

**REPORT ON THE SITUATION IN SLOVENIA**  
**for the IAJ meeting 2024 in Cape Town**  
**up-date after the adoption of the EAJ resolution**

At the EAJ meeting in Warsaw in April 2024, the resolution on the situation in Slovenia was adopted, calling on the Slovenian government and the National Assembly to immediately implement the decision of the Slovenian Constitutional Court on the salaries of judges (U-I-772/21 of 1 June 2023) and to create appropriate material conditions for the independent work of judges in order to end the current violation of the principles of judicial independence and separation of powers in a democratic society in Slovenia. The Slovenian judges also received the support of the Association of European Administrative Judges and the Consultative Council of European Judges (CCJE).

The issue of judges' salaries was addressed in the EC Rule of Law Report 2024. The EC noted that some progress had been made, but recommended that Slovenia finalise measures to increase the salaries of judges and prosecutors, taking into account European standards for resources and salaries in the judiciary.

As the six-month deadline set by the Constitutional Court for the authorities to remedy the breach of the constitution had expired on 3 January 2024 without any remedial measures having been taken, the Slovenian Judicial Council once again turned to the Constitutional Court. On 30 May 2024, the Constitutional Court issued a supplementary decision (U-I-8/24) on the implementation or enforcement of its earlier ruling. It ruled that judges' salaries must be adjusted in line with inflation from 2012. The court emphasised that this is only a partial adjustment of judges' salaries, which is the most urgent, and that for the rest it is still up to the government to enact appropriate legislation.

The implementation of this supplementary decision took place in September with the reimbursement to all judges from the deadline that the CC had set in its first decision, namely from 4 January 2024. But according to many, still not to the full extent. The compensation was calculated at 12.7% instead of the expected 26.2%. The Slovenian Association of Judges, the Judicial Council and the Supreme Court are all of the opinion that the increase should be higher and that the second decision was not fully and fairly executed.

The government still refuses to treat judges' salaries independently of the reform of the entire public sector, promising that judges will receive “much more” once the reform is finalised. In September, the bill for the new law on the public sector and civil servants was published. The draft provides for a 30-50% increase in judges' salaries (more for judges of first instance). However, the law provides for an increase in all salaries for civil servants and shows that judges will once again fall behind compared to members of parliament or ministers. On 1 October 2024, the government submitted the law on the foundations of the public sector salary system to Parliament, which was essentially coordinated with the judiciary. Judges' salaries will be increased significantly (up to almost 50 %), but the inequality between the salaries of MPs and district court judges will remain.