



Deradicalization and Integration Legal and Policy Framework

Slovenia/Country Report

WP4

November 2021

Gregor Bulc – Apis Institute



© Gregor Bulc

Reference: D.RAD: D4]

This research was conducted under the Horizon 2020 project 'De-Radicalisation in Europe and Beyond: Detect, Resolve, Re-integrate' (959198).

The sole responsibility of this publication lies with the author. The European Union is not responsible for any use that may be made of the information contained therein

Any enquiries regarding this publication should be sent to us at: gregor.bulc@zavodapis.si

This document is available for download at <https://dradproject.com/>

Table of Contents

<i>List of Abbreviations</i>	4
About the project	5
Executive Summary/Abstract.....	6
<i>1. Introduction</i>	7
<i>2. Political, Socio-Economic and Cultural Context</i>	8
<i>3. Constitutional organisation of the state and constitutional principles</i>	12
<i>4. Relevant legislative framework in the field of radicalisation</i>	15
<i>5. Relevant policy and institutional framework in the field of radicalisation</i>	23
<i>6. Case study</i>	26
<i>7. Conclusion</i>	26
<i>Appendices</i>	30
<i>References and Sources</i>	40

List of Abbreviations

CRS Constitution of the Republic of Slovenia

IPRS Information Commissioner of the Republic of Slovenia

KZ Criminal Code of the Republic of Slovenia

MDSPT Interdepartmental Working Group for Counterterrorism

MDSTG Interdepartmental Working Group on Combating Transnational Threats

OVS Intelligence and Security Service (of the Ministry of Defence)

RCC Roman-Catholic Church

RS Republic of Slovenia

SNV National Security Council

SDVS Council for Dialogue on Religious Freedom

SOVA Slovenian Intelligence and Security Agency

SOVKC Council for Open Issues with the Catholic Church

SRS Socialist Republic of Slovenia

UGDT Office of the State Prosecutor-General

URSIKS Administration of the Republic of Slovenia for the Execution of Criminal Sanctions

UOIM Government Office for the Support and Integration of Migrants

UVS Office for Religious Communities

VČP Human Rights Ombudsman (of the Republic of Slovenia)

VDT Supreme State Prosecutor's Office

VSRS Supreme Court of the Republic of Slovenia

ZNE Advocate of the Principle of Equality

About the Project

D.Rad is a comparative study of radicalisation and polarisation in Europe and beyond. It aims to identify the actors, networks, and wider social contexts driving radicalisation, particularly among young people in urban and peri-urban areas. D.Rad conceptualises this through the I-GAP spectrum (injustice-grievance-alienation-polarisation) with the goal of moving towards measurable evaluations of de-radicalisation programmes. Our intention is to identify the building blocks of radicalisation, which include a sense of being victimised; a sense of being thwarted or lacking agency in established legal and political structures; and coming under the influence of “us vs them” identity formulations.

D.Rad benefits from an exceptional breadth of backgrounds. The project spans national contexts including the UK, France, Italy, Germany, Poland, Hungary, Finland, Slovenia, Bosnia, Serbia, Kosovo, Israel, Iraq, Jordan, Turkey, Georgia, Austria, and several minority nationalisms. It bridges academic disciplines ranging from political science and cultural studies to social psychology and artificial intelligence. Dissemination methods include D.Rad labs, D.Rad hubs, policy papers, academic workshops, visual outputs, and digital galleries. As such, D.Rad establishes a rigorous foundation to test practical interventions geared to prevention, inclusion, and de-radicalisation.

With the possibility of capturing the trajectories of seventeen nations and several minority nations, the project will provide a unique evidence base for the comparative analysis of law and policy as nation states adapt to new security challenges. The process of mapping these varieties and their link to national contexts will be crucial in uncovering strengths and weaknesses in existing interventions. Furthermore, D.Rad accounts for the problem that processes of radicalisation often occur in circumstances that escape the control and scrutiny of traditional national frameworks of justice. The participation of AI professionals in modelling, analysing and devising solutions to online radicalisation will be central to the project’s aims.

Executive Summary/Abstract

This report focuses on the legal aspects of the phenomenon of radicalisation, de-radicalisation, and counter-radicalisation in Slovenia. The socio-political and cultural context of the country is presented, as well as its constitutional framework and key legislation on (de- and counter-) radicalisation and fundamental freedoms. The report emphasizes the fact that according to internationally established indicators, Slovenia is one of the safest countries in the world. Slovenian legislation rarely employs terms such as radicalization, de-radicalization, extremism, etc. Moreover, the report finds that Slovenia, unlike some other European countries, has not established preventive counter-radicalization programmes or curative de-radicalization schemes. The report features an analysis of Article 297 of the Criminal Code prohibiting incitement to hatred and discrimination based on personal circumstances, i. e. sanctioning what is known as hate speech. The report argues that hate speech is the best indicator of radicalisation in Slovenia where despite the absence of extreme violence and terrorist attacks, xenophobic, homophobic and Islamophobic speech is on the rise, as are anti-immigrant far-right groups. In conclusion, the report maintains that an amendment of Article 297 is needed, suggesting the possible short- and long-term strategies of counter-radicalisation of Slovenian society.

1. Introduction

This report¹ focuses on the legal aspects of the phenomenon of (de- and counter) radicalisation in one of the safest countries in the world,² Slovenia. The political, economic, and cultural context is presented first, followed by the constitutional, legislative and policy frameworks for regulating radicalisation. It focuses on the fundamental individual rights deriving from the constitution and on the most important laws that protect these rights, with an emphasis on criminal law. In the central part, the report highlights key state institutions that directly or indirectly deal with (de-)radicalisation and addresses the issue of preventive counter-radicalisation activities in organizations that are on the frontline of the fight against radicalisation.

The report also focuses on the long-lasting debate in Slovenia on the (in)effectiveness of Article 297 of the Criminal Code that regulates hate speech. The reason for addressing this specific article in detail is that hate speech is arguably the best indicator of radicalisation in the country where, on the one hand, there is the almost complete absence of extreme violence and terrorist attacks, but on the other hand, according to local scholars, incitement of hatred against minorities is rampant, and according to Europol's latest report, anti-immigrant and anti-Muslim far-right groups pose a considerable threat.

In methodological terms, the report is based on an analysis of legislation, a review of relevant literature and official statistics, as well as two standardized interviews with legal experts. One of them is an expert on various forms of discrimination and hate speech, currently employed by a state institution that monitors and issues regular recommendations for changes in legislation in the field of discrimination. The other is a professor of law at the University of Ljubljana and a political activist for the rights of LGBTIQ+ persons. The experiences of both interlocutors range from the non-governmental and activist sectors to government services and academic writing, which gives their inputs extra depth and weight.

Both interviewees agreed with our assessment that there have been no cases of violent extremism by left-wing groups in Slovenia so far and that there has been no case of extreme violence conducted by individuals who were radicalized based on religion. However, they agree that examples of public activity by right-wing extremist groups, as well as individual xenophobic, homophobic, and Islamophobic hate speech, are as striking as the absence of hate speech convictions. Accordingly, the report interrogates the arguments in favour and against the amendment of hate speech legislation, in particular Article 297 of the Criminal Code.

The structure of the report is as follows. The following chapter presents the political, cultural and media history of Slovenia along with its present situation in the light of

¹ The author would like to express sincere gratitude to Romana Zajec for her precise revision of and invaluable comments on previous drafts of this report.

² According to the Global Terrorism Database (GTD 2021), there have been no terrorist incidents in Slovenia in the last 20 years. The Global Terrorist Index for Slovenia has been zero from 2013 to 2020 (see GTI 2021) while the Global Peace Index (GPI 2021) ranks Slovenia as one of the top 10 most peaceful countries in the world between the years 2009 and 2021.

the issue of (de-)radicalisation. In the third chapter, we deal with the constitutional order of the country and the protection of human rights and fundamental freedoms in the Slovenian Constitution and legislation in detail. The fourth chapter deals with the legislative framework for the fight against terrorism and radicalisation, as well as presenting the powers of state institutions and bodies. Here, the report notices the different perspectives and interpretations of Article 297 of the Criminal Code, which seems to have difficulties defining the kind of speech that is allowed and prohibited in Slovenia. The fifth chapter focuses on the institutional framework of preventive action in cases of radicalised individuals and groups and draws attention to insufficiencies of implementation of counter-radicalisation procedures in practice. The sixth chapter notices the absence of counter- and de-radicalisation initiatives and programmes in Slovenia, while the concluding chapter argues for a three-part strategy of counter-radicalisation with an emphasis on short-term and long-term legislative solutions.

2. Political, socio-economic, and cultural context

Slovenia is an EU Member State encompassed by Western Europe and the Balkans with a population of 2 million. Its Human Development Index value for 2020 was 0.92, positioning it among the top 25 countries in the world. With a parliamentary democracy and a proportional electoral system, its governments are coalitions of small political parties, mostly of centrist-left and liberal leanings. Slovenia was part of the multi-ethnic Austro-Hungarian Empire until 1918 when it became part of the multi-ethnic Kingdom of Yugoslavia. After resisting and defeating the Axis forces during WWII, Yugoslav peoples adopted a milder form of socialist governance and a one-party system. In 1991, after a short 10-day war, Slovenia declared its independence from Yugoslavia and joined the EU and NATO in 2004. Furthermore, it joined the Schengen area in 2007, and the OECD in 2010. Apart from the short 10-day armed conflict with the Yugoslav People's Army in 1991, the country has been peaceful since the end of WWII. It boasts one of the lowest respective rates in homicide, major assault, rape and kidnapping in the EU (see Vuga Bernšak and Prezelj 2020: 67, footnote 2; Eurostat 2020). Never a coloniser nor violently colonised, Slovenia's population is relatively homogeneous both religiously (69% Roman-Catholics) and ethnically (83% Slovenian). Despite its social, cultural, and political connections with the Balkans, Slovenia managed to avoid ethnic and religious conflicts with other ex-Yugoslav nations in the 1990s.

The latest Census (2002b) lists 69.1% of the population of Slovenia as Catholic, 1.1% Evangelical, 0.6% Orthodox Christian and 0.6% Muslim. The tiny Muslim minority originates from Bosnia and Herzegovina and is regarded as moderate (Prezelj and Kocjančič 2020, p. 31). Both Slovenian Muslims and ethnic Slovenians consider themselves to be South Slavs; both have lived in the same country for at least 80 years, and both speak similar Slavic languages. Although Slovenia is dispatching its soldiers to NATO missions in the Middle East, it has traditionally never been in conflict with a Muslim-majority country, while Muslims from non-European countries have not been likely to settle in Slovenia (*ibid.*). There are around 3,000 Catholic churches in Slovenia with approximately 378 Catholics per

church. Hypothetically speaking, if the state was obliged to build places of worship for various religious groups (which it is not) and wanted to ensure the same ratio for Slovenia's Muslims (which it is not obliged to do), 125 religious objects would have to be made available to them (see Dragoš 2005, p. 299). However, they have had none up until 2019, when the first mosque in Slovenia gained all the necessary permissions to open.

According to the latest Census (2002a), 17 percent of the population are ethnic minorities, including 120,000 ex-Yugoslav minorities (39,000 Serbs, 36,000 Croats, 32,000 Bosniaks/Muslims, 6,000 Albanians, 4,000 Macedonians, 3,000 Montenegrins), 6,000 Hungarians, 3,000 Roma,³ and 2,000 Italians. In terms of immigration, Slovenia is a chosen destination for employment and family reunification reasons (Bajt 2019: 313). Most foreign work permits are issued to citizens of ex-Yugoslav states (Ministry of the Interior 2019). Asylum seekers have not been common at all, while granted asylum applications even less so. According to official government data (Statistični urad 2020), there have been periods of increased numbers of applicants in 2003-2005 and 2016-2019, but the country's demographic situation remained intact. In the year 2019, there were 680 persons in Slovenia with the internationally recognised protected status, plus 311 asylum-seekers and 97 persons who waited to file an application (Bajt 2019: 313) – altogether approximately 1,000 persons in a nation of two million. However, moral panic and xenophobia have been common public reactions to migrants, particularly during the 1990s Balkan wars, as well as during the years 2001, 2015 and 2016 (see Jalušič 2002; Bajt 2016). In 2015, Slovenia was one of the countries that created a humanitarian transit 'corridor' from Greece to Austria and opened its borders to migrants. Around 450,000 migrants entered and also exited Slovenia - on foot. However, the government's presumably humanitarian approach in the summer turned towards "crimmigration"⁴ in the winter (Bajt 2019: 305-306). This resulted in securitization, surveillance, and militarization of migration, including the construction of razor-wire fences along the Slovenian-Croatian border (ibid.: 311-312), where they remain to this day.

The rise of the Islamic State (ISIS) has arguably increased security concerns among political elites in Slovenia as the Balkan region has become considered a radicalisation threat. According to estimates, approximately 10 people from Slovenia, being recruited through Bosnia, have fought for ISIS (Prezelj and Kocjančič 2020, p. 34). Around 1,000 other persons from the Balkan region travelled to Syrian conflict areas between 2012 and 2016 (Azinović, 2017: 9; Prislan et al. 2018: 260). However, Azinović (2017) argues that the Balkans produced a smaller percentage of 'foreign fighters' than other European countries with significant Muslim minorities. Although Lobnikar et al. (2019) and Prislan et al. (2018, p. 260) warn of an expected return of a significant number of Balkan 'foreign fighters', Azinović (2017: 11) anticipates they will remain in the Middle East – elaborating that, unless another

³ Roma frequently do not report their nationality accurately to census takers, and Amnesty International estimated that the true number of Roma was 7,000 to 12,000 (US Dept. of State 2007).

⁴ Legal scholars like Juliet Stumpf (2006), who coined the term, and Katja Franko Aas (2011, 2019), who applied it to Europe, describe criminalization as regulative strategies conflating migration and crime. Severely reducing rights of migrants and increasingly defining them as criminals, crimmigration in practice means that immigration law gains several characteristics of criminal law.

uncontrolled wave of migrants along the 'Balkan route' obscures returnees, "their return to the region en masse seems rather far-fetched" (Azinović 2017: 11).

The Slovenian public sphere, in particular political and media spheres, functions within what could be termed a left wing-right wing divide. Rather than focusing on economic policies, the divide reflects attitudes towards tradition (conservative v liberal), living environment (rural v urban), religion (clerical v agnostic), nationality (ethnic nationalism v multiculturalism), the Second World War era (Home Guard collaborators⁵ v Tito's partisans) and socialist times (totalitarian communist dictatorship v socialist welfare state). Up until the 2008 elections, the political party system in Slovenia was considered very stable, as only one new party (or even none in 2004) per election managed to cross the parliamentary threshold while remaining under the 10% vote share (Malčič and Krašovec 2019: 116). After the 2008 elections, new political parties gained more influence and power and the whole system became much more volatile (ibid.: 122). Nevertheless, in terms of ideological orientation, the political system remained rather stable. Specifically, the nationalistic far-right Slovenian Democratic Party (SDP) and xenophobic far-right Slovenian National Party (SNP) are more or less a mainstay in the parliament; a radical left-wing party that would promote a violent revolution or a construction of a (one-party) socialist political system through undemocratic means has never existed, let alone been elected. Although the Levica party (founded in 2014 and meaning literally 'The Left') has been regularly portrayed as extreme left, it is obvious that neither their actions nor programme distinguish them from 20th-century social-democratic parties (Dragoš 2018: 108, footnote 1). Ironically, the party called Social Democrats, the actual successor party of the League of Communists and another mainstay in Slovenian politics, had long ago embraced the neoliberal agenda wholeheartedly (ibid.) and became a party of extreme centre (see Ali 2015).⁶ Ideologically, all other parliamentary parties in Slovenia in the last 20 years have belonged to the (extreme) centre, either as liberal (left-wing) neoliberals or conservative (right-wing) neoliberals.

The media also seem to be divided in this way. It is indicative that there are two national journalist associations - there is the "right-wing" Union of Slovene Journalists (Združenje novinarjev in publicistov, ZNP) and the "left-wing" Slovene

⁵ In Slovenia, the Home Guard (originally Domobranstvo or Domobranci) is a colloquial shorthand term for various local groups that collaborated with Fascist and Nazi occupying forces and fought against their compatriots who joined the resistance movement, known as the Partisans, during the Second World War. After the war, many members of the Home Guard were extrajudicially executed on orders from Communist authorities while many escaped to foreign countries. In a narrow sense, the Slovene Home Guard (SHG) was a specific anti-Partisan military group that pledged allegiance to Hitler. Established in 1943 after Italian armistice, it was trained by the Nazis in counter-guerrilla warfare and was very successful in fighting the resistance groups in the regions of Dolenjska and Notranjska. Politically, the SHG was connected to the Slovenian Roman-Catholic Church (RCC) and the right-wing political parties of the time.

⁶ In his eponymous book, Tariq Ali (2015) describes "extreme centre" as a consequence of the fall of the Berlin Wall, when not only communism as an idea but also the efficacy of practical socialist solutions in global North completely collapsed. The extreme centre is a description of a political system where even the least radical social democratic ideas are abandoned by the left-wing parties in Europe and the rest of the Western World. Under these conditions, social democratic parties, let alone socialist parties become redundant. After 1990s, in contemporary capitalist societies in the global north, political differences between the right and the left imploded and power became an end in itself, argues Ali, leading to symbiosis between power and money which reached extreme proportions.

Association of Journalists (Društvo novinarjev Slovenije), the latter having a larger membership base. Many political parties, their (former) members and staunch supporters are involved in media ownership, directly controlling media content (Ramet and Kuhar 2015: 18; Milosavljević and Biljak 2020: 7). With regards to radicalisation, it is important to note that agents affiliated with the far-right SDP party have become strategic owners of print media (Demokracija), television (Nova24TV) and several radio stations and online portals, all of which extensively use discourses of homophobia, xenophobia, racialisation, Islamophobia and othering, while their aggressive anti-communist rhetoric emphasises the alleged grip that corrupt informal power groups of socialist 'old boys' have over the country (see Grodeland 2007; Žerdin 2012; Novak and Fink-Hafner 2019: 9).

Janez Janša, the long-time president of SDP, three-time PM and former communist turned anti-communist, has arguably been Slovenia's most divisive and polarising politician. Janša's obsessive and toxic tweeting earned him the nicknames "Twitler" and "Marshall Twito" (see Vladislavljević 2021). Boasting more than 82,000 followers, his tweets are "often full of sarcasm and denunciations of political opponents and the mass media, along with expressions of racist, xenophobic, and sexist views" (Pajnik 2019, p. 23). Investigative journalists have discovered links between SDP, neo-Nazi groups, Identitarians⁷ and other right-wing extremist groups on several occasions (Delić 2011; 2015a; 2015b; RTV SLO 2014; Valenčič 2010; 2011; 2021). For instance, while the Identitarian Movement is classified as right-wing extremist in Germany and banned in France (Darmanin 2021), the movement's books are published in Slovenia by SDP-related publisher Nova Obzorja [New Horizons] (Kršinar 2020). Denying these connections as false, Janša and other SDP members have rather been presenting themselves as victims of "communist", "leftist-fascist", "leftist-jihadist", "extreme leftist" and "radical leftist" conspiracies.

Apart from the Left party, other liberal and left-leaning political parties are critical towards each other and rather disconnected from left-wing grassroots civil movements. Left-wing extremism in Slovenia exists in the rhetorical assessments of far-right parties, far-right media and far-right Twitter accounts rather than in reality. However, one has to note that in the time of the last two of Janez Janša's governing coalitions, there were incidents of offensive speech and intrusions into the privacy of politicians by left-wing protesters. They were nevertheless legal and within the framework of the right to assembly and the right to protest. On the other hand, there are strong indications that in the last few years violent far-right groups are on the rise in Slovenia. According to the most recent Europol (2020) Te-Sat report on radicalisation and terrorism, the main security threat in Slovenia is the "paramilitary groups pretexting the state's impotence to protect the population against the perceived threat from Islam and immigration" (ibid., p. 18). The only significantly visible and radicalised social group that analysts might detect in addition to the far-right groups is the vaccine scepticism movement, which has become increasingly vocal during the Covid-19 pandemic and some of its members even managed to forcefully enter the national public TV building in September 2021.

⁷ Identitarianism is a pan-European far-right political ideology and movement that asserts the right of Europeans to territories supposedly belonging exclusively to them. The movement initially originated in France under the names of the Identitarians (originally Les Identitaires) and Generation Identity (youth wing of the former). After 2000 it spread to other European countries (see McAdams 2021: 90-95).

3. The Constitutional organization of the State and constitutional principles

The League of Communists of Yugoslavia⁸ disintegrated in January 1990, rendering dysfunctional the key political mechanism that maintained the Yugoslav federation connected in a single state. In March 1990, as explained in the authoritative textbook on the Slovenian Constitution (Kocjančič et al. 2009: 72-84), the Parliament of the Socialist Republic of Slovenia (SRS) adopted an amendment to the Constitution of the SRS, which deleted the adjective “Socialist” from the name of the republic and completely redefined the basic principles of the said constitution. This resulted in significant changes to the constitutional order of the federal unit. In April of the same year, multi-party elections took place and were won by a coalition advocating the accelerated independence of the Republic of Slovenia (RS) from Yugoslavia. The desire of the majority of people residing in Slovenia for independence was confirmed by the plebiscite in December 1990. On the basis of the referendum, on 25 June 1991, the parliament adopted the basic constitutional charter on the independence of the RS. Thus, the constitution of Yugoslavia ceased to apply to Slovenia, which however was not approved by the federal government. In a brief 10-day military confrontation with the Federal Yugoslav People's Armada (YPA), Slovenia's defence of the new sovereignty was successful.⁹ On 23 December 1991, the new Constitution of the Republic of Slovenia (CRS) was adopted, which included the basic constitutional charter on the independence of the RS at the very beginning of the preamble. There was not much continuity between the previous and the new Constitution, as the new one removed restrictions on private property and other socialist interventions in economic relations and also ensured multi-party political competition. Slovenia thus became a parliamentary republic, significantly limiting the role of the president of the republic.

What many immediately notice in the CRS is the separation between ethnic Slovenes and Slovene citizens as CRS privileges the former over the latter. Namely, the Preamble to the Constitution states that “we Slovenes [not citizens or inhabitants of Slovenia] have established our national identity and asserted our statehood” (CRS 1991), while Article 5 assures that “Slovenes not holding Slovene citizenship may enjoy special rights and privileges in Slovenia” (ibid.). In practice, this means that anyone who is of Slovenian ethnic origin living wherever in the world is in a much more privileged position to acquire a Slovenian passport than anybody who is not ethnically Slovenian, for instance residents of Slovenia of non-Slovenian ethnic origins. Slovenia's citizenship has therefore been defined according to the principle of *ius sanguinis* (Zorn 2005, p. 136; Bajt 2010, p. 208). It is this principle of “Slovenianisation” of an ethnically diverse Slovenian society that has been

⁸ Established in 1919 and known until 1952 as the Communist Party of Yugoslavia, the League of Communists of Yugoslavia was the ruling party of Socialist Federative Republic of Yugoslavia.

⁹ According to a Slovenian governmental source (Svajncer 2001), the YPA had 44 casualties and 146 wounded, and the Slovenian side 19 casualties and 182 wounded. Also, 12 foreign citizens were killed.

predominantly used by politicians and media when addressing or discussing the community of Slovenian residents.

There are no sub-national entities defined in the CRS and self-determination is mentioned only in relation to the Slovenian people, i. e. the nation in ethnic terms rather than civic terms. Although it seems that the English translation of the word “narod” as “nation” does point to inclusivity of the concept of “narod” in the CRS, the word “narod” is much more exclusionary than the word “nation” suggests, emphasizing the ethnic origin of the group rather than allowing for its ethnic diversity.¹⁰ In CRS, ethnic minorities have no right to self-determination. However, some of them have other constitutional minority rights (see Articles 5, 11, 62a, 64, 65 and 80). The CRS privileges the indigenous or “autochthonous” (as it terms them) Italian and Hungarian minorities, guaranteeing them one respective MP each. No comparable special provisions are reserved for other minorities, which are arguably also autochthonous. Article 65 (and the special act ZRomS-1, 2007) provides specific provisions relating to the Roma community, which for instance guarantees one council representative in municipalities where Roma are considered “autochthonous”. Neither relevant minority rights nor minority political representation is granted to ex-Yugoslav or any other minorities, although these do enjoy all civil rights and liberties afforded to Slovenian citizens (see US Department of State 2007 and 2020). In terms of religion, the CRS (Article 7) is clear that while separated from the state all the religious communities “shall enjoy equal rights”, which is not necessarily the case on the day to day administrative and practical level. The state of Slovenia seems to privilege the Roman-Catholic Church (RCC) not only through the Agreement between the Republic of Slovenia and the Holy See (BHSPV 2004) as a peculiar legal document,¹¹ but also through the arguably systemic discrimination of minority religious groups since there seem to be legal loopholes that allow for the possibility of governmental discrimination between religions. For instance, the current government abolished the governmental Office for Religious Communities (UVS) and dissolved the governmental Council for Dialogue on Religious Freedom (SDVS), instead establishing the Council for Open Issues with the Catholic Church (SOVKC).

¹⁰ The predominant use of the word “narod” in Slovenian language, which translates in English to “people”, “nation” or similar, does not signify a civic nation, i.e., an ethnically, racially, and religiously diverse group of people living in a particular country. The word “narod” in Slovenian, as in other South Slavic languages, is rather a synonym of the word “ljudstvo”, which translates in English to “ethnicity”, “folk” or “people”. Similarly, the word “narodnost”, although translated in the CRS as “national origin” or “nationality”, predominantly signifies an ethnic origin rather than a civic origin or a citizenship. The Slovenian word for a state or a country is “država”, while citizens are termed “državljeni” and citizenship “državljanstvo”. A nation-state is predominantly referred to as “nacionalna država” rather than “narodna država”, the latter connoting an exclusive ethnic state for a single people. Hence, also in this (social) linguistic sense the Slovenian language privileges the ethnic rather than the civic meaning of the word “narod” (“nation”). The English translation of the word “narod” as merely a civic “nation”, like in the official translation of CRS, can therefore be rather misleading for those not familiar with nuances of the Slovenian language.

¹¹ There were constitutional scholars like Krivic (2001) who opposed the Agreement between Slovenia and the Holy See as unconstitutional. It took a Constitutional Court decision to confirm that it is not inconsistent with either the constitutional principle of sovereignty (Article 3 of the CRS) nor the separation between state and church (Article 7 of the CRS). Interestingly, there are other churches and religious groups that have signed bilateral agreements with the state of Slovenia. However, the key difference is that the RCC/Holy See has an international status of a state and the agreement with it is part of international law, while the agreements with the other churches are part of domestic legislation and regulations.

The fundamental rights of individuals are protected in various ways. Most importantly, the protection of fundamental rights is guaranteed in the CRS (Article 14 to 65). Slovenia has also ratified the European Convention on Human Rights (ECHR) and the Lisbon Treaty, which granted the Charter of Fundamental Rights of the EU (CFR) the legal value of an EU treaty. In terms of (de-)radicalisation, arguably the most important fundamental rights in the CRS are detailed in Article 14 (equality before the law), Article 39 (freedom of expression) and Article 63 (prohibition of incitement to discrimination, intolerance, violence, and war). Article 14 states that “everyone shall be guaranteed equal human rights and fundamental freedoms irrespective of national origin [“narodnost”, sic!], race, sex, language, religion, political, or other conviction, material standing, birth, education, social status, disability, or any other personal circumstance”. Article 39 guarantees “freedom of expression of thought, freedom of speech and public appearance, freedom of the press, and other forms of public communication and expression”.

Naturally, the freedom of expression is not absolute and is curtailed by Article 63 proclaiming unconstitutional “any incitement to national [“narodnega” sic!], racial, religious, or other discrimination, and the inflaming of national [“narodnega” sic!], racial, religious, or other hatred and intolerance [as well as] any incitement to violence and war”. The freedom of expression is further restricted in the Criminal Code of the Republic of Slovenia (KZ) by several provisions stipulating that certain types of expression are criminal offences, in particular, public incitement to hatred, violence or intolerance (Article 297) and criminal offences in the field of protection of honour and good name (insult under Article 158, defamation under Article 159 and insulting accusation under Article 160). Also, in the Protection of Public Order Act (ZJRM) freedom of expression is restricted in particular by Article 7 (indecent behaviour) according to which one shall be fined when due to their offensive speech the reputation of a person or a group is harmed.

Constitutional speech provisions and restrictions are important not least due to political elites’ and ethnic Slovenes’ attitude towards minorities since the inception of independent Slovenia. Proclaiming Slovenian identity as strictly ethno-nationalistic rather than multicultural, populist politicians in the late 1980s and early 1990s started demonising minorities. One of the first culminations of such attitudes was the government’s illegal “Erasure” in February 1992 of over 1% of the population. Approximately 25,000 inhabitants of Slovenia who were predominantly members of ex-Yugoslav and Roma minorities were stripped of all fundamental rights through the undisclosed and unlawful removal from the register of permanent residents (Dedić et al. 2003; Vezovnik 2013). For years, the state was hiding the magnitude and severity of the Erasure from the general public. Nevertheless, in 1999 and 2003 the Constitutional Court of the Republic of Slovenia (CCRS) ruled that the Erasure was illegal.¹² However, it took years for the state to start remedying the situation as right-wing politicians actively ignored the CCRS verdict, accusing the Erased of being disloyal to or even aggressive towards the project of independent Slovenia and hence should have moved “back home” “to the South”. In 2012, the European Court

¹² The Constitutional Court reached decisions in more than 15 cases connected to the Erasure, whether they were dealing with issues of the constitutionality of particular laws or individual appeals. However, the two decisions, U-I-284/94 from the year 1999 (CCRS 1999) and U-I-246/02 from 2003 (CCRS 2003), were the most relevant for the future of the Erased of Slovenia as they ruled the Erasure unlawful.

of Human Rights (ECtHR) declared in the Judgement in the Case of Kurić and others v. Slovenia, application no. 26828/06 that Slovenia was responsible for violating the human rights of the Erased (see ECtHR 2012).¹³ Notwithstanding the CCRS decisions and ECtHR judgements, the majority of the Erased have not been adequately compensated to this day and the comment sections of social media platforms are still full of hate speech targeting them. Hence, the issue of the Erased arguably remains the most important constitutional jurisprudence in the field of discrimination and human rights violation in Slovenia, the young country's original sin, as it were.

4. The relevant legislative framework in the field of radicalisation

In an interview for this report, Slovenian legal expert Neža Kogovšek-Šalamon (Bulc 2021a) maintains that compared to some Western countries, Slovenia did not adopt special counter-radicalisation legislation because, unlike for instance British, French and Belgian citizens, Slovenian citizens have not been radicalising or leaving *en masse* to fight in the Middle East and North Africa. Therefore, there seemed to be no need in practice for such specific legislation so far. Although there are no specific laws targeting radicalisation directly or addressing de- or counter-radicalisation issues, and even though "radicalisation" is not a term often used in the local legislation, extreme acts such as terrorism and violent extremism are regulated and sanctioned in Slovenian legislation. The punitive aspect of the law is therefore present, while the preventive seems to be lacking.

As a member of the EU, Slovenia acts in accordance with the EU Counter-Terrorism Strategy (EUCTS 2005), including the EU Strategy for Combating Radicalisation and Recruitment to Terrorism (EUSCRRT 2014), adopted in 2005, revised in 2008 and 2014; as well as the 2017/541 Directive of the European Parliament and Council of 15 March 2017 on combating terrorism (EUDCT 2017). In the same year, the Slovenian Interdepartmental Working Group for Counterterrorism (MDSPT), the successor of the Interdepartmental Working Group on Combating Transnational Threats (MDSTG), started its work on regular recommendations regarding risks and threats of terrorism and radicalisation in the country. In 2019, Slovenia adopted the National Strategy for Prevention of Terrorism and Violent Extremism (NSPTNE 2019) prepared by the MDSPT and the National Security Council (SNV). The text of the Strategy is not available to the general public, but according to the government's PR office at the time, Slovenia was one of the last EU member states to adopt a similar strategic document, which in the case of Slovenia targets the most vulnerable groups and aims to prevent radicalisation leading to violent extremism or terrorism, as well as improve emergency preparedness after a terrorist attack (M. Z. 2019). The Resolution on the National Security Strategy of the Republic of Slovenia (ReSNV 2019) also discusses radicalisation, terrorism, and violent extremism. Two other

¹³ ECtHR found a violation of Article 8 (right to privacy and family life); Article 13 (right to an effective remedy) and Article 14 (prohibition of discrimination) of the European Convention on Human Rights.

national resolutions are also discussing the issue of terrorism and violent extremism (not radicalisation, however). Namely, the Resolution on the national programme for the prevention and suppression of crime from 2012 (ReNPPZK 2012) and 2019 (ReNPPZK 2019).

Arguably, the particular Slovenian law that tackles the issue of terrorism the most is the Prevention of Money Laundering and Terrorist Financing Act (ZPPDFT 2016). Boasting over 300 mentions of the terms “terrorism” and “terrorist” in its 181 articles, the act regulates among many other activities, due diligence checks performed by banks, exchange offices and cryptocurrency exchanges in order to identify transactions related to terrorism (and money laundering).

The Criminal Code (KZ 2008) also sanctions terrorism. There are five criminal law provisions relating to terrorism, which were created on the basis of international obligations accepted by Slovenia in the past (Jakulin 2017: 10). The criminal law provisions are the following: terrorism (Article 108); travel abroad for the purpose of terrorism (Article 108a, which entered into force as late as June 2017); financing of terrorist activities (Article 109); incitement and public glorification of terrorist activities (Article 110); as well as recruitment and training for terrorist activities (Article 111). The Criminal Code (KZ) also prohibits the overthrow of the constitutional order. Namely, one is forbidden to organise, lead, or participate in an armed rebellion “with the intention of endangering the existence of the Republic of Slovenia, altering its constitutional order, or overthrowing its highest government bodies” (Article 355); and neither is one allowed to incite, financially sponsor, or help organise a violent change of the constitutional order of the republic (Article 359). Recently, for example, Štajerska Varda, a far-right paramilitary group led by Andrej Šiško (once also the leader of the far-right group Hervardi) started patrolling the border area for migrants, which led to Šiško being sentenced to 8 months in prison in 2018 based on Article 359 of the KZ.¹⁴

In terms of discrimination and human rights infringement, the KZ punishes violations of the right to equality “due to differences with respect to nationality [“narodnost”, sic!], race, skin colour, religion, ethnicity, gender, language, political or other beliefs, sexual orientation, financial situation, birth, genetic heritage, education, social position or any other circumstance” (Article 131). The KZ also contains an article that tackles hate speech (Article 297), even though one has to acknowledge the exact term “hate speech” is not used in the KZ nor the rest of the legislation at all.¹⁵ Despite Article 297 of the KZ, hate speech is rarely prosecuted in Slovenia, as the Prosecutor’s Office has traditionally chosen a path of maximum tolerance corresponding to the North American concept of freedom of speech rather than limiting extreme and hateful expression. To a certain degree, this is understandable as the public still remembers the infamous Article 133 of the Yugoslav Criminal Code, also known as the verbal delict, which was used to censor freedom of expression in socialist times (Bajt 2016: 58). However, when dealing with

¹⁴ Nevertheless, the Varda far-right group continued its “border controls”, visited the President of the Republic, loudly occupied a police station in a small town and obtained their own show on a local TV station. In 2020, parliament had to pass a revision of the State Border Control Act (ZNDM 2007) in order to prevent such groups from patrolling the border in the future.

¹⁵ Rather than employing the term “hate speech” (which in Slovenian would be termed “sovražni govor”), Article 297 of the KZ uses expressions such as “whoever publically incites or stirs up hatred, violence, intolerance”; “uses threats, verbal abuse or insults”; “publically disseminates ideas”, etc.

contemporary hate speech, many scholars (see Moti and Bajt 2016; Splichal 2017) believe that Slovenia should start prosecuting it more rigorously and in line with the ECtHR judgments. As hate speech in Slovenia is arguably one of the main indicators of radicalisation we will focus on this issue and Article 297 of the KZ in our analysis below.

There are other laws in Slovenia addressing (anti-)discrimination directly and indirectly. Primarily, there is the most important anti-discrimination law in the country, the Protection Against Discrimination Act (ZVarD 2016). Article 1 of ZVarD states the key goal of this law, which is the “protection of every individual against discrimination” irrespective of their “personal circumstances”. In the first paragraph it defines “personal circumstances” as gender, nationality [“narodnost” sic!], race or ethnic origin, language, religion or belief, disability, age, sexual orientation, gender identity and gender expression, social status, economic status, education or any other personal circumstance” (Article 1 par 1). Protecting individuals and groups against harassment and sexual harassment (Article 8), instructions to discriminate (Article 9), incitement to discrimination (Article 10), victimisation (Article 11) and severe forms of discrimination, such as multiple, mass, continuous and repeated discrimination (Article 12), the act also establishes the institution of the Advocate of the Principle of Equality as an autonomous state authority in the field of protection against discrimination (Article 1, par. 2).

There are also two very relevant media laws that are important to note. The Mass Media Act (ZMed 2001) in addition to protecting freedom of expression (Article 6) curbs this freedom with the prohibition of incitement to unequal treatment and intolerance (Article 8). Namely, it prohibits “dissemination of programmes that encourage national, racial, religious, sexual or any other unequal treatment, or violence and war, or incite national, racial, religious, sexual or any other form of hatred and intolerance”. The Audiovisual Media Services Act (ZAvMS 2011) similarly prohibits incitement to discrimination and hatred “on grounds of nationality, race, religion, sex or other” (Article 9); prohibits audiovisual commercial communications from including or promoting “any discrimination based on sex, racial or ethnic origin, nationality, religion or belief, disability, age or sexual orientation” (Article 20); and sets fines for dissemination of such communications (Article 43).¹⁶

Furthermore, there is the Freedom of Religion Act (ZVS 2008), demanding the laity of the state and equality of churches and other religious communities (Article 4) and also prohibiting discrimination on the basis of religious belief and incitement to religious hatred and intolerance (Article 3). The same act prohibits churches to operate (Article 12) or become officially registered (Article 18) if their activities are based on violent methods or incite national, racial, religious, or other inequalities, violence or war, or exacerbates national, racial, religious or other hatreds or intolerance or persecution.

¹⁶ Conveniently, however, the media laws do not regulate conflicts of interest between owners of media and politicians in power, a problem particularly burning on the municipal level where major political parties directly influence small local media outlets (Milosavljević 2016: 7; Milosavljević et al. 2017: 9; Milosavljević and Biljak 2020: 12). Often, local media are published by the municipality (and financed from the state budget), reflecting unscrupulously the interests of the local mayor or governing party (Milosavljević and Biljak 2020, p. 12; see also Kučič 2019a,b; 2021a,b). There are also no provisions in the media acts that protect journalistic autonomy in case of an ownership or editorial line change (Milosavljević et al. 2017: 8; Milosavljević and Biljak 2020: 11).

In addition to constitutional and legislative guarantees of equal treatment regardless of personal circumstances, the state of Slovenia established independent bodies that fight and report on discrimination in Slovenia. These include the Human Rights Ombudsman of Slovenia (VČP);¹⁷ Advocate of the Principle of Equality (ZNE);¹⁸ and Information Commissioner (IPRS).¹⁹ There had been other such bodies and it is significant in more than a symbolic sense that in 2012 Janez Janša's coalition government abolished the Governmental Equal Opportunities Office (UEM), which monitored discrimination against women, while in 2021 another Janša's coalition government terminated the Office for Religious Communities (UVS), which was the sole governmental institution dedicated to direct communication with the minority religious communities in Slovenia. Moreover, the current government led by the SDP party replaced the pluralistic governmental Council for Dialogue on Religious Freedom (SDVS) with the newly established Council for Open Issues with the Catholic Church (SOVKC). Apart from the Roman-Catholic Church (RCC), therefore, the religious communities in Slovenia no longer have an official state body through which they can have a dialogue with the state. RCC as a majority religious community, however, boasts a number of channels to the government, including the Agreement between the Republic of Slovenia and the Holy See (BHSPV 2004). The "equality of religions" as a constitutional principle was hence significantly curtailed this year, as was the equality of sexes almost a decade ago.

¹⁷ Article 159 of the Constitution of Republic of Slovenia prescribes that the institution of the Ombudsman for human rights and basic freedoms should be established. "The second paragraph allows the establishing of separate ombudsmen for individual fields, although to date the prevailing solution has been the establishing of only one ombudsman with a broad spectrum of responsibilities. (...) The Human Rights Ombudsman Law was passed in December 1993. The duties and competencies of the ombudsmen are based on the classical Scandinavian model. (...) By law, the Human Rights Ombudsman has above all the authority to obtain, from state and other bodies which he can monitor, all data without regard to the degree of confidentiality, to perform investigations and in this capacity to call witnesses for questioning. (...) One important competency of the ombudsman is the serving of the Constitutional Court, together with the plaintiffs, with constitutional complaints due to the violation of human rights. He can also address the Constitutional Court with proposals for the assessment of the constitutionality of regulations..." (VČP 2021)

¹⁸ In 2016 the National Assembly of the Republic of Slovenia adopted a Protection Against Discrimination Act (ZVaD 2016) which established the Advocate of the Principle of Equality (ZNE), "an independent and autonomous state body mandated to deal with discrimination" (ZNE 2019). In accordance with Article 21 of ZVaD, ZNE's tasks include "publishing independent reports and making recommendations to state authorities, local communities, holders of public authorisations, employers, business entities and other bodies regarding the established situation of people in certain personal circumstances, i.e. relating to preventing or eliminating discrimination; (...) providing independent assistance to persons subject to discrimination when enforcing their rights regarding protection against discrimination in the form of counselling and legal assistance for clients in other administrative and judicial proceedings related to discrimination; (...) proposing the adoption of special measures to improve the situation of people who are in a less favourable position due to certain personal circumstances (...). The competences of the Advocate of the Principle of Equality extend to both public and private sector." (ibid.)

¹⁹ Established in 2005, the Information Commissioner is an independent state body with competencies in the field of two fundamental human rights protected by the Constitution, the right to the protection of personal data and the right of access to public information. Appointed by the National Assembly, the Information Commissioner may operate as a minor offence authority, appeals body or inspection authority. For instance, it can decide on an appeal against a decision by which the authority has rejected or ruled against a request to access information of a public nature; it is responsible for supervising the implementation of the law governing access to information of a public nature and the regulations issued on the basis thereof; it performs supervision over the implementation of legislation and regulation governing the protection or processing of personal data or the export of personal data from the Republic of Slovenia, etc. (see IPRS 2020)

The police and intelligence service powers need also to be discussed here. Both the Slovene Intelligence and Security Agency Act (ZSOVA 1999), as well as the Police Tasks and Powers Act (ZNPPol 2011) deal with the terrorist threat, as one would imagine. However, the issue of state surveillance has arguably not become an important part of public debates yet, although the state of Slovenia seems eager to keep up with surveillance trends in the West.

On the one hand, one of the reasons for the absence of argumentative discussions might be the lack of political will to change surveillance legislation as it feels to certain agents that it does not need modifications. For instance, the ZSOVA law has not been updated in a long time. This, however, is not unusual according to Kogovšek-Šalamon (Bulc 2021a) as the Slovenian Intelligence Service (SOVA) already has significant powers, with which local politicians and the intelligence community seem to be satisfied. With regards to radicalisation, for example, it is significant that SOVA does not need a court order for cross-border surveillance of Slovenian citizens, although such an order is demanded for the surveillance of citizens within the borders of Slovenia. If a foreign security service collects data on Slovenian citizens, SOVA can obtain them without a court order, using a detour to obtain data for which a court order would be needed in Slovenia. When the state has so many legal possibilities to spy on its citizens, it is not in its particular interest to amend the existing laws (ibid.). On the other hand, there have been attempts by the state to amend the law regulating police powers, the Police Tasks and Powers Act (ZNPPol 2011). The latest government's suggestions include changes in the field of continuous video and audio surveillance of certain public areas; further extensions of biometric data processing in identification; direct electronic access to a wide and undefined set of records; expansion of the use of unmanned aerial vehicles, i.e. drones, for the collection of personal data for preventive and surveillance purposes etc. (IPRS 2021).

Most debates on this topic are led by the Information Commissioner (IPRS), whose role is to protect the personal data of residents of Slovenia, which are safeguarded by two laws in particular – the Public Information Access Act (ZDIJZ 2003) and Personal Data Protection Act (ZVOP 2004). IPRS issues assessments, opinions, and comments on individual legislative proposals and, if new legislative powers are too invasive, files a case before the Constitutional Court. The IPRS discourse, however, uses the legal language of personal data protection rather than the language of mass surveillance, not directly criticising police and intelligence powers for syphoning big data and surveilling residents. However, the latter is arguably very much implied in IPRS public interventions. Although the IPRS, as well as the non-parliamentary Pirate party which tackles surveillance head-on, seem to encourage a public debate on these issues on a daily basis, it has not taken off yet.

Unlike the discussion about instrumentalisation and politicisation of the police and security services, which is a regular topic on the news, Kogovšek-Šalamon (Bulc 2021a) contends that one of the key problems in Slovenia's young democratic system is exactly the weak autonomy of these institutions. Although not merely a legal issue, it needs to be emphasised that both police and intelligence services are subject to direct influence from political parties whenever a new government starts its mandate. Instead of professionalising these institutions, governments are keeping them dependent on particular interests of political parties currently in power,

including influencing their surveillance of and surveillance reports on extremist groups.

Analysis of the Article 297 of the Criminal Code

Although Slovenia is among the safest countries in the world, a particular type of radicalisation of its citizens has been arguably often overlooked as the Prosecutor's Office avoided prosecuting what is popularly called "hate speech". There are many scholars (see Moti and Bajt 2016; Splichal 2017) who argue that the legal system of Slovenia has a problem with regulating hate speech and argue for the amendment of the "hate speech legislation", in particular, Article 297 of the Criminal Code (KZ).²⁰

Kogovšek-Šalamon (Bulc 2021a) and Barbara Rajgelj (Bulc 2021b) both believe that the most important jurisprudence in the field of freedom of expression and anti-discrimination law in Slovenia is the September 2019 Supreme Court's (VSRS) judgement which significantly changed the established understanding of Article 297 of the KZ in the direction of easier prosecution of hate speech. From 2013, it was common practice for the prosecution to reject criminal complaints of hate speech as it had to prove that public incitement to hatred, intolerance or violence directly endangered public order and peace, which was very rarely the case with hate speech. As a result, the prosecution rarely filed criminal charges, and when it did they rarely led to a conviction.

²⁰ The full Article 297 of KZ - Public incitement to hatred, violence, or intolerance, reads as follows:

(1) Whoever publicly incites or stirs up hatred, violence, or intolerance with respect to nationality, race, religion, ethnicity, gender, skin colour, origin, financial situation, education, social position, political or other beliefs, disability, sexual orientation, or any other personal circumstance, and commits an act in a manner that can jeopardise or disturb public law and order, or uses threats, verbal abuse or insults shall be sentenced to imprisonment for up to two years.

(2) The same punishment shall be imposed on a person who, in the manner referred to in the preceding paragraph, publicly disseminates ideas on the supremacy of one race over another, or provides aid in any manner for racist activities or denies, diminishes the significance of, approves, justifies, derides, or advocates genocide, holocaust, crimes against humanity, war crimes, aggression, or other criminal offences against humanity, as they are defined in the legal order of the Republic of Slovenia.

(3) If an act referred to in the preceding paragraphs is committed by publication in the mass media or on websites, the editor or person acting as editor shall be imposed the punishment referred to in paragraph one or two of this Article, except if this involves the live broadcast of a show that he or she cannot prevent or publication on a website that enables users to publish content in real time or without prior review.

(4) If an act referred to in paragraph one or two of this Article is committed by coercion, ill-treatment, endangering security, desecration of ethnic, national community, national or religious symbols, damaging the movable property of another person, the desecration of monuments or memorial stones or graves, the perpetrator shall be sentenced to imprisonment for up to three years.

(5) If an act referred to in paragraph one or two of this Article is committed by an official through abuse of office or powers, he or she shall be sentenced to imprisonment for up to five years.

(6) Materials and objects bearing the messages referred to in paragraphs one and two of this Article, and all devices intended for their manufacture, multiplication, and distribution, shall be confiscated, or their use disabled in an appropriate manner.

In the reports from the Advocate of the Principle of Equality (see ZNE 2020: 55; ZNE 2021: 106-109) one can follow the statistics of prosecutions and convictions with regard to Article 297 between the years 2008 and 2020. On average, there were 31 criminal complaints received annually; the lowest number was 8 in the year 2009 and the highest was 83 in 2012. There were no convictions based on Article 297 in the years 2008, 2009, 2016, 2018, 2019, and never more than 4, except in the year 2013 when there were 9 convictions. There was an increase in the number of criminal charges from 2008 to 2012 when the number of criminal complaints was the highest as well. However, there was a significant drop in complaints and convictions after the year 2013.

In 2013, the Office of the State Prosecutor-General [UGDT] adopted a legal opinion, according to which “hate speech” is punishable in all forms of commission only if such conduct results in threats or disturbances of public order and peace, i.e. in an objective possibility as well as the likelihood of a breach of public order and peace. The interpretation, and thus the direction, clearly lead to a more restrictive law enforcement policy. The number of filed criminal complaints decreased significantly, as did the number of completed criminal proceedings, the number of decisions of convictions and punitive orders. (ZNE 2020: 55)

However, six years later things have changed significantly.

In 2019, at the request of the Office of the State Prosecutor-General [UGDT] for an appeal on a point of law, the Supreme Court [VSRS] issued Judgment no. I Ips 65803/2012,²¹ where a different position was taken on the interpretation of the conditions and methods of committing the stated criminal offence, namely, that in cases involving the use of threats, insults or affronts, the assessment of the condition of violation of public order is not necessary, nor is it essential in other cases that there be a concrete threat to public order and peace. (ZNE 2020: 55)

It is still too early to assess whether the new VSRS take on Article 297 of the KZ will bring about positive changes and whether hate speech complaints and convictions will increase in Slovenia. The implementation of the new understanding of Article 297 might run into fierce opposition, not least in the Supreme State Prosecutor’s Office (VDT) where there seem to be two entrenched camps. The first camp argues that prosecution should be the “ultima ratio”, i.e. the last resort that society should employ only in instances of serious crime. They believe that speech, even though publicly inciting hatred and discrimination, should be protected, provided it does not have direct harmful consequences in the physical world. Hence, this camp of prosecutors cannot recognise the majority of instances of hate speech as something problematic, let alone a crime.

The other camp, however, ground their argument on the ECtHR case law which clearly shows that hate speech is prosecutable also when it does not pose a concrete threat to public order and peace. The ECtHR has confirmed such cases of prosecution as appropriate because they are based on the second paragraph of Article 10 of the European Convention on Human Rights (ECHR), limiting freedom of

²¹ In February 2011, the accused posted a comment under a published article on a news web portal. The comment was directed against the Roma community, and it read: “A couple of sticks of Ammonal, a couple of M75 granades and a couple of AK-47s just in case, I don’t think it will go any other way. Or that one-by-one variant, that would also work, so they have some time to think about it. [Radio] Krka people, I ask for a musical wish – Korado / Brendi[’s tune] where have all the gypsies gone. Thank you.” The courts initially failed to convict the accused based on Article 297 of KZ.

expression, when speech, even though expressed by someone in the name of freedom of expression, encroaches on the rights and dignity of other people. The second camp in the VDT, therefore, maintains the existing legislation of the state of Slovenia in combination with the jurisprudence of the ECtHR allows for the prosecution of anyone who publicly incites hatred against religious, racial, sexual, and other minorities both online and offline.

There are discrimination experts who maintain that the two camps will not be able to reconcile and hence the government should go ahead and propose a change to Article 297 of the KZ in order to escape the paradoxical situations described graphically by philosopher Boris Vežjak who regularly monitors hate speech on his blog *In Media Res* and files criminal complaints on the basis of Article 297:

[T]he statements such as "Let's kill Jews", "Hang fags on willows", "Let's gas the refugees", "Put Roma in a concentration camp", "Let's castrate prosecutors" and "Slaughter judges" are (...) completely unprosecutable. Saying these and similar sentences in Slovenia is completely safe, not least for MPs and politicians of the highest rank. However, when someone would get ready to erect a concentration camp, clean their rifle or knife, set off and be followed by a (un)specified number of people (yes, the prosecutors managed to write this down in their interpretation of the Erlah²² case!), they would suddenly be prepared, what an absurdity, to regard such words as criminal within the said article. (Vežjak 2019)

According to Kogovšek-Šalamon (Bulc 2021a), there is indeed insufficient clarity in the legislation, reminding us that also the European Commission against Racism and Intolerance (ECRI) has been putting forward recommendations for Slovenia to adopt stricter legislative measures in the field of discrimination and hate speech. It reiterates time and again its "recommendation that the authorities introduce a criminal law provision expressly considering racist motivation as an aggravating circumstance for any offence" (see ECRI 2014: 13; ECRI 2019:13).

However, scholars like Vežjak want to go further, contending that (a significant number of prosecutors in) the Supreme State Prosecutor's Office (VDT) and the Office of the State Prosecutor-General (UGDT)²³ show reluctance to accept the 2019 VSRS judgement and continue to oppose it in practice, leaving acts of hate speech unpunished. Their stance is to amend Article 297 of the KZ immediately, and it is not simple to disagree with their practical arguments. It seems that the amendment of the second paragraph of Article 297 of the KZ, in the direction of limiting the condition of a violation of public order and peace, is nothing but necessary if hate speech is to be thoroughly prosecuted in Slovenia. It seems that only through direct modification of this exact piece of legislation case law will be able to flourish that informs future actions not only of the prosecutors and court judges but also the general public. We hence join the advocates for a clear change in legislation

²² According to Bajt (2018, p. 144) the following tweet from then-SDP member and journalist Sebastjan Erlah in August 2015 sparked the public debate on hate speech targeted at refugees: "I have an even more radical one [solution for the migrant situation]: To allow the border to be approached only at 500m. If any closer, shoot them all; God will know his own" (see Portal Plus 2015). There were condemnations of this statement from the left-leaning civil society groups (see for instance DAA 2015a; 2015b). Even the right-wing oriented Association of Journalists and Commentators said Erlah's Twitter comment had "crossed the line" (ZNP 2015) and stripped him of a journalism award. Yet no immediate legal action was taken. (Bajt, 2018, p. 144)

²³ Recently, a new Prosecutor General was appointed who does not seem to follow in the footsteps of his predecessor.

addressing hate speech, hoping that future jurisprudence based on consensual interpretation of Article 297 paves a way to the de-radicalisation of a hate speech-prone Slovenian society.

5. The relevant policy and institutional framework in the field of radicalisation

In this section, we will discuss the current state of radicalisation and counter-radicalisation policies in Slovenia, which some security scholars criticise for their preoccupation with punitive rather than preventive measures. Jakulin (2017: 10), for instance, contends it is not possible to give up the criminal law response to committed acts of terrorism as otherwise terrorist acts could possibly become a new norm rather than a deviation. However, criminal law, in his opinion, is by definition a measure employed when the damage is already done and hence inefficient. Moreover, the threatened criminal punishments have often no deterrent effect on people willing to use extreme violence for their cause. It is therefore preventive programmes that Jakulin (*ibid.*) proposes with strong emphasis not on repressive measures (surveillance etc.) but rather on humanist strategies of improving social and economic conditions in societies in order to reduce the chances of exacerbating social exclusion and polarisation.

In order to function in a preventive fashion, many actors dealing with (de-) and (counter-)radicalisation, not least the so-called frontline workers, need to be connected in a harmonised system. In Slovenia, there have been quite a few efforts for this to happen, coming from the police, academic institutions, various scholars and journalists, as well as awareness platforms etc. However, the state has neither put in place systemic preventive measures against radicalisation on the national level nor has it implemented any models for early detection of radicalisation among risk groups (Vuga-Bernšak and Prezelj 2020: 58). In general, there is a lack of necessary understanding among decision and policymakers that radicalisation is a multi-stakeholder rather than solely a security issue (see Prezelj et al. 2021). Although some scholars (see Vuga Bernšak and Prezelj 2020: 59) claim Slovenia is also missing the normative acts that would enable preventive measures related to the potential radicalisation of certain risk groups, others are more optimistic (see Prezelj et al. 2021) about the implementation of counter-radicalisation measures in existing laws and legislative documents.

There have also been obvious efforts by the Slovenian police and security scholars in recent years to follow the EU counter-radicalisation guidelines (EUCTS 2005; EUSCRRT 2014; EUDCT 2017) and come up with proactive initiatives in order to strengthen local and regional de-radicalisation measures (see Prpič et al. 2018; Prisljan et al. 2018). In terms of practical solutions, they are placing emphasis on the

deeper implementation of the Radicalisation Awareness Network (RAN) system locally. Bringing together security, grassroots, and frontline de- and counter-radicalisation practitioners from across Europe, the EU RAN programme was formed in 2011 to help individuals who have already been radicalised or are vulnerable to radicalisation (see RAN 2021). Slovenian scholars and experts have contributed to the European RAN's efforts and proposed a particular Slovenia-specific RAN system to the government on various occasions.

For instance, police practitioners and experts in the ex-Yugoslav region have collaborated on the First Line project from 2014 to 2020, discussing the possibility of establishing national RAN structures and raising awareness of radicalisation issues in the region (see Zajc and Černigoj 2018). This project also supported activities of the Western Balkans Counter-Terrorism Initiative (WBCTI), a network of police experts led by Slovenia and formalized in 2011 under the auspices of the so-called Brdo process. The aim of the WBCTI initiative is to improve the exchange of information, introduce EU standards and provide support to the operational work of the police in the field of radicalisation (ibid.). Moreover, a Slovenian RAN model called RADCEPRO has recently been developed by Prezelj et al. (2021). They were able to identify a number of relevant institutional and organisational partners for a local RAN system and defined the principles according to which the system should be designed.²⁴ One of the main goals was to show in which ways existing institutions could improve their capabilities of monitoring radicalisation. For each of these institutions, they reviewed the relevant legislation and potential regulation documents that enable them to monitor and respond to radicalisation. Let us look at the individual institutions as discussed in the research and the legal bases associated with them.

As is to be expected, the Slovenian police use pre-planned procedures and legal bases for monitoring and responding to the phenomenon of radicalisation (ibid.: 172-182). In the case of such a phenomenon, the police initially prepare a Risk Assessment (describing what risk radicalized persons pose; whether they can carry out the threat; whether they have access to violent means they can use, etc.), after which other measures follow if necessary. The legal bases for such work include the Police Tasks and Powers Act (ZNPPol 2013); Criminal Code (KZ 2012); Minor

²⁴ Part of what might be termed “semi-official policies” in the field of (de-)radicalisation are also subsidies for various research studies. For instance, the Ministry of the Interior currently supports research conducted by scholars from two Slovenian universities titled Radicalisation and Violent Extremism. As part of the research, respective special issues of journal *Šolsko Polje* (see Sardoč and Deželan 2018) and magazine *Časopis za Kritiko Znanosti* (Sardoč 2020) were published, emphasising critical epistemological approaches to these topics. Ljubljana's Mirovni Inštitut (Peace Institute), a left-wing scholarly think tank/NGO, is also active in providing studies of radicalisation from a human rights perspective. Working extensively in the field of hate speech monitoring, it has been addressing this issue publicly, including through dozens of research publications freely available online. From 2000 to 2007, the Peace Institute organized, for example, the Intolerance Monitoring Group, while between 2015 and 2017, it supported the Council for Response to Hate and Discriminatory Speech. Other hate speech and cyber bullying monitoring entities include platforms *Spletno-Oko.si* and *Odklikni.si*, as well as blogs *Vežjak.si* (In Media Res), *DanesJeNovDan.si*, and *Sovrašтво.si*. These platforms and blogs, some of which are entirely privately run, and others publicly supported, are reporting from arguably progressive left-wing perspectives, and rarely discussing cases of left-wing hate speech as the latter is practically non-existent in Slovenia (which is obviously obsessively disputed by SDP party politicians and SDP-related media claiming that “leftist fascists” are omnipresent and the “far-left” widespread).

Offences Act (ZP 2002); and Protection of Public Order and Peace Act (ZJRM 2006). These laws mention radicalisation implicitly through articles on the prohibition of incitement to intolerance (Article 20 in conjunction with Article 6 of the ZJRM and Article 297 of the KZ). The offences that may result from radicalisation and lead to extreme violence are listed in Chapters 14, 15 and 19 of the KZ. Also important for the (de-)radicalisation police work is the National Strategy for the Prevention of Terrorism and Violent Extremism (NSPTE 2019) and the Resolution on the National Security Strategy (ReSNV 2019) highlighting radicalisation as an important security issue. Within the police, the Department of Terrorism and Extreme Violence and the Criminal Police Directorate (the Sector for Organized Crime) deal with radicalisation most systematically. There is also a sub-department for “extreme violence” in the Criminal Police Directorate, which is responsible for monitoring and developing police capacities and skills in this field (Prezelj et al. 2021: 177). Finally, police academy students and field police officers have access to regular training called “Radicalisation leading to extreme violence”.

When Prezelj et al (ibid.: 182-186) examined the two Slovenian intelligence services, they found that the Slovenian Intelligence and Security Agency Act (ZSOVA 1999), which regulates SOVA, and the Defence Act (ZObr 1994), which regulates OVS, i.e. the Intelligence and Security Service of the Ministry of Defence, do not include the terms “radicalisation” and “extremism”. According to the law, SOVA operates abroad, but it also deals with threats in the Republic of Slovenia that are related to foreign countries. The phenomenon of radicalisation and extremism is not statistically monitored by SOVA and the institution possesses no demographic data on radicalised individuals. There exists a special sector in SOVA for the fight against terrorism. The pre-planned procedures it employs in the event of radicalisation are as follows: the processing of information and monitoring of persons and groups on the path to radicalisation; informing law enforcement authorities (police and prosecutors) of such persons and groups, and providing evidence for the conduct of criminal and administrative proceedings and measures against such persons. Any investigation conducted by SOVA requires a so-called “foreign element” by law, meaning at least one foreigner or some other foreign element must be involved for SOVA to be able to act. In the event of a potential threat to the constitutional order by the citizens of Slovenia, SOVA has no competence to act. In the field of radicalisation, SOVA is not able to cooperate with various local frontline institutions and organizations, except with the police, the prosecutor's office and the OVS.

OVS, however, does monitor the possible presence of radicalism among employees of the Slovenian Defence Forces and is able to cooperate with stakeholders operating in the Slovenian RAN network, even though it cooperates predominantly with the police and SOVA. The pre-arranged mechanism by which it prevents radicalized persons from entering the army or excludes such persons from the army is the security screening of individuals in accordance with legislation. In addition, OVS employs several staff for early detection of radicalisation, who are certified “train-the-trainers” coaches, transferring knowledge on radicalisation indicators to various target groups within the military, including officers, medical personnel, etc. However, the OVS has no legal basis for action in the event of military persons being, for example, active members of violent extremist groups, unless they commit a misdemeanour or criminal offence.

An important milestone in the treatment of juveniles in Slovenia is the age of 14 since this is when criminal liability begins to apply to them according to Article 145 of the Criminal Procedure Act (ZKP 1994). This fact to a certain degree influences behaviours, including potential radicalisation, of juveniles, as well as the attitude of teachers and other persons employed in the school system towards the students. The school system in Slovenia (Prezelj et al. 2021: 131-138) has so far not been provided with procedures dealing with radicalisation and radical behaviour, while procedures for dealing with violence among students are in place. The National Education Institute has prepared instructions on how to react in such cases. However, the use of these instructions is recommended rather than mandatory. Prezelj et al. (ibid.: 133) find that four documents could serve as a legal basis for monitoring radicalisation in the school system (Primary Education Act; Instructions on Perceiving Violence; Rules on School Order; and Criminal Procedure Act) even though currently none of them includes the concepts of radicalisation and extremism.

Social welfare institutions in Slovenia, such as the Ministry of Labour, Family and Social Affairs, Centres for social work and Employment services (ibid.: 139-152), have not put in place concrete guidelines and procedures for recognizing radicalisation. Also absent is an adequate legal basis for identifying, monitoring or taking action in the event of radicalisation. What stands out is the fact that even the Centres for social work, which traditionally have good insight into the situation in deprived families, have no legal foundation to, nor instructions on how to react in instances of radicalisation (ibid.: 152).

The main religious communities in Slovenia, including the largest – Roman Catholic Church (RCC) – and the two existing Muslim communities, do not possess respective rulebooks or procedures in the case of radicalisation of their members (ibid.: 154-162). Moreover, the religious communities have neither official nor internal legal bases to identify, monitor and act in the event of radicalisation. A partial exception is one of the Muslim communities, the Islamic Community in the Republic of Slovenia, which is subordinate to the Islamic Community of Bosnia and Herzegovina, where radicalisation is addressed by two internal documents – the Declaration on Radicalisation and the Statute of the Religious Community – which the Slovenian branch is bound to (ibid.: 158). The Office for Religious Communities (UVS) with the Ministry of Culture also never had a legal basis, or any official procedure for monitoring or responding to potential radicalisation. (Incidentally, the UVS was abolished by Janez Janša's government in 2021, leaving all the religious communities except the RKC with no official governmental interlocutor.)

In the field of health care, there are no systemic solutions for monitoring radicalisation, nor are there comprehensive procedures and legal bases for responding in the case of radicalized individuals (ibid.: 162-171). The five key laws that regulate the health sector do not mention radicalisation and extremism, although some do mention violence.

In the Slovenian prison system (and the probation system, established in 2018) potential radicalisation indicators are regularly monitored (ibid.: 186-194). However, experts interviewed by Prezelj's team paradoxically claim on the one hand that there has been no radicalisation and violent extremism in the Slovenian prison system yet, while on the other hand describe four individual cases of radicalisation (ibid.: 193). Systematic procedures in the event of radicalisation are not currently foreseen.

Techniques and methods of detecting radicalisation are narrowed down to observing the behaviour of prisoners and persons on probation. All prison guard leaders and commanders of judicial police officers are instructed to report occurrences of radicalisation to the highest instance in the prison system - the Administration of the Republic of Slovenia for the Execution of Criminal Sanctions (URSIKS). There are no protocols for dealing with radicalised persons or special de-radicalisation programs, nor is there a legal basis for action in the event of radicalisation. The Enforcement of Criminal Sanctions Act (ZIKS 2000) and the Probation Act (ZPro 2017) do not include the words “radicalisation” and “extremism”. However, the prison system does regularly cooperate not only with the police but also with other stakeholders in the Slovenian RAN network.

Prezelj et al. (2021: 195-200) also deal with the asylum system in Slovenia. The Foreigners Act (ZTuj 2011) and International Protection Act (ZMZ 2016), which regulate the issue of asylum in more detail, do not use the terms radicalisation or extremism. Employees in the asylum system interviewed for the researchers are unaware of any legal basis or constraint their institutions should acknowledge when dealing with radicalisation. They have clear instructions, however, to inform the police when noticing signs of radicalisation (change of behaviour, justification of violence, etc.). In addition to the police, they cooperate with the director of the Government Office for the Support and Integration of Migrants (UOIM), who is the national coordinator in the field of radicalisation.

Finally, Prezelj et al (2021: 200-205) find that football clubs do pay due attention to the issue of radicalisation, which, according to employees of football clubs, is rarely present among football supporters in Slovenia. Although they detect various forms of crime perpetrated by fans, including violent acts, these are not associated with radicalisation leading to extreme violence (ibid.: 205). The clubs cooperate with the police and follow the instructions of the Union of European Football Associations (UEFA) and FARE, the influential organisation fighting against discrimination and inequality in football.

In general, Prezelj and his team of researchers found out that there is significant room for improvement in cooperation between potential radicalisation frontline workers. The relevant legislative documents practically do not include the terms “radicalisation” and “extremism”, nor is there a central body responsible for recognizing, preventing and responding to radicalisation in Slovenia. In most cases, there are no pre-determined procedures for cooperation between various institutions operating on the frontline of potential radicalisation. In short, while the punitive aspect, i.e. the legal prosecution of crimes perpetrated by radicalised persons, is in place, the preventive measures, procedures, documents, and legislation are trailing behind.

6. Case Studies

Since the report employs standard methodology and structure, which allows for it to be comparable to reports from other countries, this section should have provided insight into examples of de- and counter-radicalisation programmes and initiatives in Slovenia. However, as it was corroborated by our research and confirmed by the two expert interviewees (Bulc 2021a, 2021b), such programmes and initiatives exist in Slovenia neither on local and regional level nor on the national level. There are efforts by security scholars like Prezelj et al. (2021) to promote the launch of de- and counter-radicalisation processes, manuals, and best-practice solutions in various frontline institutions, although these efforts have not been successful so far. The reasons for the absence of programmes and initiatives tackling radicalisation in Slovenia remain to be thoroughly analysed. However, one might suggest that this absence could be explained to a certain degree by (1) relative peacefulness of the country in general, as described above, (2) non-existence of terrorist violence for decades, including domestic or jihadi terrorism, and (3) broad tolerance of homophobic, xenophobic and Islamophobic hate speech by Slovenia's prosecutors and judiciary.

7. Conclusions

Even in peaceful countries like Slovenia radicalisation can certainly be observed, analysed and, naturally, regulated. The Slovenian legal system already offers many punitive ways of sanctioning acts arising from radicalisation. However, we have seen far fewer implemented programs that try to suppress radicalisation. To do this in the future, Slovenia has arguably three complementary strategies at its disposal, of which only the first two are short-term legislative solutions - (1) developing new relevant legislation that meets new radicalisation challenges; (2) strengthening the autonomy of democratic institutions; and (3) implementing programs for the elimination of social and cultural inequalities.

The European Commission is certainly one of the main engines driving the first strategy. Slovenia, an EU member state, has willingly introduced new legislation to combat terrorism and violent extremism over the last twenty years, which includes both punitive and preventive measures. In addition, Slovenian security experts are complementing these efforts with their own initiatives that dare to dream bigger. A local comprehensive RAN-like counter-radicalisation program has been proposed to the government on several occasions. The authors of the latest Slovenian counter-radicalisation study/book addressed it directly to politicians, claiming it is ready for implementation as it is a substantial compendium of "recommendations on how to build or upgrade the Slovenian system of identification and monitoring of radicalisation" (Prezelj et al. 2021: 254-255). It is therefore up to politicians to put it to practice. It seems however that this might take a while in Slovenia since the counter-radicalisation programmes are complex long-term projects that cannot be simply instrumentalised for particular political interests.

If one wants radicalisation prevention programs and legislation to work, we need to provide them with autonomy from daily politics. This might succeed in Slovenia

provided we start autonomising the institutions implementing counter-radicalisation programs first. However, in the current political climate, this feels like an extremely difficult task, due to the overwhelming difficulties posed by the problem of political polarization. The Slovenian political public has been divided into two poles many times in history – in older days one finds divisions between peasants and burghers, conservatives and liberals, communists and anti-communists, anti-fascist partisans and anti-communist home guard, while today we see the polarization between the left-wing and right-wing camps. The media are also divided along these lines (although it needs to be emphasized that it is the right-wing media that resort to xenophobic, homophobic, Islamophobic and other types of discriminatory discourse). Add to this an absence of long-lasting, stable, and autonomous democratic institutions and their instrumentalisation for particular political goals rather than the common good, and the relative neglect and underestimation of the phenomenon of radicalisation in politics, media, social networks and in the streets is not that surprising.

Kogovšek-Šalamon (Bulc 2021a) maintains that violent extremist crimes might occur in Slovenia precisely due to the instability of state institutions rather than deficient legislation in the field of radicalisation. State institutions in a polarised society are constantly burdened with artificially created scandals, as well as political tasks of discrediting political opponents left and right. Since the police, SOVA and other important institutions are constantly exposed to personnel changes along party lines and other political pressures, their key missions, work ethics and professional reputation suffer. Slovenia cannot establish democratic traditions and stable state institutions overnight. However, a step in the right direction, Kogovšek-Šalamon (ibid.) contends, is to start inserting safeguards into the legislation that could enable Slovenian institutions to survive various party personnel tsunamis. In order to achieve this, it is necessary to reform the related procedures for the appointment of heads, deputy heads and other important personnel, while ensuring stable and independent funding of institutions, rendering them independent from all and every government. This indirect legal strategy of de-radicalisation might prove to be much more successful in Slovenia than the mere adoption of straight de- and counter-radicalisation laws.

The third strategy for counter-radicalisation prevention - the sustainable prevention of extreme social, economic and cultural divisions - is long-term and includes the operation of various social actors, including governmental and non-governmental entities. The implementation of programs and initiatives for the elimination of social and cultural inequalities is not possible without the broadest societal consensus. Although difficult to establish in the Slovenian political climate, it is a consensus worth striving for. However, one must remain realistic – in order to reach this third strategic level, Slovenia needs to ascend to the primary and secondary level, i.e. adopt the appropriate legislation and strengthen the autonomy of the institutions. Only then can Slovenia tackle the entrenched habits, values, and collective fears that lead to hatred, alienation, polarization, and ultimately extremism.

Appendices

ANNEX I: OVERVIEW OF THE LEGAL FRAMEWORK ON RADICALISATION & DE-RADICALISATION

Legislation title (original and English) and number	Date	Type of law (i.e. statute, regulation, rule, etc...)	Object/summary of legal issues related to radicalisation	Link/PDF
Zakon o preprečevanju pranja denarja in financiranja terorizma (ZPPDFT-1) [Prevention of Money Laundering and Terrorist Financing Act]	2016		Terrorism, money laundering	http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO7132
Nacionalna strategija za preprečevanje terorizma in nasilnega ekstremizma [the National Strategy for Prevention of Terrorism and Violent Extremism]	2019		Terrorism, extremism, radicalisation	http://pisrs.si/Pis.web/pregledPredpisa?id=STRA78
Resolucija o nacionalnem programu preprečevanja in zatiranja kriminalitete za obdobje 2012–2016 (ReNPPZK12-16) [Resolution on the National Crime Prevention and Suppression Program 2012-2016]	2012		Security, terrorism	http://www.pisrs.si/Pis.web/pregledPredpisa?id=RESO74

<p>Resolucija o nacionalnem programu preprečevanja in zatiranja kriminalitete za obdobje 2019–2023 (ReNPPZK19–23) [Resolution on the National Program for the Prevention and Suppression of Crime for the Period 2019-2023]</p>	2019		Security, terrorism	http://www.pisrs.si/Pis.web/pregledPredpisa?id=RESO119
<p>Resolucija o strategiji nacionalne varnosti Republike Slovenije (ReSNV-2) [Resolution on the National Security Strategy of the Republic of Slovenia]</p>	2019		Security, terrorism	<p>Available from:</p> http://www.pisrs.si/Pis.web/pregledPredpisa?id=RESO124
<p>Kazenski zakonik (KZ-1). [Criminal Code]</p>	2008-05-20		Terrorism; Freedom of Expression; Hate Speech (Article 297)	http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO5050
<p>Zakon o varstvu javnega reda in miru (ZJRM-1). [Protection of Public Order Act]</p>	2006		Violence, terrorism	http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO3891

Zakon o kazenskem postopku (ZKP) [Criminal Procedure Act]	1994		Equality before the law	http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO362
Zakon o varstvu pred diskriminacijo (ZVarD) [Protection Against Discrimination Act]	2016		Protection against discrimination, equality, fundamental rights	http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO7273
Zakon o verski svobodi (ZVS) [Freedom of Religion Act]	2007		Religious freedom, equality of religious communities, laity	http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO4008
Zakon o avdiovizualnih medijskih storitvah (ZAvMS) [Audiovisual Media Services Act]	2011		Freedom of expression; Incitement to hatred	http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO6225
Zakon o medijih (ZMed) [Mass Media Act]	2001		Freedom of expression; Incitement to hatred	http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO1608
Zakon o dostopu do informacij javnega značaja (ZDIJZ) [Public Information Access Act]	2003		Right to privacy, personal data protection	http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO3336

Zakon o varstvu osebnih podatkov (ZVOP-1) [Personal Data Protection Act]	2004		Right to privacy, personal data protection	http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO3906
Zakon o Slovenski obveščevalno-varnostni agenciji (ZSOVA) [Slovene Intelligence and Security Agency Act]	1999		Intelligence powers, surveillance, terrorism	http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO1884
Zakon o nalogah in pooblastilih policije (ZNPPol) [Police Tasks And Powers Act]	2003		Police powers, surveillance, terrorism	http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO6314
Zakon o mednarodni zaščiti (ZMZ-1). [International Protection Act]	2016		Asylum, asylum seekers, refugees	http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO7103
Zakon o tujcih (ZTuj-2) [Foreigners Act]	2011		Asylum, asylum seekers, refugees	http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO5761

NATIONAL CASE LAW

Case number	Date	Name of the court	Object/summary of legal issues related to radicalisation	Link/PDF
U-I-284/94	1999-02-08	Constitutional Court	Illegal erasure of 1% of residents of Slovenia in 1992 ordered by the government. In this decision, the Constitutional Court found that the erasure was an illegal act of the state authorities.	https://www.us-rs.si/odlocitev/?q=&caselid=+U-I-284%2F94&df=&dt=&af=&at=&pri=1&vd=&vo=&vv=&vs=&ui=&va=&page=1&sort=&order=&id=99416
U-I-246/02	2003 -04-03	Constitutional Court	Illegal erasure of 1% of residents of Slovenia in 1992 ordered by the government. The Constitutional Court confirmed its findings from the 1999 decision and added new ones.	http://www.us-rs.si/documents/f9/54/u-i-246-02-odl2.pdf
Judgment in the Case of Kurić and others v. Slovenia, application no. 26828/06 [online]	2012-06-26	ECtHR	Illegal erasure of 1% of residents of Slovenia in 1992 ordered by the government. HCtHR confirms the erasure was violating human rights of the Erased.	https://hudoc.echr.coe.int/fre#%7B%22itemid%22:%5B%22001-111634%22%7D

OTHER RELEVANT ISSUES

	Constitutional provisions	Statutory law (statutes, rules, regulations etc.)	Important case law	Comments/issues relevant to radicalisation
Freedom of religion and belief	Article 7			Zakon o verski svobodi (ZVS) [Freedom of Religion Act]
Minority rights	Articles 5, 11, 62a, 64, 65 (Roma) and 80 (Italian and Hungarian)			Zakon o romski skupnosti v Republiki Sloveniji (ZRomS-1) [Roma Community in the Republic of Slovenia Act]
Freedom of expression	Article 14 (equality before the law), Article 39 (freedom of expression)			Article 297 of the Criminal Code
Freedom of assembly	Article 42			
Freedom of association/political parties etc.	Article 42			
Hate speech/ crime	Article 14 (equality before the law), Article 39 (freedom of expression)			Article 297 of the Criminal Code
Church and state relations	Article 7			Zakon o verski svobodi (ZVS) [Freedom of Religion Act]
Surveillance laws	Article 35, Article 37; Article 38			Protection of the Rights to Privacy and Personality Rights); Protection of the Privacy of Correspondence and Other Means of Communication; Protection of Personal Data)
Right to privacy	Article 35, Article 37; Article 38			Protection of the Rights to Privacy and Personality Rights); Protection of the Privacy of Correspondence and Other Means of Communication; Protection of Personal Data)

ANNEX II: LIST OF INSTITUTIONS DEALING WITH RADICALISATION & COUNTER-RADICALISATION ²⁵

Authority (English and original name)	Tier of government (national, regional, local)	Type of organization	Area of competence in the field of radicalisation & deradicalisation	Link

²⁵ Due to the peculiar historical factors and specific security situation in Slovenia, described in chapters 2 and 6, there exist neither institutions dealing specifically with de- and counter-radicalisation nor best practices, interventions and programmes of such nature in frontline institutions.

ANNEX III: BEST PRACTICES/INTERVENTIONS/PROGRAMMES²⁶

National level

	Institution(s)	Aim	Source	Evidence of effectiveness / literature
1.				
2.				

Sub-national/Regional level

	Institution(s)	Aim	Source	Evidence of effectiveness / literature
1.				
2.				

Local level

	Institution(s)	Aim	Source	Evidence of effectiveness / literature

²⁶ Due to the peculiar historical factors and specific security situation in Slovenia, described in chapters 2 and 6, there exist neither institutions dealing specifically with de- and counter-radicalisation nor best practices, interventions and programmes of such nature in frontline institutions.

1.				
2.				

ANNEX IV: POLICY RECOMMENDATIONS

Prezelj et al. (2021) found out that there is significant room for improvement in cooperation between potential radicalisation frontline worker organisations and institutions within the local RAN program. The relevant legislative documents practically do not include the terms “radicalisation” and “extremism”, which could be amended. In most cases, there are no pre-determined procedures for cooperation between various institutions operating on the frontline of potential radicalisation.

There is no central body responsible for recognizing, preventing and responding to radicalisation in Slovenia.

While the punitive aspect, i.e. the legal prosecution of crimes perpetrated by radicalised persons, is in place, the preventive measures, procedures, documents, and legislation are trailing behind.

Article 297 must be amended to clarify what constitutes and does not constitute prohibited speech in Slovenia. This would help create a legal definition of hate speech that could be used in prosecution and conviction of incitement to hatred and discrimination.

References and Sources

Ali, Tariq., (2015). *The Extreme Centre: A Warning*. London: Verso

Azinović, V., (2017). The Foreign Fighter Phenomenon and Radicalisation in the Western Balkans: Understanding the Context, 2012-2016. In: V. Azinović & K. Storr (eds.) *Between Salvation and Terror: Radicalisation and the Foreign Fighter Phenomenon in the Western Balkans*. Sarajevo: Atlantska inicijativa: Udruženje za promicanje euroatlantskih integracija BiH, pp. 9-20.

Bajt, V., (2010). Več kot zgolj administrativno ustvarjeni "tujci": Izbrisani in odmev nacionalistične konstrukcije Drugega v simbolni ideji o "nas" ["More than Merely Administratively Created "Aliens": The Erased and the Echo of the Nationalistic Construction of the Other in the Symbolic Idea of "Ourselves"]. In: N. Kogovsek and B. Petković eds. *Brazgotine izbrisa: Prispevek h kritičnemu razumevanju izbrisa iz registra stalnega prebivalstva Republike Slovenije [The Scars of the Erasure: Contribution to the Critical Understanding of the Erasure from the Registry of Permanent Residents of the Republic of Slovenia]*. Ljubljana: Mirovni inštitut, pp. 193-214.

Bajt, V., (2016). Anti-Immigration Hate Speech in Slovenia and: N. Kogovšek Šalamon and V. Bajt eds. *Razor-wired: Reflections on Migration Movements through Slovenia in 2015*. Ljubljana: Mirovni Inštitut, pp. 51-62.

Bajt, V., (2019) The Schengen Border and the Criminalization of Migration in Slovenia. *Südosteuropa* 67(3), pp. 304-327.

Bulc, G. (2021a). Interview with Neža Kogovšek-Šalamon, legal scholar and discrimination expert. Ljubljana. 24th August.

Bulc, G., (2021b). Interview with Barbara Rajgelj, legal scholar and LGBTQ+ activist. Ljubljana. 6th September.

CCRS, (1999). Constitutional Court Decision no. U-I-284/94 [online]. Constitutional Court of the Republic of Slovenia (CCRS). 4 February. [Viewed 1 October 2021]. Available from:

<https://www.us-rs.si/odlocitev/?q=U-I-284%2F94&caselId=U-I-284%2F94&df=&dt=&af=&at=&pri=1&vd=&vo=&vv=&vs=&ui=&va=&page=1&sort=&order=&id=99416>

CCRS, (2003). Constitutional Court Decision no. U-I-246/02 [online]. Constitutional Court of the Republic of Slovenia (CCRS). 3 April. [Viewed 1 October 2021]. Available from:

<https://www.us-rs.si/odlocitev/?q=&caselId=U-I-246%2F02&df=&dt=&af=&at=&pri=1&vd=&vo=&vv=&vs=&ui=&va=&page=1&sort=&order=&id=102303>

CRS (1991). Constitution of the Republic of Slovenia in English Translation (online). Constitutional Court of the Republic of Slovenia. [Viewed 4 September 2021]. Available from: <https://www.us-rs.si/media/constitution.pdf>

Census, (2002a). Prebivalstvo po veroizpovedi in tipu naselja, Slovenija, popisa 1991 in 2002 [Population by religion and type of settlement, Slovenia, censuses 1991 and 2002] [online]. Statistični urad Republike Slovenije [Statistical Office of the Republic of Slovenia]. [Viewed 4 September 2021]. Available from: https://www.stat.si/popis2002/si/rezultati/rezultati_red.asp?ter=SLO&st=8

Census, (2002b). Prebivalstvo po narodni pripadnosti, Slovenija, popisi 1953, 1961, 1971, 1981, 1991 in 2002' [Population by ethnicity, Slovenia, censuses 1953, 1961, 1971, 1981, 1991 and 2002] [online]. Statistični urad Republike Slovenije [Statistical Office of the Republic of Slovenia]. [Viewed 4 September 2021]. Available from: https://www.stat.si/popis2002/si/rezultati/rezultati_red.asp?ter=SLO&st=7

DAA, (2015a). Zakaj pozivi k streljanju na begunce niso kaznivo dejanje? Poziv Vrhovnem državnemu tožilstvu [Why are the calls for the shooting of refugees not a criminal act? An appeal to the Supreme Public Prosecutor's Office] [online]. *Društvo Alternativna Akademija [The Alternative Academy Association]*. 28 August [Viewed 4 September 2021]. Available from: <https://alternativnaakademija.com/2015/08/28/zakaj-pozivi-k-streljanju-na-begunce-niso-kaznivo-dejanje-poziv-vrhovnem-drzavnemu-tozilstvu/>

DAA, (2015b). Politični vrh Slovenije naj pomaga ustaviti naraščajoče sovraštvo [Political elite should help stop the growing hatred] [online]. *Društvo Alternativna Akademija [The Alternative Academy Association]*. 22 October. [Viewed 4 September 2021]. Available from: <https://alternativnaakademija.com/2015/10/22/politichni-vrh-slovenije-naj-pomaga-ustaviti-narascajocje-sovrastvo/>

Darmanin, J., (2021). France bans far-right group Generation Identity [online]. Politico. 3 March. [Viewed 11 April 2021]. Available from: <https://www.politico.eu/article/france-bans-far-right-group-generation-identity/>

Dedić, J., Jalušič, V., and Zorn, J. (2003). *The Erased: Organised Innocence and the Politics of Exclusion*. Ljubljana: Mirovni inštitut.

Delić, A., (2011): Neonacisti: slepi potniki parlamentarnih volitev [Neo-Nazis: hidden passengers of the parliamentary elections]. *Delo*. 30. november.

Delić, A., (2015a). (Zagovor: Brez naslova [Defense: No Title]). *Delo*. [Viewed 11 April 2021]. Available from: <http://www.delo.si/assets/media/other/20150105//zagovor.pdf>

Delić, A., (2015b). Sova Vs. Delić: A tebe pa še niso zaprli? [Sova v Delić: Haven't they locked you up yet?] [online]. *Torek ob petih*. 21 April. [Viewed 4 September 2021] Available from: <http://torekobpetih.si/komentar/sova-vs-delic-a-tebe-pa-se-niso-zaprli/>

Dragoš, S., (2005). Islamophobia in Slovenia: Politically Produced Intolerance (2005). *Journal of Contemporary European Studies*. 13(3) 299–315.

Dragoš, S., (2018). Factors of Radicalisation. *Šolsko polje*. 29(5-6) (special issue: M. Sardoč and T. Deželan eds. Radicalisation, Violent Extremism and Conflicting Diversity), pp. 107-132.

ECRI, (2014). ECRI Report on Slovenia (fourth monitoring cycle) [online]. The European Commission against Racism and Intolerance (ECRI). 16 September. [Viewed 4 September 2021] Available from:

<https://rm.coe.int/fourth-report-on-slovenia/16808b5c38>

ECRI, (2019). ECRI Report on Slovenia (fifth monitoring cycle) [online]. The European Commission against Racism and Intolerance (ECRI). 5 June. [Viewed 4 September 2021] Available from:

<https://rm.coe.int/fifth-report-on-slovenia/168094cb00>

ECtHR (2012). Judgement in the Case of Kurić and others v. Slovenia, application no. 26828/06 [online]. European Court of Human Rights. Strasbourg. 26 June. [Viewed 4 September 2021] Available from:

<https://hudoc.echr.coe.int/fre#%7B%22itemid%22:%5B%22001-111634%22%5D%7D>

EUCTS, (2005). EU Counter-Terrorism Strategy (EUCTS). EUR-Lex: European Union Law Portal. [Viewed 4 September 2021] Available from:

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM%3A133275>

EUDCT, (2017). Directive (EU) 2017/541 of the European Parliament and of the Council of 15 March 2017 on combating terrorism. EUR-Lex: European Union Law Portal. [Viewed 4 September 2021] Available from:

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32017L0541>

Europol, (2020). European Union Terrorism Situation and Trend Report 2020 - TE-SAT. *Europol*. [Viewed 4 September 2021]. Available from:

<https://www.europol.europa.eu/activities-services/main-reports/european-union-terrorism-situation-and-trend-report-te-sat-2020>

EUSCRRT (2014). Revised EU Strategy for Combating Radicalisation and Recruitment to Terrorism. UR-Lex: European Union Law Portal. [Viewed 4 September 2021] Available from:

<https://data.consilium.europa.eu/doc/document/ST-9956-2014-INIT/en/pdf>

Franko Aas, K., (2011). 'Crimmigrant' bodies and bona fide travellers: Surveillance, citizenship and global governance. *Theoretical Criminology*. 15(3), p. 331–346.

Franko, K., (2019). *The Crimmigrant Other: Migration and Penal Power*. Abingdon: Routledge.

GPI, (2021). Global Peace Index [online]. *Institute for Economics & Peace (IEP)*.

[Viewed 1 October 2021]. Available from: <https://www.visionofhumanity.org/maps/#/>

GRSPRMO, (2001). War for Slovenia 1991 [online]. Government of the Republic of Slovenia Public Relations and Media Office - GRSPRMO. [Viewed 1 October 2021]. Available from: <http://www.slovenija2001.gov.si/10years/path/war/>

GTD, (2021). Global Terrorism Database [online]. *The National Consortium for the Study of Terrorism and Responses to Terrorism (START)*. [Viewed 1 October 2021]. Available from: <https://start.umd.edu/gtd/>

GTI, (2021). Global Terrorism Index 2013 - 2020 [online]. *Knoema/Institute for Economics and Peace*. [Viewed 1 October 2021]. Available from: <https://knoema.com/ECOAPGTT2017/global-terrorism-index>

Grodeland, A. B., (2007). 'Red Mobs', 'Yuppies', 'Lamb Heads' and Others: Contacts, Informal Networks and Politics in the Czech Republic, Slovenia, Bulgaria and Romania. *Europe-Asia Studies*. 59(2), 217-252.

IPRS, (2020). O pooblaščenca [About the Commissioner] (website) [online]. Informacijski pooblaščenec Republike Slovenije - IPRS [Information Commissioner of the Republic of Slovenia]. [Viewed 8 September 2021]. Available from: <https://www.ip-rs.si/o-poobla%C5%A1%C4%8Dencu/>

IPRS, (2021). Ali predlog sprememb Zakona o nalogah in pooblastilih policije, ki močno širi policijska pooblastila, nevarno tlakuje pot v družbo popolnega nadzora? [Does the proposed amendments to the Police Tasks and Powers Act, which greatly expands police powers, dangerously pave the way for a society of complete control?] [online]. Informacijski pooblaščenec Republike Slovenije - IPRS [Information Commissioner of the Republic of Slovenia]. 6 September. [Viewed 8 September 2021]. Available from: <https://www.ip-rs.si/novice/ali-predlog-sprememb-zakona-o-nalogah-in-pooblastilih-policije-ki-mo%C4%8Dno-%C5%A1iri-policijska-pooblastila-nevarno-tlakuje-pot-v-dru%C5%BEbo-popolnega-nadzora>

Jakulin, V., (2017). Kazenskopравни vidik [Criminal Law Aspect]. In: Kečanović, B. (ed.) *Gradivo 3. posveta nacionalne platforme o preprečevanju nasilne radikalizacije in terorizma* [Reading Material from the 3rd Conference of the National Platform on the Prevention of Violent Radicalisation and Terrorism]. Ljubljana: Ministrstvo za notranje zadeve, pp. 10-11.

Jalušič, V., (2002). Xenophobia or Self-Protection? On the Establishing of the New Slovene Civic/Citizenship Identity. In: M. Pajnik ed. *Xenophobia and Post-Socialism*. Ljubljana, Slovenia: Mirovni Inštitut, pp. 45-72.

Kečanović, B. (ed.), (2017). *Gradivo 3. posveta nacionalne platforme o preprečevanju nasilne radikalizacije in terorizma* [Reading Material from the 3rd Conference of the National Platform on the Prevention of Violent Radicalisation and Terrorism]. Ljubljana: Ministrstvo za notranje zadeve.

Kocjančič, R., Ribičič, C., Grad, F. and Kaučič, I., (2009). *Ustavno pravo Slovenije* [Constitutional Law of Slovenia]. Ljubljana: Fakulteta za pravo.

Kogovsek, N. and Petković, B. (eds) (2010). *Brazgotine izbrisa: Prispevek h kritičnemu razumevanju izbrisa iz registra stalnega prebivalstva Republike Slovenije* [The Scars of the Erasure: Contribution to the Critical Understanding of the Erasure from the Registry of Permanent Residents of the Republic of Slovenia]. Ljubljana: Mirovni inštitut.

Krivic, M., (2001). Zakaj je "vatikanski" sporazum protiustaven? Pripravljanje terena za kasnejšo uvedbo cerkvenega verskega pouka "od vrtca do univerze" [Why is the "Vatican" agreement unconstitutional? Preparing the terrain for the later introduction of church religious education "from kindergarten to university"] [online]. Mladina. 17 April. [Viewed 1 October 2021]. Available from: [https://www.mladina.si/103223/zakaj-je-vatikanski-sporazum-protiustaven%20\(26](https://www.mladina.si/103223/zakaj-je-vatikanski-sporazum-protiustaven%20(26)

Kršinar, I., (2020). Na strankarski televiziji SDS med intervjujem s predsednikom vlade Janezom Janšo vrteli oglas za skrajno nacionalistično gibanje Generacija identitete [During an interview with Prime Minister Janez Janša, the SDP party television aired an advertisement for the extreme nationalist movement Generation of Identity] [online]. *Reporter*. 29 September. [Viewed 1 October 2021]. Available from: <https://reporter.si/clanek/slovenija/na-strankarski-televiziji-sds-med-intervjujem-s-predsednikom-vlade-janezom-janso-vrteli-oglas-za-skrajno-nacionalisticno-gibanje-generacija-identitete-813678>

Kučič, L. J., (2019a). Občinska glasila: milijoni evrov javnega denarja za promocijo županov [Municipal magazines: millions of euros of public money to promote mayors] [online]. *Pod črto*. 6 June. [Viewed 11 April 2021] Available from: <https://podcrto.si/obcinska-glasila-milijoni-evrov-javnega-denarja-za-promocijo-zupanov/>

Kučič, L. J., (2019b). Infografika: iskanje skritih lastnikov Mladine [Infographics: searching for the hidden owners of Mladina] [online]. *Pod črto*. 9 July. [Viewed 11 April 2021] Available from: <https://podcrto.si/infografika-iskanje-skritih-lastnikov-v-mladini/>

Kučič, L. J., (2021a). Vpliv SDS na televizije (1. del): pri čem se je Janša zgledoval po Orbanu [The influence of the SDS on television sector (part 1): where Janša was inspired by Orban] [online]. *Pod črto*. 31 March. [Viewed 11 April 2021] Available from: <https://podcrto.si/vpliv-sds-na-televizije-1-del-kje-se-je-jansa-zgledoval-po-orbanu/>

Kučič, L. J., (2021b). Vpliv SDS na televizije (2. del): Planet TV v madžarske roke in vojna z STA [The influence of the SDP on television sector (part 2): Planet TV in Hungarian hands and the war with the SPA - Slovenian Press Agency]. *Pod črto*. 6 April. [Viewed 11 April 2021] Available from: <https://podcrto.si/vpliv-sds-na-televizije-2-del-planet-tv-v-madzarske-roke-in-vojna-z-sta/>

Lobnikar, B., Borovec K., Cajner Mraović I., Prislán K., (2019). Stakeholders in disengaging from radicalisation in a local community. *Annals of Disaster Risk Sciences*. 2(1-2), 29-36.

M. Z., (2019.) Vlada sprejela nacionalno strategijo za večjo varnost pred terorističnimi grožnjami [The government has adopted a national strategy to increase security against terrorist threats] [online]. MMC RTV SLO. 5 December. [Viewed 4 September 2021]. Available from: <https://www.rtv slo.si/slovenija/vlada-sprejela-nacionalno-strategijo-za-vecjo-varnost-pred-teroristicnimi-groznjami/506870>

Malčič, M. and Krašovec, A., (2019). New Parties and Democracy in Slovenia. *Politics in Central Europe*. 15(1), 115-137.

McAdams, A. J. (2021). Making the case for "difference": From the Nouvelle droite to the Identitarians and the new vanguardists. In: McAdams, A. J. and Castrillon, A. eds., *Contemporary Far-Right Thinkers and the Future of Liberal Democracy*. Abingdon: Routledge, pp. 85-102.

McAdams, A. J. and Castrillon, A. eds., (2021). *Contemporary Far-Right Thinkers and the Future of Liberal Democracy*. Abingdon: Routledge.

Milosavljević, M., (2016). Media Pluralism Monitor 2016 Monitoring Risks for Media Pluralism in the EU and Beyond Country report: Slovenia [online]. CMPF - Centre for Media Pluralism and Media Freedom. [Viewed 4 September 2021]. Available from: https://cadmus.eui.eu/bitstream/handle/1814/46811/Slovenia_EN.pdf?sequence=1&isAllowed=y

Milosavljević, M. Biljak G. R. and Petković, B., (2017). Monitoring Media Pluralism in Europe: Application of the Media Pluralism Monitor 2017 in the European Union, FYROM, Serbia & Turkey: Country Report: Slovenia [online]. CMPF - Centre for Media Pluralism and Media Freedom. [Viewed 11 April 2021]. Available from: https://cadmus.eui.eu/bitstream/handle/1814/61156/2018_Slovenia_EN.pdf?sequence=3&isAllowed=y

Milosavljević, M. and Biljak G. R., (2020). Monitoring Media Pluralism in the Digital Era: Application of the Media Pluralism Monitor in the European Union, Albania and Turkey in the years 2018-2019: Country report: Slovenia [online]. CMPF - Centre for Media Pluralism and Media Freedom. [Viewed 11 April 2021]. Available from: https://cadmus.eui.eu/bitstream/handle/1814/67818/slovenia_results_mpm_2020_cmpf.pdf?sequence=3&isAllowed=y

Ministry of the Interior, (2019). Statistični podatki o tujcih v Sloveniji [Statistical data on foreigners in Slovenia] [online]. *Ministry of the Interior of the Republic of Slovenia*. [Viewed 4 September 2021]. Available from: http://mnz.arhiv-spletisc.gov.si/si/mnz_za_vas/tujci_v_sloveniji/statistika/

Moti, A. and Bajt, V. (2016) *Sovražni govor v Republiki Sloveniji: pregled stanja [Hate speech in the Republic of Slovenia: an overview of the situation]*. Ljubljana: Mirovni inštitut.

Novak, M. & Fink Hafner, D., (2019). Slovenia: Interest group developments in a post-socialist-liberal democracy [online]. *Journal of Public Affairs*. 19(2), 1-13. [Viewed 4 September 2021]. Available from:

<https://onlinelibrary.wiley.com/doi/full/10.1002/pa.1867>

NSPTE, (2019). Nacionalna strategija za preprečevanje terorizma in nasilnega ekstremizma [the National Strategy for Prevention of Terrorism and Violent Extremism] [online]. [Viewed 4 September 2021]. Available from: <http://pisrs.si/Pis.web/pregledPredpisa?id=STRA78>

Pajnik, M., (2019). Media Populism on the Example of Right-Wing Political Parties' Communication in Slovenia, *Problems of Post-Communism*. 66(1), 21-32.

Portal Plus, (2015). Kako bi nas sestra poslanke SDS Eve Irgl in novinar Sebastjan Erlah rešila beguncev [How the sister of SDP MP Eva Irgl and journalist Sebastjan Erlah would save us from refugees] [online]. *Portal Plus*. 27 August. [Viewed 4 September 2021]. Available from: <https://www.portalplus.si/1054/kako-bi-nas-sestra-poslanke-sds-eve-irgl/>

Prezelj, I. and Kocjančič, K., (2020). A Broad Spectrum of Signs of Islamist Radicalisation and Extremism in a Country without a Single Terrorist Attack: The Case of Slovenia. *Perspectives on Terrorism*. 14(3), 29-45.

Prezelj, I., Lobnikar, B., Sotlar, A., Vuga Bernšak, J., Kolak, A., Prilan, K., Modic, M., Kocjančič, K., and Ferlin, A., (2021). *Radikalizacija v smeri nasilja: temeljni koncepti, nekateri tuji pristopi in primer Slovenije [Radicalization towards Violence: Key Concepts, Some Foreign Approaches and the Case of Slovenia]*. Ljubljana: Fakulteta za družbene vede.

Prislan, K., Černigoj A., and Lobnikar, B., (2018) Preventing Radicalisation in the Western Balkans: The Role of the Police Using a Multi-Stakeholder Approach. *Revija za kriminalistiko in kriminologijo*. 69(4), 257–268.

Prpič, M., Hajdin, M., and Lobnikar, B., (2018). Analysis of the perception of police officers about various forms of radicalisation and extremism in Slovenia and Croatia

Ramet, S. P. and Kuhar, R., (2015). Ownership and Political Influence in the Post-socialist Mediascape: the Case of Slovenia. *Südosteuropa*. 60(1), pp 2–30.

RAN, (2021). About RAN (RAN website) [online]. European Commission - Migration and Home Affairs. [Viewed 4 September 2021]. Available from: https://ec.europa.eu/home-affairs/networks/radicalisation-awareness-network-ran/about-ran_en

ReNPPZK, (2012). Resolucija o nacionalnem programu preprečevanja in zatiranja kriminalitete za obdobje 2012–2016 (ReNPPZK12-16) [Resolution on the national programme for the prevention and suppression of crime 2012-2016] [online]. [Viewed 4 September 2021]. Available from: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=RESO74>

ReNPPZK, (2019). Resolucija o nacionalnem programu preprečevanja in zatiranja kriminalitete za obdobje 2019–2023 (ReNPPZK19–23) [Resolution on the national programme for the prevention and suppression of crime 2019–2023] [online].

[Viewed 4 September 2021]. Available from:
<http://www.pisrs.si/Pis.web/pregledPredpisa?id=RESO119>

ReSNV, (2019). Resolucija o strategiji nacionalne varnosti Republike Slovenije (ReSNV-2) [Resolution on the National Security Strategy of the Republic of Slovenia] [online]. [Viewed 4 September 2021]. Available from:
<http://www.pisrs.si/Pis.web/pregledPredpisa?id=RESO124>

RTV SLO, (2014). Koalicija sovraštva: dosje [Coalition of Hate: A Dossier] [online]. *Radio-Television Slovenia (RTVSLO)*. 26 February. [Viewed 4 September 2021]. Available from: <https://4d.rtv slo.si/arhiv/dosje/174263197>

Sardoč, M. and Deželan, T. (2018). Radicalisation, Violent Extremism and Conflicting Diversity. *Šolsko polje*. 29(5-6) (special issue: M. Sardoč and T. Deželan eds. Radicalisation, Violent Extremism and Conflicting Diversity), pp. 5-10.

Sardoč, M., (2020). Uvodnik: Strah kot orožje [Introduction: Fear as weapon]. *Časopis za kritiko znanosti domišljijo in novo antropologijo*. 48(2) (special issue: M. Sardoč ed. Strah kot orožje [Fear as weapon]), pp. 7-12.

Splichal, S. ed., (2017). *Zagovor javnosti: med svobodo izražanja in sovražnim govorom [In defence of the public: between freedom of expression and hate speech]*. Ljubljana: Slovenska akademija znanosti in umetnosti

Statistični urad, (2020). Število prošelj za azil (skupaj in ugodene) [Number of asylum applications (total and granted)] [online]. *Statistični urad Republike Slovenije [Statistical Office of the Republic of Slovenia]*. [Viewed 21 February 2021]. Available from:
[https://www.stat.si/Pages/cilji/cilj-10.-zmanj%C5%A1ati-noonakosti-znotraj-dr%C5%BEav-in-med-njimi/10.6-%C5%A1teviloprvih-pro%C5%A1enj-za-azil-\(skupaj-in-sprejetih\)-na-prebivalca](https://www.stat.si/Pages/cilji/cilj-10.-zmanj%C5%A1ati-noonakosti-znotraj-dr%C5%BEav-in-med-njimi/10.6-%C5%A1teviloprvih-pro%C5%A1enj-za-azil-(skupaj-in-sprejetih)-na-prebivalca)

Stumpf, J. P., (2006) The crimmigration crisis: Immigrants, crime, and sovereign power [online]. *American University Law Review*. 56(2), pp. 356–420. [Viewed 1 October 2021]. Available from:
<https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1274&context=aulr>

Svajncer, J. J., (2001). War for Slovenia (government website) [online]. Government of the Republic of Slovenia. [Viewed 8 September 2021]. Available from:
<http://www.slovenija2001.gov.si/10years/path/war/>

US Department of State, (2007). U. S. Department of State Country Report on Human Rights Practices for 2006 - Slovenia [online]. *United States Department of State: Bureau of Democracy, Human Rights, and Labor*. March 6, 2007. [Viewed 21 February 2021]. Available from: <https://www.refworld.org/cgi-bin/texis/vtx/rwmain?page=search&docid=45f056932&skip=0&query=U.S.%20Department%20of%20State%20Country%20Report%20on%20Human%20Rights%20Practices&coi=SVN>

US Department of State, (2020). U. S. Department of State Country Report on Human Rights Practices for 2019 - Slovenia [online]. *United States Department of State: Bureau of Democracy, Human Rights, and Labor*. [Viewed 21 February 2021]. Available from:

<https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/slovenia/>

Valenčič, E., (2010). Koalicija sovraštva [Coalition of Hate] [online]. *Mladina*. 22 April. [Viewed 21 February 2021]. Available from:

<https://www.mladina.si/50370/koalicija-sovrastva/>

Valenčič, E., (2011). Neonacizem v Sloveniji: Povej mi, s kom se družiš; Neonacizem pri Slovenski demokratični mladini v Žireh [Neo-Nazism in Slovenia: Tell me who you hang out with; Neo-Nazism at the Slovenian Democratic Youth in Žiri]. *Mladina*. 25 November. [Viewed 21 February 2021]. Available from:

<https://www.mladina.si/106959/povej-mi-s-kom-se-druzis/>

Valenčič, E., (2021). Koalicija sovraštva II [Coalition of Hate, part II] [online]. *Mladina*. 23 July. [Viewed 4 September 2021]. Available from:

<https://www.mladina.si/209276/koalicija-sovrastva-ii/>

VČP, (2021). Legal Framework [online]. Human Rights Ombudsman of the Republic of Slovenia [Varuh človekovih pravic (VČP)]. [Viewed 1 October 2021]. Available from: <https://www.varuh-rs.si/en/about-us/legal-framework/>

Vejak, B., (2019). Bodo tožilci sploh sledili sodbi Vrhovnega sodišča? Nič ne kaže na to. [Will prosecutors even follow the Supreme Court ruling? Nothing suggests that.] [online]. In *Media Res*. 28 August. [Viewed 4 September 2021]. Available from:

<https://vezjak.com/2019/08/22/bodo-tozilci-sploh-sledili-sodbi-vrhovnega-sodisce-nic-kaze-na-to/>

Vezovnik, A., (2013). Representational discourses on the Erased of Slovenia from human rights to humanitarian victimization. *Journal of Language and Politics*. 2(2),606-625.

Vladislavljević, A., (2021). Terrifying Twitter: Slovenia's Marshall Twito and his 'Fake' Friends [online]. *Balkan Insight*. 15 April. [Viewed 4 September 2021]. Available from:

<https://balkaninsight.com/2021/04/15/terrifying-twitter-slovenias-marshall-twito-and-his-fake-friends/>

VSRV, (2019). Sodba I Ips 65803/2012 [Judgment no. I Ips 65803/2012] [online]. Vrhovno sodišče Republike Slovenije - VSRV [Supreme Court of the Republic of Slovenia]. 4 July. [Viewed 4 September 2021]. Available from:

<https://www.sodisce.si/vsrs/odlocitve/2015081111431656/>

Vuga Bernšak, J. and Prezelj, I., (2020). Recognizing youth radicalisation in schools: Slovenian 'frontline' school workers in search of a compass. *International Sociology*. 36(1), pp. 49-70.

Zajc, K. and Černigoj, A., (eds.), (2018). *First Line: Practitioners Dealing with Radicalisation Issues – Awareness Raising and Encouraging Capacity Building in the Western Balkan Region*. Ljubljana: Ministry of the Interior of the Republic of Slovenia.

ZNE, (2019). About us [online]. Zagovornik načela enakost - ZNE [Advocate of the Principle of Equality]. . [Viewed 1 October 2021]. Available from: <http://www.zagovornik.si/en/about-us/>

ZNE, (2020). 2019 Annual Report Summary [online]. Zagovornik načela enakost - ZNE [Advocate of the Principle of Equality], April 2020. [Viewed 1 October 2021]. Available from: http://www.zagovornik.si/wp-content/uploads/2020/09/Annul-report-2019_Summary.pdf

ZNE, (2021). 2020 Annual Report - Systemic Overview [online]. Zagovornik načela enakost - ZNE [Advocate of the Principle of Equality], April 2021. [Viewed 1 October 2021]. Available from: <http://www.zagovornik.si/wp-content/uploads/2021/06/Redno-letno-porocilo-za-letno-2020-ANNUAL-REPORT-2019-SYSTEMIC-OVERVIEW.pdf>

Zorn, J., (2005). Ethnic Citizenship in the Slovenian State, *Citizenship Studies*. 9(2), 135-152.

Žerdin, A., (2012). *Impact of change of political elite on the economic elite network: Case study, Slovenia after elections 2004. Doctoral thesis*. Ljubljana: Fakulteta za družbene vede.

LEGISLATION SOURCES

KZ, (2008). Kazenski zakonik (KZ-1). [Criminal Code] [online]. *Državni zbor Republike Slovenije [National Assembly of the Republic of Slovenia]*. [Viewed 4 September 2021]. Available from: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO5050>

ZAvMS, (2011). Zakon o avdiovizualnih medijskih storitvah (ZAvMS) [Audiovisual Media Services Act] [online]. *Državni zbor Republike Slovenije [National Assembly of the Republic of Slovenia]*. [Viewed 4 September 2021]. Available from: <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO6225>

ZDIJZ, (2003). Zakon o dostopu do informacij javnega značaja (ZDIJZ) [Public Information Access Act] [online]. *Državni zbor Republike Slovenije [National Assembly of the Republic of Slovenia]*. [Viewed 4 September 2021]. Available from: <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO3336>

ZIKS, (2000). Zakon o izvrševanju kazenskih sankcij (ZIKS-1) [Enforcement of Criminal Sanctions Act] [online]. *Državni zbor Republike Slovenije [National Assembly of the Republic of Slovenia]*. [Viewed 4 September 2021]. Available from: <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO1223>

ZJRM, (2006). Zakon o varstvu javnega reda in miru (ZJRM-1). [Protection of Public Order Act] [online]. *Državni zbor Republike Slovenije [National Assembly of the Republic of Slovenia]*. [Viewed 4 September 2021]. Available from: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO3891>

ZKP, (1994). Zakon o kazenskem postopku (ZKP) [Criminal Procedure Act] [online]. *Državni zbor Republike Slovenije [National Assembly of the Republic of Slovenia]*. [Viewed 4 September 2021]. Available from: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO362>

ZMed, (2001). Zakon o medijih (ZMed) [Mass Media Act] [online]. *Državni zbor Republike Slovenije [National Assembly of the Republic of Slovenia]*. [Viewed 4 September 2021]. Available from: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO1608>

ZMZ, (2016). Zakon o mednarodni zaščiti (ZMZ-1). [International Protection Act] [online]. *Državni zbor Republike Slovenije [National Assembly of the Republic of Slovenia]*. [Viewed 4 September 2021]. Available from: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO7103>

ZNDM, (2007). Zakon o nadzoru državne meje (ZNDM-2) [State Border Control Act] [online]. *Državni zbor Republike Slovenije [National Assembly of the Republic of Slovenia]*. [Viewed 4 September 2021]. Available from: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO4610>

ZNPPol, (2013). Zakon o nalogah in pooblastilih policije (ZNPPol) [Police Tasks And Powers Act]. [online]. *Državni zbor Republike Slovenije [National Assembly of the Republic of Slovenia]*. [Viewed 4 September 2021] Available from: <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO6314>

ZObr, (1994). Zakon o obrambi (ZObr) [Dence Act] [online]. *Državni zbor Republike Slovenije [National Assembly of the Republic of Slovenia]*. [Viewed 4 September 2021]. Available from: <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO532>

ZP, (2002). Zakon o prekrških (ZP-1) [Minor Offences Act] [online]. *Državni zbor Republike Slovenije [National Assembly of the Republic of Slovenia]*. [Viewed 4 September 2021]. Available from: <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO2537>

ZPPDFT, (2016). Zakon o preprečevanju pranja denarja in financiranja terorizma (ZPPDFT-1) [Prevention of Money Laundering and Terrorist Financing Act] [online]. *Državni zbor Republike Slovenije [National Assembly of the Republic of Slovenia]*. [Viewed 4 September 2021]. Available from: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO7132>

ZPro, (2017). Zakon o probaciji (ZPro) [Probation Act] [online]. *Državni zbor Republike Slovenije [National Assembly of the Republic of Slovenia]*. [Viewed 4 September 2021]. Available from: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO7554>

ZRomS, (2007). Zakon o romski skupnosti v Republiki Sloveniji (ZRomS-1) [Roma Community in the Republic of Slovenia Act] [online]. *Državni zbor Republike Slovenije [National Assembly of the Republic of Slovenia]*. [Viewed 4 September 2021]. Available from:
<http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO4405>

ZSOVA, (1999). Zakon o Slovenski obveščevalno-varnostni agenciji (ZSOVA) [Slovene Intelligence and Security Agency Act] [online]. *Državni zbor Republike Slovenije [National Assembly of the Republic of Slovenia]*. [Viewed 4 September 2021]. Available from:
<http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO1884>

ZTuj, (2011). Zakon o tujcih (ZTuj-2) [Foreigners Act] [online]. *Državni zbor Republike Slovenije [National Assembly of the Republic of Slovenia]*. [Viewed 4 September 2021]. Available from:
<http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO5761>

ZVarD, (2016). Zakon o varstvu pred diskriminacijo (ZVarD) [Protection Against Discrimination Act] [online]. *Državni zbor Republike Slovenije [National Assembly of the Republic of Slovenia]*. [Viewed 4 September 2021]. Available from:
<http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO7273>

ZVOP, (2004). Zakon o varstvu osebnih podatkov (ZVOP-1) [Personal Data Protection Act] [online]. *Državni zbor Republike Slovenije [National Assembly of the Republic of Slovenia]*. [Viewed 4 September 2021]. Available from:
<http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO3906>

ZVS, (2007). Zakon o verski svobodi (ZVS) [Freedom of Religion Act] [online]. *Državni zbor Republike Slovenije [National Assembly of the Republic of Slovenia]*. [Viewed 4 September 2021]. Available from:
<http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO4008>