of receiving compensation for the damage caused by the systemic violation of their Convention rights.

The Court decided:

- to close the pilot-judgment procedure initiated in *Kurić and Others*
- to strike the application out of its lists of cases

#### **[Kovačić and Others v. Slovenia](#)**

03.10.2008

Freezing of funds deposited by Croatian savers with a Slovenian bank prior to the dissolution of the former Yugoslavia.

Application struck out of the list (resolved at national level), but call issued to the successor States of the former Yugoslavia to proceed with negotiations on frozen savings as a matter of urgency.

#### **[Žunič v. Slovenia](#)**

18.10.2007

Excessive length of procedure.

[Application declared inadmissible.](#)

#### **[Predojević and Others v. Slovenia](#)**

07.06.2001

Group of cases concerning the retirement pensions of former members of the Yugoslav armed forces.

[Complaints under Article 1 of Protocol No. 1 \(protection of property\) declared inadmissible.](#)

## Noteworthy pending cases

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#### **Landika v. Slovenia (no. 45987/22)**

Case [communicated](#) to the Government on 20 January 2023

#### **Janković v. Slovenia (no. 15118/22)**

Case [communicated](#) to the Government on 4 October 2022

#### **X and Others v. Slovenia (nos. 27746/22 and 28291/22)**

Case [communicated](#) to the Government on 4 October 2022

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