



**COUNCIL OF
THE EUROPEAN UNION**

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NOTE

from:	Mr Matija VIDMAR, Director General, Ministry of Justice of Slovenia
to:	General Secretariat of the Council
Subject:	Implementation of the Council Framework Decision 2008/909/JHA of 27 November 2008 on the application of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union - Declaration

Under Article 29(2) of the Framework Decision, Member States are obliged to transmit to the Council and to the Commission the text of the provisions transposing into their national laws the obligations imposed on them under the Framework Decision.

Consequently the Republic of Slovenia in accordance with the Council Framework Decision 2008/909/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union, herewith notifies the competent institutions of the European Union on the implementation – transposition of the above mentioned instrument. Attached please find the provisions of the Act on International Co-operation in Criminal Matters between the Member States of the European Union adopted by the National Assembly of the Republic of Slovenia on 23rd May 2013, which enters into force on 20th September 2013 (published in the Official Gazette of the Republic of Slovenia, no.48/20133 of 4th June 2013, hereinafter ZSKZDČEU -1).

In accordance with the provisions of the Council Framework Decision 2008/909/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union, the Republic of Slovenia makes the following statements and declarations:

1. Determination of the competent authorities - Article 2 :

a) Executing authorities:

The competent authorities for the execution of the requests for enforcement are District courts. Territorial jurisdiction of the court is determined by the permanent or temporary residence of the person against whom the custodial sentence has been imposed. If the territorial jurisdiction can not be determined on these circumstances, the competent court is the District Court in Ljubljana.

b) Issuing authorities

The competent authority for issuing the request is District court, competent for enforcement of the sentence (District court territorially competent for the area of the permanent or temporary residence of the convicted person or - if the convicted person has no permanent or temporary residence in Slovenia - the District court competent for the area in which the court of first instance passed the judgment).

c) Transit – Article 16

Passive

The Ministry of Justice of the Republic of Slovenia is competent authority for receiving transit requests and the necessary documents, as well as any other official correspondence related to the transit request.

Contact details:

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Active

District courts, which have competence to enforce the sentence, are competent also for the submission of requests for transit.

2. Double criminality - Article 7(4)

The Republic of Slovenia hereby declares that it will not apply Article 7(1).

3. Language regime - Article 23(1 and 3)

The Republic of Slovenia declares that it will also accept certificates translated in English language.

In accordance with paragraph 3 the Republic of Slovenia declares that it may after receiving the judgment and the certificate, request, in cases where it finds the content of the certificate insufficient to decide on the enforcement of the sentence, that the judgment or essential parts of it should be accompanied by a translation into Slovenian language.
