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Table of content

I. MAIN ACHIEVEMENTS 4

Actions of security forces and effective investigations 5

Conditions of detention and effective remedies 5

Right to liberty and security 5

Functioning of justice 5

Protection of private and family life 6

Freedom of expression 6

Protection against discrimination on the ground of nationality 6

Protection of property rights 7

II. MAIN ISSUES PENDING BEFORE THE COMMITTEE OF MINISTERS 8

Fair trial 9

Right to private and family life 9

Protection of property 9

I. Main achievements

This chapter presents short summaries of a selection of the main reforms and achievements reported in final resolutions since the Convention system was amended in 1998 by Protocol No. 11, with a clear focus on recent reforms, referring however also to important earlier developments.

In view of the wealth of cases closed, the selection concentrates on those which have led to changes of legislation, government regulations, the adoption of new policies or general guidance from superior courts. As a rule, the overview does not cover information on measures providing individual redress to applicants.

The reforms are in principle presented in the order corresponding to the thematic domains used in the specialised database HUDOC-EXEC of the Department for the Execution of Judgments of the European Court of Human Rights.

Many reforms address issues which appear to be on-going challenges in member states. The effects of reforms adopted at one point in time may thus need to be monitored and possibly revisited as conditions change.[1]

Definitions of the terms used in the context of the supervision of the execution of the European Court's judgments are available in the dedicated Glossary.

[1] The presentation is limited to the information provided at the time of the adoption of the final resolution. It is recalled in this context that the Committee of Ministers has issued Recommendation (2004)5 on thea verification of the compatibility of draft laws, existing laws and administrative practice with standards laid down in the European Convention on Human Rights.

Actions of security forces and effective investigations

The Criminal Code of 2008 defined ill-treatment, including by police, as a self-standing criminal offence. The Police Tasks and Powers Act of 2013 obliges police officers to respect the persons' human rights as well as to adhere to the principles of equal treatment, legality and proportionality, when performing their tasks. Regular education and training sessions as well as awareness-raising activities were organised for police staff. Instructions and manuals for all police units relating to the use of coercive measures were issued and are regularly updated.
As concerns effectiveness of investigations, in 2011, the "Department for the Investigation and Prosecution of Officials with Special Authorisation" was set up within the prosecution service, operating under the principle of professional and operational autonomy and with exclusive jurisdiction to deal with alleged criminal offences committed by officials of the police, military police and intelligence services.

Matko (43393/98)
Final Resolution CM/ResDH(2020)92

Conditions of detention and effective remedies

A preventive remedy enabling judicial protection against poor conditions of detention for convicted prisoners as well as a compensatory remedy for released prisoners was introduced in 2015.

Arapović (37927/12+)
Final Resolution CM/ResDH(2018)101

In 2018, convicted and remand prisoners were also granted a possibility to claim before courts compensation in respect of non-pecuniary damage sustained; criteria for the settlement of such claims were adopted by government and settlement proposals made by the State Attorney's Office.

Mandić and Jović (5774/10)
Final Resolution CM/ResDH(2020)102

Right to liberty and security

- Psychiatric confinement

Compensation for unlawful detention is guaranteed in the Constitution and the Code of Criminal Procedure. The 2008 Mental Health Act established the decision-making procedure and time-limits with regard to involuntary confinement. Regular monitoring of the deadlines is performed by the National Preventive Mechanism (Human Rights Ombudsperson). The 2009 Patients' Rights Act regulated and introduced safeguards concerning the admission to and medical treatment in open wards.

Rehbock (29462/95)
Final Resolution CM/ResDH(2009)137

L.M. (32863/05)
Final Resolution CM/ResDH(2018)99

Functioning of justice

- Fairness of proceedings

According to the Civil Procedure Act as amended in 2017, any request to impose a penalty for allegedly offensive remarks aimed at a judge is assigned to another judge to ensure impartiality. The Constitutional Court Act was amended in 2007, making mandatory the communication of the constitutional appeal also to the persons affected by the decision being challenged.

Alenka Pečnik (44901/05)
Final Resolution CM/ResDH(2018)148

Gaspari (21055/03)
Final Resolution CM/ResDH(2018)401

- Remedies against excessive length of proceedings

A structural and organisational reform of the judiciary took place between 2005 and 2012 with a view to eliminating backlogs in the domestic courts. The reform included legislative and capacity building measures. In addition, acceleratory and compensatory remedies were introduced in civil and criminal proceedings by the 2006 Act on the Protection of the Right to a Trial without undue Delay.

Lukenda (23032/02+)
Final Resolution CM/ResDH(2016)354

Protection of private and family life

- Custody of and access to children

Administrative access orders by Social Welfare Centres were abolished in 2004, due to a Constitutional Court's decision finding several provisions of the Marriage and Family Relations Act applicable to custody and access arrangements to be unconstitutional. Also, the 2004 Act on Changes and Amendments to Marriage and Family Relations entered into force, granting to domestic courts competence to adjudicate on child custody and access matters. Cases concerning the relationships between parents and children are prioritised. In addition, the number of staff at the district court concerned was increased.

Eberhard and M. (8673/05)
Final Resolution CM/ResDH(2017)396

In 2018, a new Act provided for such cases to be decided in non-contentious proceedings. Strict deadlines were set for courts and experts. Court decisions concerning contact and access rights are enforced in accordance with the Claim Enforcement and Security Act providing for fines in case of parental obstruction.

Furmann (16608/09)
Final Resolution CM/ResDH(2019)67

According to amendments to the Social Security Act in 2018, social work centres now also provide care services, professional counselling and assistance to family members and children as well as practical training for families.

A.V. (878/13)
Final Resolution CM/ResDH(2020)82

A Family Code, in force since 2019, introduced mediation for resolving family-related disputes. Training activities for judges on the right to family life were organised, including on aspects related to EU mechanisms (Brussels IIa Regulation) concerning cross border cooperation in custody matters.

S.I. (45082/05)
Final Resolution CM/ResDH(2019)68

Freedom of expression

In 2014, the Constitutional Court developed its case-law and expressly aligned it with the European Court's judgment according to which domestic courts should convincingly establish a pressing social need for placing the protection of one's reputation above a publisher company's right to freedom of expression and the general interest in promoting freedom of expression where issues of public interest are concerned.

Mladina d.d. Ljubljana (20891/10)
Final Resolution CMResDH(2017)111

Protection against discrimination on the ground of nationality

A compensation scheme for the "erased persons" was introduced in 2014 in order to redress citizens of the former Socialist Federal Republic of Yugoslavia who had permanent residence in Slovenia and citizenship of one of the other SFRY republics at the time of Slovenia's declaration of

Kurić and Others (26828/06)
Final Resolution CM/ResDH(2016)112

independence and were deprived of their status as permanent residents, without prior notification.

An old-age pension can no longer be refused on the grounds of citizenship in view of the Agreement on Succession Issues of 2004, signed by all former Yugoslav republics, and the Agreement between Slovenia and Serbia on Social Security and Administrative Arrangement of 2010, which determined which of the former republics has the obligation to grant an old-age pension.

Ribać (57101/10)
Final Resolution CM/ResDH(2018)420

Protection of property rights

- Repayment of "old foreign currency savings"

A 2015 law introduced a repayment scheme for the "old foreign currency savings" (estimated at 385 million euros) deposited in foreign branches of the Ljubljanska Banka at the time of the dissolution of the Socialist Federal Republic of Yugoslavia. Administrative arrangements were put in place to receive and handle relevant applications.

Ališić and Others (60642/08)
Final Resolution CM/ResDH(2018)111

II. Main issues pending before the Committee of Ministers

This chapter presents the main issues pending in cases/groups of cases currently under the Committee of Ministers' supervision. The relevant supervision procedure is indicated for each case/group of cases.

Detailed information on the status of execution of these cases as well as on the Committee of Ministers' supervision process is available on the specialised database HUDOC-EXEC of the website of the Department for the Execution of Judgments of the European Court of Human Rights.

Definitions of the terms used in the context of the supervision of the execution of the European Court's judgments are available in the dedicated Glossary.

Fair trial

Recognition by Slovenian courts in unfair proceedings of judgments delivered in Israel, finding the applicant neurosurgeon liable for approximately 2.3 million euros in medical damages.

Dolenc (20256/20)
Judgment final on 20/01/2023

Standard supervision
Status of execution

Refusal of applicant's request to examine two co-defendants as witnesses following their admission of guilt. Unjustified interference with his right to private life on account of the **retention, access and processing of his telecommunications data** at the time of his conviction.

Škoberne (19920/20)
Judgment final on 15/05/2024

Standard supervision
Status of execution

Violation of the principle of presumption of innocence and the right to impartial tribunal on account of references made by the first-instance judge about the applicant in the judgments against his co-defendants.

Gorše (47186/21)
Judgment final on 06/06/2025

Standard supervision
Status of execution

Right to private and family life

Removal of the children from their mother, and their lack of representation in the contact and custody proceedings, and the discontinuation of contact between them. **Violation of the right to be tried by a tribunal established in accordance with the law** in that the assignment of the case to a certain judge was done in flagrant violation of national legislation and the Judicial Order.

X and Others (27746/22)
Judgment final on 19/03/2025

Standard supervision
Status of execution

Protection of property

Failure of the authorities to introduce effective remedies that would provide the applicants with a reasonable opportunity to challenge the Bank of Slovenia's 2013-2014 decisions and/or seek compensation for the cancellation of shares or bonds they held in domestic banks.

Pintar and Others (49969/14)
Judgment final on 14/12/2021

Enhanced supervision
Status of execution

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The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union. The Committee of Ministers is the Council of Europe's decision-making body, composed by the foreign ministers of all 46 member states. It is a forum where national approaches to European problems and challenges are discussed, in order to find collective responses. The Committee of Ministers participates in the implementation of the European Convention on Human Rights through the supervision of the execution of judgments of the European Court of Human Rights.

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