



PERMANENT REPRESENTATION OF THE REPUBLIC OF SLOVENIA
TO THE UN, OSCE AND OTHER INTERNATIONAL ORGANIZATIONS

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NOTE VERBALE

The Permanent Representation of the Republic of Slovenia to the UN, OSCE and other International Organizations in Vienna presents its compliments to the Permanent Missions and Delegations of the participating States to the OSCE and to the OSCE Conflict Prevention Centre, and, in accordance with Decision 2/09 of the Forum for Security Co-operation, has the honour to transmit the response of the Republic of Slovenia to the Questionnaire on the Code of Conduct on Politico-Military Aspects of Security, valid as of 15 April 2023.

The Permanent Representation of the Republic of Slovenia to the UN, OSCE and other International Organizations in Vienna avails itself of this opportunity to renew to the Missions and Delegations of the participating States to the OSCE and to the OSCE Conflict Prevention Centre the assurances of its highest consideration.

BB

Vienna, 20 April 2023



To the Permanent Missions and Delegations of the OSCE participating States
To the OSCE Conflict Prevention Centre

V i e n n a



REPUBLIC OF SLOVENIA
MINISTRY OF FOREIGN AND EUROPEAN AFFAIRS

**Information Exchange
on the OSCE Code of Conduct on Politico-Military Aspects of Security**

April 2023

SECTION I: INTER-STATE ELEMENTS

1. ACCOUNT OF MEASURES TO PREVENT AND COMBAT TERRORISM

1.1

To which agreements and arrangements (universal, regional, sub-regional and bilateral) related to preventing and combating terrorism is your State a party?

Slovenia believes that terrorism is a direct attack on the values of democracy, human rights, tolerance, solidarity, humanity and peace. Therefore, our answer should be also through full respect of human rights and our core European values. Slovenia condemns terrorism in any form, and expresses solidarity with the victims of terrorism and the countries affected by it. We must redouble our efforts in addressing conditions conducive to, and the root causes of, radicalisation and violent extremism, which lead to terrorism.

Slovenia is also involved in coordinating and strengthening of international cooperation on counter-terrorism within the European Union, NATO, UN, OSCE, Council of Europe and other bilateral and multilateral arrangements (i.e. Warsaw Process, Global Anti-Daesh Coalition, Western Balkans Counter-Terrorism initiative).

Within the Integrative Internal Security Governance (IISG) Slovenia in cooperation with Austria has a leading role of the Western Balkans Counter-Terrorism initiative (WBCTi). The purpose of the initiative is to set up an integrative and complementary approach of all international partners involved in counter-terrorism activities in the Western Balkans region, which prevents duplication and overlapping, creates synergies, and enhances the efficiency of joint response.

Within the WBCTi, supported by Austria, Croatia, Czech Republic, Europol and Interpol, Slovenia is chairing the Counter Terrorism Initiative (CTI), operational arm of WBCTi, merging Western Balkans' national counter terrorism agencies.

With 9 December 2016 Council Conclusions, the EU supported development of the WBCTi into the IISG concept, which includes other prominent areas in internal security cooperation: prevention of violent extremism and fight against terrorism (WBCTi), fight against serious and organised crime (WBCSCi) and border security (WBBSi). IISG is an approach with concrete operational measures to increase border security as well as operational measures based on threat assessments, the rapid exchange of operational information in the Western Balkan region and at least a minimum capacity of de-radicalisation.

Slovenia has ratified 14 of 16 UN counter-terrorism conventions and protocols. The list of international instruments related to preventing and combating terrorism to which Slovenia is a party is attached in Annex 1.

On 9 December 2020, the Commission adopted a new EU Agenda on Counter-Terrorism ("CT Agenda"), suggesting a way forward in the fight against all forms of terrorism for the next 4 years. Slovenia is participating in creation of the Network of Counter-terrorism financial investigators. The Network's tasks will be to bring about an exchange of expertise and best practices between investigators, to discuss challenges and obstacles faced by investigators relating to investigations and to establish cooperation/coordination between Member States and

the Commission on questions relating to the implementation of Union programmes and policies in the field of counter-terrorism financial investigations.

1.2

What national legislation has been adopted in your State to implement the above-mentioned agreements and arrangements?

Criminal Code

The Criminal Code (KZ-1), which entered into force in 2008 (Official Gazette of the Republic of Slovenia Nos. 55/08, 66/08-cor, 39/09, 91/11, 54/15, 6/16, 38/16, 27/17, 23/20), contains terrorism-related criminal offences. Article 108 defines the criminal offence of terrorism, Article 108a Traveling abroad for the purpose of terrorism, Article 109 the financing of terrorism, Article 110 the incitement to and public glorification of terrorist acts, and Article 111 recruitment and training for terrorism. Changes and amendments to the Criminal Code adopted in 2015 amended, inter alia, the criminal offence of financing of terrorist activities by expanding it to financing the commitment of criminal offence of the incitement to and public glorification of terrorist acts (Article 110) and recruitment and training for terrorism (Article 111).

As an EU member state, Slovenia also implements EU legal instruments for the prevention and combating of terrorism through the adoption of relevant measures at the national level.

The general provisions of the Code define aiding and abetting as forms of participation in criminal offences (which also apply to terrorism-related offences) and sets out the conditions for criminal liability and the punishment of accomplices.

According to new Article 36a of the Code, which was introduced with the Act amending the Criminal Code (Official Gazette of the Republic of Slovenia No. 91/11) and entered into force on 15 May 2012, the provisions of the Criminal Code applicable to the offender will also apply to persons abetting or aiding in the commission of a criminal offence, unless otherwise provided by law.

According to Article 37 of the Criminal Code, any person who intentionally abets another person in the commission of a criminal offence is punished as if he/she had committed it. Any person who intentionally abets another person in the commission of a criminal offence for which a sentence of three years' imprisonment, or a heavier sentence may be imposed under statute, is punished for the criminal attempt, even if the commission of such an offence was not attempted.

According to Article 38, paragraph 1, of the Criminal Code, any person who intentionally aids another person in the commission of a criminal offence is punished as if he/she had committed it, or the sentence is reduced, as the case may be. Paragraph 2 lists cases, which constitute such aid.

Amendments to the Slovenian Criminal Code adopted in 2017 introduce stricter provisions regarding terrorism - definition of a set of new offences in accordance with key requirements of the Council of Europe and the EU and supplementing of existing arrangements regarding the prevention of and fight against terrorism (travelling abroad for the purpose of terrorism, financing terrorism, obtaining weapons for the purposes of terrorism, training for terrorism, etc.).

Suppression of terrorist financing

The Prevention of Money Laundering and Terrorist Financing Act was adopted in July 2007 and entered into force in late January 2008. The Act provides the basis for the adoption of several implementing regulations, replacing the previous Law on the Prevention of Money Laundering. The Act harmonised national legislation with the provisions of revised instruments on the prevention of money laundering and amended Slovenian legislation in accordance with the new standards on countering the financing of terrorism.

With the entry into force of the Act, the Office for Money Laundering Prevention (OMLP) became competent for the detection and prevention of financing terrorism; this enables the OMLP to exchange information with its foreign counterparts, also in the case of suspicion that the criminal offence of terrorist financing has been committed.

With the adoption of the Act, Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing was transposed into Slovenian law.

The Act was amended in 2010, 2011 and in 2014; the amended Acts entered into force on 27 March 2010, 18 October 2011 and 1 April 2014 respectively.

Directive 2015/849/EU of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purpose of money laundering or terrorist financing was adopted in 2015. With the objective to bring domestic legislation in line with the EU AML Directive and the new FATF (Financial Action Task Force) standards the new Act on the Prevention of Money Laundering and Terrorist Financing (APMLFT-1) came into force on 19 November 2016, minor amendments to the Act have been adopted on 19 December 2019 and entered into force on 11 January 2020. Based on its provisions several implementing rules, regulations and guidance have been adopted. Most important solutions introduced by the adoption of the new APMLFT-1 are “Risk Based Approach” based on the National Risk Assessment (NRA) and the requirement for establishing “Register of Beneficial Ownership Information” which was established by the end of 2017. The national Register of Beneficial Owners for corporate and other legal entities and trusts generating tax consequences, which was set up on the basis of the provisions of the APMLTF-1 became operational on 19 January 2018. Until that date, corporate and other legal entities and trusts had to enter the information on their beneficial owners into the register via the web portal maintained and managed by the Agency of the Republic of Slovenia for Public Legal Records and Related Services. Directive (EU) 2018/843 of the European Parliament and of the Council of 30 May 2018 amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing and amending Directives 2009/138/EC and 2013/36/EU was implemented in the amendments of the Act on the Prevention of Money Laundering and Terrorist Financing (APMLFT-1B), that entered into force in July 2020.

In April 2022, the new Act on the Prevention of Money Laundering and Terrorist Financing (APMLFT-2) was adopted and entered into force. It introduced improvements in the field of prevention of money laundering and terrorist financing. The new APMLFT-2 also implements the Directive 2019/1153 of the European Parliament and of the Council of 20 June 2019 laying down rules facilitating the use of financial and other information for the prevention, detection, investigation or prosecution of certain criminal offences, and repealing Council Decision 2000/642/JHA.

In the context of the AML/CFT system, a comprehensive “National Risk Assessment” was conducted under methodology of the World Bank and finalized in 2015. The report on NRA was adopted by the Government of the Republic of Slovenia in October 2015 and its summary is published at the website of the OMLP. In October 2016 the Government adopted the NRA (national risk assessment) updated report and Action Plan. In 2019, the OMLP started the process of updating the NRA that was adopted in February 2021. The aim of the NRA is to identify, assess and understand the money laundering and terrorist financing risk for the country in order to establish potential weaknesses in the AML/CFT regime and to propose changes to laws and regulations and to introduce other measures. In the updated report greater emphasis was given to the assessment of the threat of terrorist financing, virtual currencies and non-profit organisations.

Regulation (EU) 2015/847 on information accompanying transfers of funds, which is closely linked to the Directive 2015/849/EU, is also applicable from 26 June 2017.

On 3 June 2021, the new Regulation (EU) 2018/1672 of the European parliament and of the Council of 23 October 2018 on controls on cash entering or leaving the Union came into force and repeals Regulation (EC) No 1889/2005 of the European Parliament and of the Council of 26 October 2005, on controls of cash entering or leaving the Community which complements the directive 2015/849/EU of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing. A control system for passengers entering or leaving the EU carrying cash in amount of 10.000 EUR or more is set. Financial Administration of the Republic of Slovenia (FURS) is empowered to control cash movements in passenger’s traffic and traffic of goods and postal shipments. All data obtained via cash declarations and of non-declared cash are reported to the Office for Money Laundering Prevention for further examination and investigation. The APMLFT-2 introduced also some changes deriving from the Regulation (EU) 2018/1672 of the European Parliament and of the Council of 23 October 2018 on controls on cash entering or leaving the Union and repealing Regulation (EC) No 1889/2005, namely new definition of cash, collection and exchange of information from this regulation between financial intelligence units. In order to fully integrate the Regulation (EU) 2018/1672 into national law APMLTF-2 was amended by APMLTF-2A that entered in to force 22 November 2022.

Control of cross-border cash transfers between the Republic of Slovenia and other EU member states was implemented in the amendments of the APMLTF-2A that entered into force in November 2022. At the request of the competent authority (FURS, Police), when crossing the border of the Republic of Slovenia with other member states of the Union, the cash transferor shall notify the competent authority of the intention to transfer cash in the value of EUR 10.000 or more and make the cash available.

Council regulation (EC) No 116/2009 of 18 December 2008 on the export of cultural goods regulates exports of cultural goods outside the customs territory of the EU, which shall be subject to the presentation of an export licence. FURS controls exit of the goods. There is a serious problem of destroying and theft of cultural goods in Iraq, Syria and other war areas. Profits deriving from the trade of these cultural goods can finance terrorist activities. Consequently, Regulation (EU) 2019/880 of the European Parliament and of the Council of 17 April 2019 on the introduction and the import of cultural goods was published in the OJ of the EU L 151 on 7. 6. 2019 to stop illegal imports of cultural goods from risky areas to the EU. It will become fully applicable once the necessary electronic system becomes operational or at

the latest from 28 June 2025.

Several legislation changes are in the preparation regarding the EU TCO Regulation adopted on 6th June 2022.

Restrictive measures

Slovenia has no national lists of specific restrictive measures directed against certain persons or entities with a view to combating terrorism. The UN and EU lists are directly applicable.

Council Regulation No. 2580/2001 of 27 December 2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism (hereinafter: “the EU Regulation” adopted for the implementation of Resolution 1373(2001)) is directly applicable in Slovenia.

For the implementation of the EU Regulation and on the basis of the national Restrictive Measures Act, Slovenia adopted the Decree concerning restrictive measures for certain persons and entities with a view to combating terrorism, which stipulates that persons are obliged to inform the Ministry of Foreign and European Affairs of the Republic of Slovenia of any attempts to act contrary to the prohibitions laid down in the EU Regulation, as well as of any measures taken for the implementation of its provisions.

In line with at the international and EU level adopted policies, regarding the Russian aggression in Ukraine, Slovenia provides additional efforts for the purpose to prevent violation of adopted sanctions.

1.3

What are the roles and missions of military, paramilitary and security forces and the police in preventing and combating terrorism in your State?

According to the national legislation, the Slovenian Armed Forces (SAF) have no direct accountability and responsibility in preventing and combating terrorism.

Slovenia has no paramilitary forces.

Slovenia has no special law concerning terrorist acts. The Police Act clearly defines the roles and functions of the police. Article 3 of the Act, listing the duties of the police, also applies to the prevention and combating of terrorism. These responsibilities comprise the following:

- Protecting people’s lives, their personal safety and property;
- Preventing, detecting and investigating criminal offences and misdemeanours; detecting and arresting perpetrators of criminal offences and misdemeanours and other wanted persons and their transfer to the competent authorities, as well as collecting evidence and investigating circumstances important for the establishment of financial or other material benefit deriving from criminal offences and misdemeanours;
- Maintaining public order;
- Supervising and directing traffic on public roads and on unclassified roads currently in use for traffic;
- Protecting state borders and implementing border control;
- Implementing duties laid down in the legislation on aliens;

- Protecting particular individuals, bodies, buildings and districts; and
- Protecting particular work premises and the classified information of state bodies, unless otherwise stipulated by law.

Police officers conduct anti-terrorist searches of premises, buildings, facilities and areas in order to ensure the general safety of persons and property on particular premises, in buildings and facilities. They also carry out such duties in certain areas and in traffic in order to protect certain persons, buildings and classified information, or ensure safety at public gatherings and events. An anti-terrorist search as defined in the Police Act comprises an explosives search, a chemical-bacteriological-radiological search and a search for electronic surveillance devices.

1.4

Provide any additional relevant information on national efforts to prevent and combat terrorism, e.g. those pertaining to the financing of terrorism and border controls;

Travel document security; container and supply chain security; security of radioactive sources; use of the Internet and other information networks for terrorist purposes; legal co-operation, including extradition; safe havens and shelter for terrorists and terrorist organisations.

Institutional framework

In May 2017 the new Governmental inter-departmental Working Group for Counter-terrorism (MDS-PTR) replaced the former inter-departmental working group on transnational threats and its subgroup focusing on terrorist threats to Slovenia, that had been established within the National Security Council Secretariat in 2001. The transformation of subgroup on terrorist threats into the Governmental Inter-departmental Working Group for Counter-terrorism has been carried out with the aim to achieve more efficient and transparent work. Its tasks are preparation of opinions and proposals for coordinated activities of government agencies in the area of counter-terrorism, preparation of reports on and assessments of international terrorist threats to Slovenia and if necessary preparation of other documents in the area of terrorism and other forms of violent extremism, which lead to terrorism, for the National Security Council or its Secretariat. MDS-PTR applies five-grade model to assess the degree of terrorist threat to Slovenia which is defined on the basis of the region and danger of occurrence as well as the assessment of impact of terrorist activities in other regions on the security of Slovenia. The group is composed of representatives of the Slovene Intelligence and Security Agency (SOVA - *Slovenska obveščevalno varnostna agencija*) – the group’s coordinator, the Ministry of the Interior, the Police, the Ministry of Justice, the Ministry of Foreign and European Affairs, the Intelligence and Security Service of the Ministry of Defence, the General Staff of the Slovenian Armed Forces, the Office for Money Laundering Prevention, and the Financial Administration.

In December 2019, a new National Strategy on Preventing Terrorism and Violent Extremism has been adopted. The strategy, follows the four pillars of EU Counter Terrorism Strategy format, and is in particular focused on P/CVE aspect. The added value of the strategy is the fifth pillar, focusing on PCVE and providing a balance between general and crime prevention.

In January 2022, Action Plan on preventing terrorism and violent extremism has been endorsed. It is based on the National Strategy on Preventing Terrorism and Violent Extremism.

On 20 June 2019, the National Assembly adopted the Resolution on the national programme for the prevention and suppression of crime 2019–2023 (Official Gazette of the Republic of

Slovenia Nos. 43/19), which inter alia encompass endangerment of Republic of Slovenia due to radicalization, extreme violence and terrorism.

In 2004, the Government established the post of Counter-Terrorism Coordinator (CTC), which is currently held by the SOVA Director, who is also a member of the National Security Council. The SOVA is a government agency reporting directly to the Prime Minister.

In October 2019 (in accordance with the 2019 Ordinance on the National Security Council), the function of CTC was renamed in the National Coordinator for Terrorism and Violent Extremism Prevention.

The main task of the National Coordinator for Terrorism and Violent Extremism Prevention is to ensure the constant exchange of information, opinions, and views, and to coordinate the activities of the competent bodies in charge of countering terrorism at the national and international levels, and to represent Slovenia in relation to the EU CTC and other foreign CT coordinators or CT coordination bodies.

In line with endorsed National Strategy on Preventing Terrorism and Violent Extremism, a new National Coordinator for Radicalization Prevention has been established in October 2019. With its nomination, a special Working Group has been launched. The aim is to provide with sufficient coordination within the so-called whole-of-society cooperation.

National P/CVE Coordinator will work in close cooperation with the Network of national experts for preventing of radicalization, established in 2015, which combines more than 20 different stakeholders from national and local level. Such cooperation should reflect in providing sustainable horizontal and holistic approach in preventing radicalization, which leads to terrorism and violent extremism.

The Ministry of Foreign and European Affairs is responsible for the external aspects of the fight against terrorism and coordination of drafting the reports on fulfilling international commitments and participates in the relevant international forums.

In 2011, a special tripartite agreement was signed between the SOVA, the Police and the Intelligence and Security Service of the Ministry of Defence to enhance cooperation.

Within the Ministry of the Interior, the Director General of the Police is responsible for police activities. Criminal investigations fall within the competence of the Criminal Investigation Police Directorate, which includes an organised crime section. The latter comprises the Counter-Terrorism and Extreme Violence Division, which is responsible for investigating terrorism-related offences/activities, deals with risk analysis and contributes to threat assessments. Furthermore, it acts as the police contact point for the national counter-terrorism co-coordinator.

Within the State Prosecutor's Office, a special Supreme State Prosecutor is designated to coordinate and screen. He may appoint special prosecutors to deal with certain terrorism-related cases.

Within the Ministry of Finance, the Office for Money Laundering Prevention (Financial Intelligence Unit) is responsible for money laundering cases and countering terrorism

financing. The FURS (Customs and Tax Administrations merged into Financial Administration on 1 August 2014) is engaged within the framework of its competence.

FURS plays a central role in preventing illicit trafficking of customs goods. FURS is the supervisory body mainly in accordance with regulations introducing restrictive measures, trade with military item and equipment, dual use goods, paramilitary goods, explosives precursors etc. It also oversees cash transfers, which may be used to finance terrorist organisations. Within inter-departmental working groups, FURS closely collaborates with other supervisory bodies dealing with counter-terrorism, money laundering, drugs, dual-use goods and restrictive measures.

FURS examines goods and technologies specified under the laws and regulations referring to the above mentioned. Traffic in these goods and technology is only allowed on the basis of a required permit, issued by the responsible ministry. Accordingly, FURS checks for permits at export points and inspects goods at import points. It selects consignments subject to customs procedures on the basis of risk analyses, using information provided by other customs authorities and bodies competent for other areas of prohibitions and restrictions.

The Ministry of Defence is responsible for the activities of its Intelligence and Security Service.

The Administration of the Republic of Slovenia for Civil Protection and Disaster Relief – also part of the Ministry of Defence – is the competent national authority for disaster management. It is responsible for the organization, definition and implementation of administrative, technical and other professional duties relating to the system of protection against natural and other disasters. As far as terrorist attack protection is concerned, rescue and relief forces are responsible for first response and the protection and rescue of the population in accordance with the National Emergency Response Plan in the event of terrorist use of weapons or means of mass destruction and/or in the event of a terrorist attack with conventional means (adopted by the Government of the Republic of Slovenia on 14 February 2005, No. 214-00-167/2003-30).

Criminal Procedure Act

Slovenia has no special procedural legislation on terrorism; therefore, the general provisions of the Criminal Procedure Act (Official Gazette of the Republic of Slovenia Nos. 176/21 – official consolidated text, 96/22 – dec. CC and 2/23 – dec. CC) apply.

Mutual legal assistance (MLA)

Slovenia has ratified all relevant international instruments containing provisions on international legal assistance in criminal matters.

The basic constitutional principle, as laid down in Article 8 of the Constitution of the Republic of Slovenia, with regard to the precedence of ratified conventions over national law also applies to MLA in criminal matters. In addition, the Criminal Procedure Act clearly states that MLA is administered pursuant to the provisions of the Act unless provided otherwise under international agreements (the principle of subsidiary use of national legislation). This principle enables the direct application of treaties in case of differences in the regulation of a certain issue between the national legislation and a treaty. The Criminal Procedure Act is used in cases when a treaty cannot be applied directly (due to the nature of its provisions) or if there is no treaty in force between Slovenia and a third state.

Cooperation between EU member states

Mutual legal assistance and cooperation between domestic and foreign judicial authorities in the fight against terrorism and organised crime between EU member states is possible due to the existence and applicability of several EU legal instruments, which are based on the principle of mutual recognition (e.g. the Council Framework Decision on the European arrest warrant and the surrender procedures between the Member States; the Council Framework Decision on joint investigation teams; the Council Decision establishing EUROJUST with a view to reinforcing the fight against serious crime; Joint Action establishing the European Judicial Network; the Council Framework Decision applying the principle of mutual recognition to financial penalties; the Council and European Parliament Regulation on the mutual recognition of freezing orders and confiscation orders), or mutual legal assistance (the Schengen Convention, Convention on mutual legal assistance between the member states of the EU, etc.).

As most of the above instruments do not apply directly, they were implemented in the Act on Cooperation in Criminal Matters with the European Union Member States, which regulates surrender procedures, mutual legal assistance, the transfer of proceedings, the transfer of sentenced persons, cooperation with EUROJUST and EJM, as well as specific procedures for the execution of foreign decisions on freezing, seizure and confiscation.

Several aspects of the above instruments have streamlined and expedited procedures, and thus improved cooperation between the relevant authorities (principle of direct communication, documentation, surrender procedures replacing extradition procedures, etc.). In practice, the EU and Schengen conventions that apply directly (Article 8 of the Constitution of the Republic of Slovenia) enhance cooperation on the basis of other conventions adopted within the Council of Europe and the United Nations, as they facilitate direct and flexible cooperation.

For the purpose of effective P/CVE, at the national level a special coordination platform, National RAN platform has been developed. The platform is excellent environment to facilitate appropriate communication, coordination and partnership, not just among governmental, but in first place among public-private, research, academia, NGO, and others at the national level competent stakeholders.

On 9 December 2020, the Commission adopted a new EU Agenda on Counter-Terrorism (“CT Agenda”), suggesting a way forward in the fight against all forms of terrorism for the next 4 years. Slovenia is participating in creation of the Network of Counter-terrorism financial investigators. The Network’s tasks will be to bring about an exchange of expertise and best practices between investigators, to discuss challenges and obstacles faced by investigators relating to investigations and to establish cooperation/coordination between Member States and the Commission on questions relating to the implementation of Union programmes and policies in the field of counter-terrorism financial investigations.

Furthermore, the negotiations between the European parliament and the Council of the European Union on the Proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) 2018/1727 of the European Parliament and the Council and Council Decision 2005/671/JHA, as regards the digital information exchange in terrorism cases, are in the final stage. When adopted the Eurojust will be able to set up a database with the ability to crosscheck information on terrorism cases provided by the EU Member States. Furthermore, Member States will be obliged to provide relevant information on terrorism cases to Eurojust.

Cooperation with third states

The legal basis for cooperation with third states is provided by international treaties, adopted within the UN and the Council of Europe, such as the European Convention on Mutual Legal Assistance in Criminal Matters (Strasbourg, 20 April 1959) with two additional protocols; the European Convention on Extradition (Strasbourg, 13 December 1957) with four additional protocols; the Convention on the Transfer of Sentenced Persons (Strasbourg, 21 March 1983) with one additional protocol; the Schengen Convention; several bilateral treaties as well as national legislation – the Criminal Procedure Act regulating mutual cooperation in general (MLA, transfer of proceedings, transfer of execution of sentence, as well as extradition).

The provisions of the Criminal Procedure Act apply in accordance with the principle of subsidiarity (Article 514 of the Criminal Procedure Act stipulates that “international assistance in criminal matters shall be administered pursuant to the provisions of the present Act unless provided otherwise by international agreements”). Pursuant to the Criminal Procedure Act, requests for legal assistance in emergency cases, under the condition of reciprocity, may be submitted through the Ministry of the Interior (INTERPOL). In cases of criminal offences relating to money laundering, such petitions may be submitted through the competent authority for money laundering prevention. Requests for MLA are executed by courts and Prosecutor’s Offices in accordance with national legislation. If a request is made in a specific manner or under specific conditions, such a request is taken into account, unless the execution of such request is contrary to the public order or the constitutional rules of the Republic of Slovenia. The presence of foreign officials at the execution of the request may be permitted.

The execution of a foreign judgment is possible if provided for under a treaty, or on the basis of reciprocity. A national court may execute a judgment by pronouncing a sentence in accordance with national law (conversion of sentence).

Extradition

Articles 521–536 of the Criminal Procedure Act focus on extradition and envisage detailed solutions regarding the conditions for extradition and subsequent proceedings. Article 521 stipulates that, unless provided otherwise in a treaty, the extradition of accused and convicted persons is requested and carried out in accordance with the provisions of the Act. The latter is thus subsidiary to treaties.

The extradition procedure is conducted in two phases: first, the court decides whether the conditions for extradition are met, which is followed by a decision of the minister responsible for justice, who may reject the extradition of a foreign national if the latter has been granted international protection, in cases of a military or political criminal offence, or for other reasons defined in treaties and the Constitution of the Republic of Slovenia. The extradition of Slovenian nationals is not permitted (constitutional provision).

The provisions of the Criminal Procedure Act enable an accessory extradition, a simplified extradition procedure as well as extradition of a foreign national to the third state on the basis of the principle of reciprocity (non-treaty-based extradition).

Use of the Internet

Slovenia devotes an important part of counter-terrorism efforts to the abuse of the internet for the purpose of terrorism. To reduce the availability of terrorist material online, further actions are in progress in the light of implementation of EU Regulation on addressing the dissemination of terrorist content on line (2021/784). A national 24/7 platform for transmitting of removal orders, de-confliction actions, preserving on-line terrorism contents, other proactive activities, is under preparation. The regulation is applicable from 7th June 2022. The Regulation provides EU with a harmonized legal framework to effectively address the dissemination of terrorist content online.

In order to improve cooperation and coordination, a national contact point has been set up, led by the Ministry of Digital Transformation. To deal more effectively with the abuse of the internet for purposes of terrorism, the police has established the Standard operating procedure (SOP) protocol.

Safe haven

The Aliens Act (2018) stipulates that an alien may not be granted a residence permit if a suspicion exists that he/she might present a risk to public order and safety or to the international relations of Slovenia, or if there is a suspicion that the alien's residence in the country will be associated with the commission of terrorist or other violent acts, illegal intelligence activities, drug trafficking, or the commission of other similar criminal offences. The provision applies in all procedures relating to the issuance of temporary or permanent residence permits regardless of the reason for the application, including family reunification.

An alien who intends to stay in Slovenia for a period not exceeding 90 days within any 180-days period, and who intends to reside in Slovenia for a reason which does not require a residence permit, may be refused entry to Slovenia for reasons stipulated in the Schengen Borders Code.

Border control

As an EU member state, Slovenia controls its borders in accordance with the Schengen Borders Code. It contributes to the strengthening of the EU external borders by exchanging information and investigating suspected crimes of terrorism. The exchange of information is conducted via Europol and INTERPOL. Since 7 April 2017, every person and its travel documents, crossing external borders, should be systematically checked in all relevant databases to verify, that they are not considered as a threat to public policy, internal security, public health or international relations. This include also persons enjoying the right of free movement under Union law.

In order to conduct state border control, the police may, according to the State Border Control Act, adopt and implement other measures required to prevent risks that, in specific cases, constitute a direct threat to public safety and order, particularly to the life and health of people and property. Preventing and detecting cross-border crime is an important duty of the border police. Police officers may make identity checks at international traffic hubs and facilities relating to cross-border traffic if the security situation so requires. Furthermore, they may carry out personal, vehicle and goods checks.

For an efficient state border protection, the police may keep records of persons subject to border checks, records of persons subject to an identification procedure according to the State Border Control Act, and records of persons who are permitted to cross the state border at border crossing points and are listed by name.

In line with EU Counter Terrorism Action Plan on Afghanistan, adopted in November 2021, a special procedure on enhanced security checks on persons crossing of having crossed EU' external borders following developments in Afghanistan, has been implemented at all levels.

FURS implements the national legislation and the EU Customs Code and related legislation, controlling the movement of goods across the external borders of EU by applying risk management and selectivity systems to identify consignments that pose a threat to the community. Having no external land border, customs border controls are systematically performed at airports, ports and international post. Mobile x-rays, hand held equipment and Van to detect radioactive sources are used at the port of Koper. Specially trained and technically equipped mobile customs units daily control high-risk smuggling border points and inland traffic, thus preventing the import of potentially dangerous or illegal goods into Slovenia.

Financing of terrorism

The financing of terrorism is criminalised in Article 109 of the Criminal Code, which stipulates that whoever provides or collects money or property in order to finance partly or wholly the commission of the criminal offence of terrorism under Article 108, 110 and 111 of the Criminal Code will receive a prison sentence of one to ten years. Whoever commits such an offence will be subject to the same penalty, even if the money or property provided or collected was not used to commit the criminal offence specified above. If an offence is committed within a terrorist organisation or group for committing terrorist acts, the perpetrator will be subject to imprisonment for three to fifteen years. Money and property obtained through such acts shall be seized.

The Prevention of Money Laundering and Terrorist Financing Act specifies the measures, competent authorities and procedures for the detection and prevention of money laundering and terrorist financing. Terrorist financing comprises the direct or indirect provision or collection of funds or other property of legal or illegal origin, or the attempted provision or collection of such funds or other property, with the intent that they be used, or in the knowledge that they are to be used, in full or in part, by a terrorist or by a terrorist organisation.

See also 1.2.

Travel documents security

A police officer conducting a border check may, in accordance with the State Border Control Act, request the presentation of valid travel documents required to cross the state border for persons and objects; insert into travel documents any information concerning the circumstances relevant to the entry into, or departure from the country; carry out a personal check, a vehicle check or a check of the person's possessions; and detain a person for a reasonable period of time.

A personal check is a check consisting of the verification of travel documents by establishing the identity of a person intending to cross the state border and of other conditions for crossing

the border, and an arrest-warrant and technical checking of a person by taking fingerprints and palm prints, and by checking other physical identification features.

Container and supply chain security

The Port of Koper is an important entry/exit point in Slovenia. It is connected with Asia and other continents via major Mediterranean hub ports.

Regulation 648/2005 of the European Parliament and the Council set new standards for supply chain security by providing electronic data exchange, more effective risk management and selectivity, and by granting the status of Authorised Economic Operator (AEO) to reliable, proven and secure traders. FURS has issued several AEO authorisations for security and safety and is applying common risk management framework, common to all Member States.

Security of radioactive sources

The basic legal document on the safety and security of radioactive sources is the Ionising Radiation Protection and Nuclear Safety Act (“Nuclear Act”) and its subsidiary regulations. The security of radioactive sources is elaborated in the Rules on the use of radiation sources and on activities involving radiation (2018) – in particular for category 2 and 3 sources, being regularly used in Slovenia. Two regulatory bodies carries out inspections in this area: the Slovenian Nuclear Safety Administration (URSV) and the Slovenian Radiation Protection Administration.

The Code of Conduct on the Safety and Security of Radioactive Sources (IAEA/CODEOC/2004) is another important international document addressing radiation protection and security. The requirements of the Code were also transposed into Slovenian legislation. Slovenia has a well-established licensing system for radiation practices and the use of radioactive sources, including registries of radioactive sources.

Based upon the Nuclear Act, an inter-departmental commission has been set up to deal with threat assessment and other security-related issues regarding the physical protection of nuclear and radioactive material.

Radioactive sources have not been used in Slovenia for any terrorist activity or other malicious purposes. However, several ‘orphan sources’ have been discovered in shipments of scrap metal as well as a number of ‘historical sources’, e.g. Eu-152/154, Ra-226, Am-241, U- and Th-substances. Some cases have inferred possible routes and origins of the sources from abroad.

Back in 2010, the International Atomic Energy Agency’s mission (IPPAS – International Physical Protection Advisory Service) visited Slovenia. Several suggestions and recommendations were identified. In 2015, Slovenia also agreed with the Agency’s proposal to share internationally its good practices (including those considering security of radioactive sources), identified at the missions. Slovenia has been also contributed to and following the “events” from the Agency’s Incident and Trafficking Database (ITDB).

Slovenia has been following the CBRN (chemical-biological-radiological-nuclear issues) activities, which have been co-ordinated by the European Commission.

So far, Slovenia has endorsed three “Joint Statements” – namely INFCIRC/908 (on mitigating insider threats), INFCIRC/910 (on high-activity sources) and INFCIRC/918 (on countering nuclear smuggling). This can be seen as our platform to further demonstrate due commitments towards these subsets of nuclear security.

URSV has been co-ordinating two groups of national stakeholders (dealing with safe/secure transport and preventing illicit trafficking) which go along the endeavours to strengthen domestic nuclear security regime (and both safety and security culture as well).

Last but not least, the international security-related requirements for different modes are directly applied for transport of radioactive sources, i.e. security provisions for ‘high consequence dangerous goods’ (i.e. Class 7 – high consequence radioactive material) with regard to ADR and other modal agreements. For radioactive sources of category 1 and 2 (including in transit), security plans are mandatory. General threat assessment has been produced in the last couple of years and distributed accordingly

2.

STATIONING OF ARMED FORCES ON FOREIGN TERRITORY

2.1

Provide information on the stationing of armed forces of your State on the territory of other participating States in accordance with freely negotiated agreements, as well as in accordance with international law.

The Slovenian Armed Forces are not permanently stationed on the territory of any other state. In the process of international military cooperation, Slovenia contributes individuals and units to multinational formations in PSO operations (Chapter VI of the UN Charter), which carry out activities as part of the UN, EU and NATO forces. Appropriate international treaties govern the deployment of forces for such operations and missions.

The SAF may be temporarily stationed in other states, when engaged in exercises, trainings or deterrence and defence activities led by the UN, EU and NATO or upon bilateral invitation.

3. IMPLEMENTATION OF OTHER INTERNATIONAL COMMITMENTS RELATED TO THE CODE OF CONDUCT

3.1

Provide information on how your State ensures that commitments in the field of arms control, disarmament and confidence- and security-building as an element of indivisible security are implemented in good faith.

Arms control, disarmament, confidence- and security-building measures, along with their continued implementation, remain important elements of Euro-Atlantic stability, security, transparency, and predictability. Slovenia fully complies with the obligations arising from the 2011 Vienna Document, the Open Skies Treaty, the Code of Conduct on Politico-Military Aspects of Security, the Chemical Weapons Convention, the Convention on the Prohibition on Anti-Personnel Mines, and other relevant documents, including foreign inspectors monitoring compliance. The Slovenian Armed Forces also work together with the OSCE assistant inspectors on the Agreement on Sub-Regional Arms Control, the final document of the negotiations under Article 4, Annex 1B (Dayton Agreement). Slovenia actively participated in

the suspended consultations on strengthening and modernising the conventional arms control regime in Europe. Slovenia trains its personnel in cooperation with partner countries in this regard.

3.2

Provide information on how your State pursues arms control, disarmament and confidence- and security-building measures with a view to enhancing security and stability in the OSCE area.

Slovenia pursues all the arms control, disarmament, confidence and security-building activities in line with the OSCE policy. In 2021, the majority of activities were affected by COVID-19. Slovenia actively attended to VTC meetings organised by both OSCE and NATO. Slovenia did conduct inspections in Switzerland and Serbia and did not conduct any evaluations. Slovenia received one evaluation conducted by Russian Federation. Furthermore, Slovenia attended to the next contact events: Visit to airbase in Spain, airbases in Baltic States, airbase in Denmark and airbase in Finland. Slovenia did conduct inspection to Bosnia and Herzegovina according to Dayton Peace Agreement.

In 2021, Slovenia chaired the Commission of the Concluding Document of the Negotiations under Article V of Annex 1-B of the General Framework Agreement for Peace in Bosnia and Herzegovina.

SECTION II: INTRA-STATE ELEMENTS

1.

NATIONAL PLANNING AND DECISION-MAKING PROCESS

1.1

What is the national planning and decision-making process in determining/approving military posture and defence expenditures in your State?

a) Military posture

The National Assembly of the Republic of Slovenia represents the institutional political level of state leadership in all areas, including the security and defence system. The National Assembly is tasked with defining the legislative framework and the long-term basis of security and defence policy, and with overseeing the preparation and implementation of defence through competent parliamentary working bodies (Committee on Defence, Commission for the Supervision of Intelligence and Security Services). Based on the relevant legislation, the Ministry of Defence is organised as a permanent body responsible for the implementation of national defence policy. The Ministry is headed by the Minister of Defence and managed in accordance with the guidelines and decisions of the Government, which lays down political guidelines for the work of the Ministry and its constituent bodies, and supervises their work.

b) Defence expenditure

The defence budget of the Republic of Slovenia is a constituent part of the national budget. The Government and its bodies put forward the planning and budgeting proposals. The National Assembly then approves the budget and is responsible for the legislative approval of defence

expenditure. As an executive government body, the Ministry of Defence is tasked with the management and implementation of defence policy, the implementation of laws governing this area, and the acceptance and preparation of proposals related to political, legal, organisational and other measures for the organisation and execution of defence.

1.2

How does your State ensure that its military capabilities take into account the legitimate security concerns of other States, as well as the need to contribute to international security and stability?

The state's military capabilities take into account the legitimate security concerns of other states and the need to contribute to international security and stability through the implementation of UN, EU, NATO and OSCE decisions and guidelines, as well as by contributing its own uniformed personnel to the peacekeeping operations and missions led by mentioned international organisations.

2.

EXISTING STRUCTURES AND PROCESSES

2.1

What are the constitutionally established procedures for ensuring democratic political control of military, paramilitary and internal security forces, intelligence services and the police?

The defence policy is based on the fundamental national values enshrined in the Constitution and in the Resolution on the National Security Strategy, which are as follows:

- Independence, sovereignty, territorial integrity, and compliance with the Constitution;
- Parliamentary system, rule of law, multi-party system, security of property, technological development, economic stability, and an appropriate standard of living;
- Peace, security, stability, human rights, and fundamental freedoms;
- Determination of military capabilities on the basis of national democratic procedure;
- Reaffirming the commitment to pursue arms control and security-building measures.

The democratic control of the armed forces and the execution of the above by the military, intelligence services and the police are affected through parliamentary approval of government draft laws concerning the budgetary and legal prerequisites of these institutions.

Slovenia has no paramilitary forces.

2.2

How is the integrity of these procedures ensured, and which constitutionally established authorities/institutions are responsible for exercising these procedures?

The Constitution clearly defines the National Assembly's powers regarding oversight of the defence functions of the state. In accordance with the parliamentary political structure of the state, the management and organisation of the defence system involves both legislative and executive government bodies. Political control of the armed forces is exercised by three state institutions: the National Assembly, the President and the Government. With the provision of supervisory bodies, the National Assembly provides efficient oversight of the defence budget

and directs and supervises force development in peacetime, crisis and war. The National Assembly adopts decisions on the policy, development and other fundamental defence issues, approves the budget and national security programmes, develops guidelines, and issues political directives for the operations of the Ministry of Defence, and the Intelligence and Security Agency. Special working bodies have been established for this purpose: the Committee on Defence, the Commission for the Supervision of Intelligence and Security Services, and the Committee on Finance and Monetary Policy.

2.3

What are the roles and missions of military, paramilitary and security forces, and how does your State ensure that such forces act solely within the constitutional framework?

In accordance with the Constitution and the Defence Act, the Slovenian Armed Forces (SAF) carry out the military defence of Slovenia, participate in search and rescue operations in the event of natural and other disasters, support Police in protection of the state border when necessary and fulfil the commitments Slovenia has assumed within international organisations (UN, EU, NATO and OSCE). The National Assembly and the Government approve the participation of the SAF in these activities on a 'case-by-case' basis.

In 2015, Slovenian National Assembly adopted the amendments to the Defence Act in order to exceptionally and within the limited timeline support the Police efforts in wider protection of the national border. Slovenian Armed Forces in performing this task may carry out the following powers and tasks: Issuance of warnings, Referrals, Temporary restriction of individual movement and Crowd control.

Slovenia has no paramilitary forces.

3.

PROCEDURES RELATED TO DIFFERENT FORCES PERSONNEL

3.1

What kinds of procedures for recruiting and drafting personnel for service in your military, paramilitary and internal security forces does your State have?

Military service obligations are stipulated in the Constitution and in the following acts:

- Defence Act
- Service in the Slovenian Armed Forces Act
- Military Service Act
- Civil Servants Act
- Employment Relationships Act
- Personal Data Protection Act
- Classified Information Act
- Criminal Code of the Republic of Slovenia and other related documents
- Code on the Military Ethics of the Slovenian Armed Forces.

The Defence Act envisages military service only for professional units, voluntary military service and the reserve component. With abandoning the conscription system, the SAF's active component is composed of career members, while the reserve component includes citizens who have voluntarily signed a contract for service in the contract reserve. Their human rights include

the right of termination of military duty and the definition of status rights during military service.

The above areas are regulated by separate, precisely defined legal acts:

- Regulation on the Implementation of Conscription and Transfer to Post
- Military Record Guidelines
- Military Duty Regulations for Athletes
- Regulations for evaluating conscripts' physical condition for military duty
- Slovenian Armed Forces duty directives
- Other

Recruitment is executed by the General Staff Recruitment Department through a call for applications followed by military-medical examinations, physical performance tests, psychological tests and the basic military training for candidates. Equal opportunities for both genders are guaranteed in the Slovenian Armed Forces. Military service is limited from 18 to 45 years of age for soldiers. For Officers and Non-Commissioned Officers is no upper age limit until retirement according to national pension law.

Military personnel in the Slovenian Armed Forces are liable under the provisions of the Code on the Military Ethics of the Slovenian Armed Forces. Respect for the ethics guidelines and principles included in this document are among the conditions for military service in the Slovenian Armed Forces.

3.2

What kind of exemptions or alternatives to military service does your State have?

There is no compulsory military service in Slovenia.

3.3

What legal and administrative procedures protect the rights of all forces personnel and conscripts?

Legislation ensures that the personnel recruitment process for service in the SAF is in accordance with obligations concerning the respect for human rights and fundamental freedoms.

Article 46 of the Constitution stipulates the right to conscientious objection in cases defined by law, provided that such conduct does not limit the rights and freedoms of other people.

Article 123 of the Constitution stipulates the duty to participate in national defence. This obligation is compulsory for citizens within the limits and in the manner provided by law. Citizens who, owing to their religious, philosophical or humanitarian convictions, are not willing to perform military duties, must be given the opportunity to participate in national defence in some other manner. According to Article 124 of the Constitution, the National Assembly supervises the implementation of defence-related activities. In the provision of security, Slovenia proceeds principally from a policy of peace, and the ethic of peace and non-aggression. Article 153, paragraph 2, of the Constitution stipulates that all laws must be in conformity with the generally accepted principles of international law and with valid treaties ratified by the National Assembly.

The armed forces can submit complaints, applications, requests, petitions and objections. They can address complaints to the civilian Ombudsman and have the right to be members of a labour union, which provides legal aid, if required. A political initiative has been introduced to establish a military Ombudsman function in the near future.

In June 2007, the Slovenian National Assembly passed the Service in the Slovenian Armed Forces Act, which specifies the correct method of submitting complaints, applications, requests, petitions, and objections. It also provides for extraordinary promotions, additional pension insurance, health, psychological and social care, legal aid, religious and ecclesiastical care for military personnel, and care for former military personnel.

In July 2009, according to the provisions of the Service in the Service in the Slovenian Armed Forces Act, the Slovenian Government adopted the Code on Military Ethics of the Slovenian Armed Forces. The Code is important for the protection of human rights, and consists of ethical guidelines and principles for the military personnel of the Slovenian Armed Forces.

4.

IMPLEMENTATION OF OTHER POLITICAL NORMS, PRINCIPLES, DECISIONS AND INTERNATIONAL HUMANITARIAN LAW

4.1

How does your State ensure that International Humanitarian Law and the Laws of War are made widely available, e.g., through military training programmes and regulations?

The Slovenian Armed Forces (SAF) are obliged to respect the provisions of international humanitarian law in all their activities. As a basis, Article 4 (Compliance with the international law of armed conflict) of the Defence Act (Official Gazette of the Republic of Slovenia, No. 103/04 – Official Consolidated Text, 95/15 and 139/20) stipulates *“that all forms of military and civil defence shall be based on and implemented in accordance with the principles of the international Law of armed conflict or adopted international obligations.”* Article 43(8) of the Defence Act explicitly states that *“no one may issue or execute an order if it is clear that doing so would commit a criminal offence or violate the provisions of the international Law of armed conflict”*. Additionally, paragraphs five and six of Article 48a of the Defence Act (Military service abroad) stipulate that *“members of the Slovenian Armed Forces units performing military service outside the state shall be subordinate to their commanders, and shall perform their military service in accordance with the Rules of Service in the Slovenian Armed Forces, unless otherwise provided by a treaty or any other legal act on the basis of which military service is performed outside the state.”*

When SAF members perform duties abroad in bilateral or international exercises, peacekeeping operations and missions, or duties in international commands, according to the first paragraph of Article 25 (Restrictions on military service outside the country) of the SAF Service Act (Official Gazette of the Republic of Slovenia, No. 68/07, 58/08 and 121/21), they *“shall perform them in accordance with the Defence Act and regulations issued on the basis thereof, international treaties, the principles of international Law of War and humanitarian law, and in accordance with the rules in force in the Alliance and the rules in force in other international organisations within the framework of which the duties are performed”*.

Chapter VIII of the Rules on Service in the Slovenian Armed Forces (Official Gazette of the Republic of Slovenia, No. 84/09) sets out the "General Rules of Operation of the Slovenian

Armed Forces" and summarises in a concise manner the material of the Geneva Conventions, the Additional Protocols and the Hague Conventions.

When training SAF members on the content of international humanitarian law, we also use the standards adopted by NATO (NATO STANAG, which become national standards upon adoption). The two most relevant to the above-mentioned topics (in terms of training of troops and planning and conducting operations within the NATO Alliance, as well as the EU and OSCE) are:

- SVS STANAG 2449 ((Training in the Law of Armed Conflict) and
- SVS STANAG 2597 (Training in Rules of Engagement).

Training programmes and plans include the following:

- Legal provisions concerning military service: rights and duties during military service;
- Introduction to International Military Law – the status of a combatant and duties related to military discipline, the observance of international military regulations; following orders and courses of action which could lead to a violation of international military law; conventions prohibiting the use of certain weapons; prohibitions on attacks on civilian targets, specific protected facilities, prohibitions on the destruction of the environment; conventions on the protection of prisoners of war, civilians, the injured and medical patients.
- Training programmes and plans for the reserve component and its units comprise the following:
 - Rights, responsibilities and obligations of the units: general military duty and military service, the use of weapons, special rights during military service, conscientious objection;
 - Conduct of members of the reserve component in the event of an armed conflict: the status of a combatant and duties in terms of military discipline, following orders and courses of action which could lead to a violation of international military law; conventions prohibiting the use of certain weapons; prohibitions on attacks on civilian targets, specific protected facilities; prohibitions on the destruction of the environment; responsibilities of reserve component service members to victims of war, conventions on the protection of prisoners of war, civilians, the injured and medical patients.

These topics are covered by training programmes for soldiers and officers of the SAF following the prescribed curriculum for military – expert or HQ training programmes.

Directives on the planning, organisation and implementation of training stipulate that all SAF members must be acquainted with the obligations of the Republic of Slovenia contained in the 2011 Vienna Document, the Code of Conduct on the politico-military aspects of security, the Chemical Weapons Convention and the Convention on the Prohibition of Anti-Personnel Mines, and their duties regarding foreign inspectors monitoring compliance with these documents and other related documents.

These topics were included, by an approved directive, in the professional work plans of SAF units and commands.

The military education system of the Slovenian Armed Forces includes forty-five hours of introduction to the provisions of international military and humanitarian law and their implementation in the Officer Candidate School and seventeen hours in the Non-Commissioned Officers School. These topics are also covered in the Advanced Staff and General Staff course and in various workshops (Implementation of Humanitarian Law in SAF).

4.2

What has been done to ensure that armed forces personnel are aware of being individually accountable for their actions under national and international law?

Individual command responsibility for compliance with the law: regardless of rank, every member of the Slovenian Armed Forces has the personal responsibility to comply with the law. Commanders must ensure that the law is complied with by others and must take action in case of violations.

Superior orders: there is no justification for committing a war crime, even if an act is committed in compliance with a superior's order. A soldier who carries out an order which is illegal under the international law of armed conflict is guilty of a war crime, provided that he/she was aware of the circumstances that made the order unlawful, or could reasonably have been expected to be aware of them. If an order is plainly unlawful, a soldier is obliged to disregard it.

At the operational level, commanders make battle plans. For this purpose, they must assess, mentally or in writing, all factors relevant at the time, such as ground and enemy forces, logistics, open courses, etc. Having done this, they decide on the best course of action, thereby completing the plan. They then pass this plan to their subordinates, who issue orders. Lastly, they control the engagement. Throughout this process, commanders abide by the international law of armed conflict.

Implemented thorough the military education system and the military practice of the Slovenian Armed Forces, the provisions of the Code on the Military Ethics of the Slovenian Armed Forces ensure that military personnel are aware of being individually accountable for their actions under national and international law.

4.3

How does your State ensure that the armed forces are not used to limit the peaceful and lawful exercise of human and civil rights by persons as individuals or as representatives of groups, or to deprive them of national, religious, cultural, linguistic or ethnic identity?

Slovenia ensures that its armed forces are not used to limit the peaceful and lawful exercise of human and civil rights based on the provisions of the Constitution, the Resolution on the National Security Strategy, the Defence Act, the Service in the Slovenian Armed Forces Act, Military Doctrine, the provisions of service regulations, and the provisions of the Code on the Military Ethics of the Slovenian Armed Forces.

4.4

What has been done to provide for individual service member's exercise of his/her civil rights, and how does your State ensure that the country's armed forces are politically neutral?

In accordance with the Constitution, professional members of the defence forces and the police may not be members of political parties. According to the Police Act, the Director General of the Police issues a decision to rescind a police officer's right to exercise police powers if he/she discovers that such a police officer is a member of a political party.

The political neutrality of the SAF and the exercise by an individual service member of his/her civil rights are guaranteed by the provisions of the Constitution and the applicable legislation.

The Code on the Military Ethics of the Slovenian Armed Forces lays down ethical principles and guidelines for military personnel, ensuring their civil rights and the political neutrality of the Slovenian Armed Forces.

4.5

How does your State ensure that its defence policy and doctrine are consistent with international law?

The compliance of the defence policy and doctrine with international law has been ensured by the observance of international customary law, implementation of ratified international treaties and relevant incorporation of international law provisions into Slovenian legislation.

SECTION III: PUBLIC ACCESS AND CONTACT INFORMATION

1.

PUBLIC ACCESS

1.1

How is the public informed about the provisions of the Code of Conduct?

The Government strives to ensure the transparency of information on its armed forces and public access to such information. The transparency of information is ensured as follows:

Experts of the Ministry of Defence and other ministries regularly participate in public national and international events dealing with the implementation of the Code of Conduct provisions and exchange information on best practices. Occasionally, various representatives of the Ministry of Defence and the Slovenian Armed Forces participate in television and radio broadcasts on defence matters, and the Slovenian press reports on events in this area as well.

Slovenia drafts annual information documents on its defence planning, the AEMI and GEMI revisions, and other reports as required by the OSCE and the UN.

The transparency of defence expenditures is provided for by law.

The barracks of the Slovenian Armed Forces are open to the public on open-door days.

As part of the integrated public information concept, the Public Relations Department of the Ministry of Defence, the General Staff and units provide public relations and information service.

Information on the Slovenian Armed Forces may also be obtained from the Information Commissioner, whose competences are based on the Access to Public Information Act.

1.2

What additional information related to the Code of Conduct, e.g., replies to the Questionnaire on the Code of Conduct, is made publicly available in your State?

Information on the Slovenian Armed Forces may be obtained from various sources (Defence Ministry's website and Intranet, and the fortnightly *Slovenska vojska* magazine, the *Sodobni vojaški izzivi* bulletin and *Obramba* magazine).

1.3

How does your State ensure public access to information related to your State's armed forces?

Public access to information on the SAF has been ensured through the institute of civil-military relations and the Access to Public Information Act, providing for the principles and rules of public access to information relating to state administration, including the SAF.

2.

CONTACT INFORMATION

2.1

Provide information on the national point of contact for the implementation of the Code of Conduct.

The national point of contact is provided by the Ministry of Foreign and European Affairs.

Voluntary information regarding implementation of the UNSCR 1325

In November 2018, Slovenia adopted its second National Action Plan on the implementation of the UN Security Council Resolutions on Women, Peace and Security, for the period 2018-2020. The text was prepared by the Ministry of Foreign Affairs in cooperation with the Ministry of Defence, the Ministry of the Interior, the Ministry of Health, the Ministry of Justice and the Ministry of Labour, Family, Social Affairs and Equal Opportunities and was also consulted with civil society and other stakeholders (Red Cross).

The action plan is based on the findings of the review of the implementation of the first action plan (for the period 2010-2015, encompassing the implementation until December 2016) and took into account the emerging challenges and new trends in international community (such as terrorism and violent extremism, large movements of migrants and refugees, and humanitarian crisis; it also made reference to climate change).

The Second Action Plan consisted of five priority areas:

- (1) Realisation of women, peace and security agenda and integration of gender perspective in peace and security;
- (2) Women's meaningful participation;
- (3) Protection of women and girls and ending conflict-related sexual and gender-based violence in conflict;
- (4) Education and training and
- (5) Accountability.

Currently, preparation of the final implementation report to the Government is underway. The implementation assessment will inform the drafting process of the next National Action Plan, set to begin in 2023.

In 2019, Slovenia has established a Centre for Education and Training for Participation in Peacekeeping Operations and Missions that, among others, provides trainings on women, peace and security. This Centre provides at least one training on WPS Agenda per year. In 2022, such training course took place in March.

The general national policy on gender equality, which applies also to the Slovenian Armed Forces (SAF) employment conditions for personnel, was issued at the very beginning of the independent Republic of Slovenia (RS) in 1991. Even though Slovenia and the SAF has undergone through some establishment and development processes in the first years there were no lawfully forbidden areas for female personnel nor programs or branches excluding participation of women in the SAF. The same is valid today. Women are represented throughout the structure, from the tactical to the strategic levels of command, including decision-making positions both in Slovenia and abroad. The highest rank of Major General in the SAF is held by a woman since 2018 and in 2018 she was also the first woman among NATO's chief of defence appointed as Chief of the General staff of the SAF (CHOD).

Female members of the SAF have been deployed to international operations and missions since the deployment of the first Slovenian contingent in 1997. Integration of gender perspective is applied through different processes, such as education, pre-deployment training and operational planning, among others. From 2000 to 2022 the percentage of women in SAF structure has

ranged between 14 and 16,6 percent. The overall percentage of women in the SAF structure has gradually increased through the years. In the year 2020 there were 9,2 percent of women deployed in overall deployments, and within Nato-led operations and missions 9,7 percent.

The first document related directly to the implementation of the UNSCR 1325 in the SAF was the CHOD's Directive for the Implementation of UN Security Council Resolutions 1325 and 1820, which was issued by General staff of the SAF in 2009. The new Directive for the implementation of the Agenda 1325 on Women, Peace and Security and integration of gender perspective in the SAF was issued by the General staff of SAF in May 2020. The main focus and goal of the Directive is the meaningful role of SAF female personnel in decision-making processes, representation of both men and women in international operations and missions, increased awareness on gender perspective, prevention of sexual and gender based violence and education & training on UNSCR 1325 and gender perspective for all SAF members.

In SAF important achievements have been made with regard to systematic education on women, peace and security as well as training of their gender advisers since 2014; the latter, together with the establishment of a permanent position of a gender adviser in the General Staff of the Slovene Armed Forces in 2015, resulted in the forming of a network of gender advisers from the tactical to the operational and strategic level.

The first female minister of Defence in the Republic of Slovenia took over the office in 2008 and had led the ministry until 2012. The second female minister of Defence in the Republic of Slovenia took over the office in 2015 and had led the ministry until 2018.

Involvement of the SAF into cooperation between ministries at the national level encouraged the idea on merging the internal (national) concept with external (foreign) through the concept of gender perspective. The Resolution on the national programme for equal opportunities for women and men for the period 2015-2020 for the first time includes gender perspective in the light of implementation of the UNSCRs on WPS. With "enhancing integration of gender perspective into Slovenian development, peace and other foreign-policy initiatives", the resolution was followed by the Periodic Plans for the period of 2016 to 2018 and 2018 to 2019, where gender perspective and UNSCRs on WPS are included in the section on peacekeeping and peace-building with three main measures: the integration of gender perspective into conflict prevention and resolution policies, including pre-deployment training on gender perspective and UNSCRs on WPS; greater involvement of women in international operations and missions (IOM) and decision-making and intervention processes, including ensuring mixed gender teams on IOMs; and prevention of sexual and gender-based violence in conflict against women and girls, as well as their protection during and after armed conflict.

Police is promoting and implementing gender mainstreaming in order to ensure equal opportunities for women and men and to respect diversity, lifestyles and traditions. Therefore, already in 2009 the Consultative body for the integration of the principle of gender equality was established within the Ministry of the Interior and the Police. It conducted two meetings in 2022, which were at same time used to conduct training from this field, conducted by representatives of Ministry of Labour, Family, Social Affairs and Equal Opportunities. Members of the Consultative body participated at the round table Women in peacekeeping operations, Work at home – think on safety and health, Daddy in action and national conference on prevention of violence against woman.

The Police is fully aware of the importance of constant learning process on gender equality, which starts already in the Police Academy, where topics on integration of gender equality and equal opportunities are incorporated in basic and mandatory Curriculum for all students, together with topics on Ethics and Human Rights. In 2022, six specialised lessons on gender equality and equal opportunities were conducted and were attended by 150 students.

While the Police is conducting Pre-Deployment training for police officers that shall be deployed overseas to peacekeeping missions, gender equality is as well incorporated into the Curriculum. However, we go even further and our goal is that each PO shall participate in specialized training, exclusively on gender equality. Police was, is and will remain in role of championing specialised training gender equality and gender mainstreaming in PKO, which is conducted annually since 2020 by POTC¹.

In 2022, Police employed 26,96 % female employees with regards to employee status (uniformed police officers, non-uniformed police officer, employees without police officer status)². Slovenian Police had the first female who took over the position of the Deputy Director General of the Police in February 2009. She then became Director General of the Police in December 2018. She led the Police until February 2020. From 1 June 2022 to 14 December 2022, she served as Minister of the Interior in the 15th Slovenian government.

In 2022, Police had in total 12 police officers deployed overseas. Among them 10 police officers were deployed to EU CSDP Missions and 2 police officers deployed to UN Mission. Unfortunately, no female police officer deployed to any Mission. Slovenian Police also supports Agency FRONTEX activities with its police officers. In 2022, Police deployed 12 police officers – long-term deployments (no female police officers). Police had deployed one female police officer to Agency FRONTEX – short-term deployment.

Based on the bilateral protocol on joint patrols, in 2022 Slovenian Police has deployed 56 police officers, among them 3 female police officers (1,68 %) to the Republic of North Macedonia.

Slovenia promotes the advancement of WPS Agenda in its foreign policy activities – in international organisations and in supporting development and humanitarian projects on the ground.

Slovenia actively contributes to NATO WPS agenda. In 2022, Slovenia contributed 20.000,00 EUR to NATO Financial mechanism for WPS.

Slovenia is a member of the Women, Peace and Security National Focal Points Network, the informal Group of Friends of UN Security Council Resolution 1325 within NATO and of the EU informal Task Force for the implementation of this resolution. In 2019, Slovenia joined the Group of Friends of Women, Peace and Security in New York.

Slovenia endorsed the Political Declaration on Conflict-Related Sexual Violence and made national commitments³ to action at the Preventing Sexual Violence in Conflict Initiative Conference in London on 28-29 November 2022.

¹ Peace Operations Training Center;

² Source: Ministry of the Interior, Secretariat, Organization and Staff Office, MFERAC, acquired on 23 January, 2023.

³ www.gov.uk/government/publications/conflict-related-sexual-violence-political-declaration-at-the-2022-preventing-sexual-violence-in-conflict-initiative-conference/international-ministerial-conference-on-preventing-sexual-violence-in-conflict-initiative-2022-national-commitments

As a member of the International Justice Impact Group in Hague Slovenia expressed its support to the Hague Principles on Sexual Violence, prepared in order to enhance the understanding of what constitutes an act of sexual violence in conflict from the perspective of survivors of sexual violence.

In implementing its commitments to the Call to Action on Protection from Gender-Based Violence in Emergencies in 2022 Slovenia financially supported the International Committee of the Red Cross for Gender-Based Violence response in Nigeria and Afghanistan.

Democratic political control of private military and security companies

In the Republic of Slovenia, private security is regulated by Private security act 2011⁴. Inter alia, the law regulates the licensing of companies and individuals and defines supervision over the operation of these companies. The law does not allow licensing for work abroad in terms of military security companies (missions, crisis hotspots, etc.). Before a licence is granted, the Ministry of the Interior carries out security checks of persons (both owners and related persons in companies and security personnel). A security check can be done also afterwards if there is a suspicion of security reservations. Supervision over the operations of private security companies is also performed by the inspectorate of the ministry responsible for internal affairs (Internal Affairs Inspectorate) and the Police (they check the legality of any application of a security measure against an individual). Security personnel in Slovenia may be armed under the conditions that apply to the civilian market.

There are 145 private security companies in the Republic of Slovenia, which employ over 6000 security guards. Some of these companies perform tasks abroad under the conditions of the host country or in accordance with Regulation (EU) No 1214/2011 of the European Parliament and of the Council of 16 November 2011 on the professional cross-border transport of euro cash by road between euro-area Member States.

⁴ http://www.mnz.gov.si/fileadmin/mnz.gov.si/pageuploads/DPDVN/Zasebno_varovanje/Novi_ZZasV/Link_-_Private_Security_Act_-_2011_Slovenia.doc

Annex 1:

International instruments related to preventing and combating terrorism to which Slovenia is a party:

I UNITED NATIONS

1. Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents (New York, 14 December 1973)

Depositary: UN Secretary-General. Slovenia is a successor to the Convention.

2. International Convention against the Taking of Hostages (New York, 17 December 1979)

Depositary: UN Secretary-General. Slovenia is a successor to the Convention.

3. International Convention for the Suppression of Terrorist Bombings (New York, 15 December 1997)

Depositary: UN Secretary-General. Slovenia signed the Convention on 30 October 1998. Ratified on 25 September 2003; applicable as of 25 October 2003.

4. International Convention for the Suppression of the Financing of Terrorism (New York, 9 December 1999)

Depositary: UN Secretary-General. Slovenia signed the Convention on 10 November 2001. Ratified on 23 September 2004; applicable as of 23 October 2004.

5. International Convention for the Suppression of Acts of Nuclear Terrorism (New York, 13 April 2005)

Depositary: UN Secretary-General. Slovenia signed the Convention on 14 September 2005. Ratified on 17 December 2009; applicable as of 16 January 2010.

II INTERNATIONAL CIVIL AVIATION ORGANIZATION (ICAO)

6. Convention on Offences and Certain Other Acts Committed on Board Aircraft (Tokyo, 14 September 1963)

Depositary: ICAO Secretary General. Slovenia is a successor to the Convention.

7. Convention for the Suppression of Unlawful Seizure of Aircraft (the Hague, 16 December 1970)

Depositaries: Russian Federation, United Kingdom and USA. Slovenia is a successor to the Convention.

8. Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (Montreal, 23 September 1971)

Depositaries: Russian Federation, United Kingdom and USA. Slovenia is a successor to the Convention.

9. Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation supplementary to the Convention on the Suppression of Unlawful Acts against the Safety of Civil Aviation (Montreal, 24 February 1988)

Depositaries: ICAO Secretary General, United Kingdom and Russian Federation. Slovenia is a successor to the Protocol.

10. Convention on the Marking of Plastic Explosives for the Purpose of Detection (Montreal, 1 March 1991)

Depositary: ICAO Secretary General. Slovenia ratified the Convention on 5 June 2000; applicable as of 4 August 2000; accession.

III INTERNATIONAL ATOMIC ENERGY AGENCY (IAEA)

11. Convention on the Physical Protection of Nuclear Material (Vienna, 3 March 1980)

Depositary: IAEA Director General. Slovenia is a successor to the Convention.

12. Amendments to the Convention on the Physical Protection of Nuclear Material (Vienna, 8 July 2005)

Depositary: IAEA Director General. Ratified on 1 September 2009.

IV INTERNATIONAL MARITIME ORGANIZATION (IMO)

13. Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (Rome, 10 March 1988)

Depositary: IMO Secretary-General. Slovenia ratified the Convention on 18 July 2003; applicable as of 16 October 2003; accession.

14. Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (Rome, 10 March 1988)

Depositary: IMO Secretary-General. The Protocol was ratified on 18 July 2003 and has been applicable as of 16 October 2003; accession.

V COUNCIL OF EUROPE (CoE)

1. European Convention on the Suppression of Terrorism (Strasbourg, 27 January 1977)

Depositary: CoE Secretary General. Slovenia signed the Convention on 28 March 2000 and ratified it on 29 November 2000; applicable as of 1 March 2001.

2. European Convention on the Transfer of Proceedings in Criminal Matters (Strasbourg, 15 May 1972)

Depositary: CoE Secretary General. Slovenia signed the Convention on 24 June 2002.

3. Convention on Cybercrime (Budapest, 23 November 2001)

Depositary: CoE Secretary General. Slovenia signed the Convention on 24 July 2002 and ratified it on 8 September 2004; applicable as of 1 January 2005.

4. Additional Protocol to the Convention on Cybercrime concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems (Strasbourg, 28 January 2003)

Slovenia signed the Additional Protocol on 26 February 2004 and ratified it on 8 September 2004; applicable as of 1 March 2006.

5. Protocol amending the European Convention on the Suppression of Terrorism (Strasbourg, 15 May 2003)

Slovenia signed the Protocol on 15 July 2003 and ratified it on 11 May 2004.

6. Council of Europe Convention on the Prevention of Terrorism (Warsaw, 16 May 2005)

Slovenia signed the Convention on 19 May 2006 and ratified it on 18 December 2009; applicable as of 1 April 2010.

7. Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism (Riga, 22 October 2015)

Slovenia signed the Protocol on 22 October 2015, ratification in process.

8. Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (Warsaw, 16 May 2005)

Slovenia signed the Convention on 28 March 2007 and ratified it on 26 April 2010; applicable as of 1 August 2010.

VI OTHER AGREEMENTS

To date, Slovenia has concluded 48 multilateral and bilateral intergovernmental and inter-police agreements on countering organised crime, including terrorism, and on cooperation on the prevention of money laundering and the financing of terrorism.