

Articles related to criminal offences of terrorism in the Slovenian Criminal Code¹

Terrorism **Article 108**

(1) Whoever with the intention to destroy or severely jeopardise the constitutional, social, or political foundations of the Republic of Slovenia or another country or international organisation, to arouse fright among the population or to force the Government of the Republic of Slovenia or another country or international organisation to perform or stop performing something, to perform or threaten to perform one or more of the following actions:

- assault on life or body or human rights and freedoms,
- taking hostages,
- considerable destruction of state or public buildings or representations of foreign states, transport system, infrastructure, information system, secured platforms in the continental shelf, public place or private property,
- hijacking of an aircraft, ship or public transport,
- production, possession, purchase, transport, supply or use of weapons, explosives, nuclear, biological or chemical weapons,
- research and development of nuclear, biological or chemical weapons,
- endangering security by releasing hazardous substances or causing fires, floods or explosions,
- disturbance or termination of supply with water, electrical energy or other basic natural resources, which could endanger human life,

shall be sentenced to imprisonment between three and fifteen years.

(2) Whoever wants to achieve the purpose referred to in the previous paragraph by using or threatening to use nuclear or other radioactive substance or device, by damaging a nuclear facility by releasing radioactive substance or enabling its release, or who by threatening or using force demands nuclear or other radioactive substance, device or facility shall be sentenced to imprisonment of up to fifteen years.

(3) Whoever prepares or helps to prepare criminal offences referred to in the previous paragraphs by illegally obtaining the required means to commit these criminal offences or by blackmailing prepares someone else to participate in these criminal offences, or whoever falsifies official or public documents required to commit these criminal offences shall be sentenced to imprisonment between one and eight years.

(4) If the act under paragraphs 1 or 2 results in death of one or more persons, the perpetrator shall be sentenced to imprisonment between eight and fifteen years.

(5) If the perpetrator in committing offences under paragraphs 1 or 2 of this Article intentionally takes the life of one or more persons, he shall be sentenced to imprisonment of at least fifteen years.

(6) If the act under paragraphs 1 or 2 of this Article was committed by a criminal organisation or group, which has the intention to commit criminal offences (hereinafter, terrorist organisation or group) specified in these paragraphs, it shall be sentenced to imprisonment between eight and fifteen years.

¹ The English language translation of the text of the Criminal Code of the Republic of Slovenia, as set out below, is provided for information only and confers no rights nor imposes any obligations on anyone. Only the official publication of the Criminal Code in the Slovenian language, as published and promulgated in the Official Gazette of the Republic of Slovenia (Uradni list RS, št. 55/2008), is authentic.

(7) Whoever participates in a terrorist organisation or group, which has the intention to commit criminal offences under paragraphs 1, 2, 4 or 5 of this Article, shall be sentenced to imprisonment of no more than eight years.

(8) Any person who establishes or leads the organisation referred to in the previous paragraph shall be sentenced with imprisonment of at least fifteen years.

Financing of Terrorist Activities

Article 109

(1) Whoever provides or collects money or property in order to partly or wholly finance the committing of offences under Article 108 of this Penal Code shall be sentenced to imprisonment between one and ten years.

(2) Whoever commits an offence from the preceding paragraph shall be subject to the same penalty even if the money or property provided or collected was not used for committing the criminal offences specified in the preceding paragraph.

(3) If an offence from the preceding paragraphs was committed within a terrorist organisation or group to commit terrorist acts, the perpetrator shall be sentenced to imprisonment between three and fifteen years.

(4) Money and property from the preceding paragraphs shall be seized.

Incitement and Public Glorification of Terrorist Activities

Article 110

(1) Whoever incites commitment of criminal offences under Article 108 of this Penal Code and therefore propagates messages or makes them available to other persons in some other manner with the intention to promote terrorist criminal offences and thus causes danger that one or more such criminal offences would be committed, shall be sentenced to imprisonment between one and ten years.

(2) Whoever directly or indirectly publicly glorifies or advocates criminal offences under Article 108 or the criminal offence referred to in the preceding paragraph by, with the purpose under preceding paragraph, propagating messages or making them available to the public and therefore cause danger that one or more such criminal offences would be committed, shall be punished in the same manner.

(3) Persecution for criminal offences under preceding paragraphs shall be initiated with the permission by the Minister of Justice.

Conscripting and Training for Terrorist Activities

Article 111

(1) Whoever conscripts for terrorist activities by encouraging another person to commit criminal offences under Article 108 of this Penal code, or participate in the order of such terrorist act, or joining a terrorist organisation or group to commit terrorist acts, which this criminal organisation or group commits, shall be sentenced to imprisonment between one and ten years.

(2) Whoever trains others for criminal offences under Article 108 of this Penal Code by providing instructions to manufacture and use explosives, firearms or other weapons, harmful or hazardous substances, trains them for other special methods or technology to perform or participate in a terrorist act, shall be punished in the same manner.

Prohibited Crossing of State Border or Territory
Article 308

(1) Whoever crosses the border of the Republic of Slovenia by force, or enters its territory illegally armed with weapons, shall be sentenced to imprisonment for not less than three months, and not more than three years and punished by a fine.

(2) The same punishment shall be imposed on an alien who does not possess a residence permit for the Republic of Slovenia, or if he stays in its territory in the manner as referred to in the preceding paragraph, or resists a legal removal therefrom.

(3) Whoever engages in the prohibited transit of aliens, without leave to enter or remain in the Republic of Slovenia, across the border of the Republic of Slovenia, or whoever transits aliens or helps to conceal them, or whoever is engaged in assisting a group of two or more such aliens to cross the border or the territory of the state against payment, shall be punished by a term of up to five years of imprisonment and by a fine.

(4) An official who, by abusing his official position or rights, enables an alien illegal entry to the territory of the Republic of Slovenia or illegal stay therein, shall receive the penalty referred to in the preceding paragraph.

(5) If a disproportionate property benefit has been gained for himself or a third person by the perpetrator committing offences referred to in paragraphs 3 or 4 of this Article, or if he acquires a work force without rights, or poses a threat to human life or health, or commits such acts as a member of a criminal association, he shall be sentenced to imprisonment for not less than one and not more than eight years and punished by a fine.

(6) Whoever gains over or collects people with a view of illegal transfer, provides them with forged documents or transportation, or organises illegal transfer in any other way, shall be sentenced to imprisonment for not more than five years and punished by a fine

(7) The above paragraph shall also apply to criminal offences committed abroad, if the country where such offences have been committed has adopted, like the Republic of Slovenia, the common international legal obligation of preventing such criminal offences, regardless of where they are committed, and has determined such acts in its law in the same proper way as criminal offences. If the criminal offence has been committed in the territory of the European Union, in the application of paragraphs 2, 3, 4 and 5 of this Article the citizens of its Member States shall not be considered aliens.