

Protest declaration of the Slovenian judges

Today, in 2024, we judges in the Republic of Slovenia, a member of the European Union, protest against the violation of the legal order and demand respect for the rule of law!

We are protesting because the executive and legislative branches have clearly and deliberately decided not to respect the legal order of the Republic of Slovenia!

Our legal system is based on the Constitution, which states that Slovenia is a state governed by the rule of law. The basis of the rule of law is respect for laws and court decisions. This is the only way to guarantee the protection of human rights, democracy, equality before the law and the accountability of the authorities. In constitutional democracies, the decisions of constitutional courts are also respected without further ado.

In June last year, the Constitutional Court of the Republic of Slovenia ruled in decision U-I-772/21 that the regulations governing the salaries of judges violate the constitution because the salaries of judges are so low that they violate the principle of judicial independence and the principle of separation of powers. The Constitutional Court set the legislator a six-month deadline to eliminate the unconstitutionality found, taking into account that the legislator and the government had been aware of the problem in question for a long time.

We are protesting because this deadline has just passed without success.

We are protesting because the Government and the National Assembly have taken a right that does not belong to them - namely to ignore the decision of the Constitutional Court, namely the one that protects the independence of the judiciary from the executive and the legislature. In doing so, the representatives of the executive and the legislature have abused their power, to the ridicule of us judges and to the great shame of everyone.

We protest against such an abuse of power!

We are protesting against the deception and misleading of the public that this is only about negotiating salaries in the entire public sector, because the implementation of the constitutional resolution has nothing to do with this.

We protest against the political brokering and haggling over the content of the Constitutional court's decision in the form of public promises by government representatives (to the trade unions) not to meet the deadline stipulated therein.

We demand that with the implementation of the said resolution, appropriate material conditions for our independent work and an appropriate or comparable position, which judges have under the Constitution with representatives of the legislative and executive branches, be ensured without delay.

For more than 20 years, our salaries have been falling steadily in real terms; despite seniority and promotions, we are not reaching the value of our own salaries from the 1990s! The net salary of the lowest-paid judge is around €1,300 less than that of the lowest-paid MP, and even the net salary of the supreme court judge is lower than the net salary of the lowest-paid MP!

We demand that the representatives of the executive and the legislature implement the above-mentioned decision of the Constitutional Court without delay for the benefit of all citizens and in this way immediately put an end to further blatant violations of the principle of the independence of the judiciary and the separation of powers in order to guarantee uninterrupted legal protection.

Otherwise, judges will be forced to devote all permissible means to remedying the violations identified by the Constitutional Court, to the detriment of our fundamental mission.

As for today's interruption of the hearings due to protests, we would like to thank the Bar Association of Slovenia and the Association of Public Prosecutors for their understanding and collegial support.

Slovenian Association of Judges, 4 January 2024