



# De-radicalization: legal and policy framework in Slovenia

**Author:** [Gregor Bulc – Apis Institute](#)

Although nominally a rather safe country, Slovenia has, nevertheless, been dealing with a significant share of radicalisation. The Slovenian report on legal aspects of the phenomenon of (de-)radicalisation tackles this issue, arguing that Slovenian society does deserve the attention of radicalisation scholars as an important case.

Slovenia is one of the safest countries in the world according to the Global Terrorism Database, Global Terrorist Index, and Global Peace Index. Apart from the 10-day armed

conflict with the Yugoslav People's Army in 1991, the country has been peaceful since the end of WWII, boasting one of the lowest respective rates in homicide, major assault, rape and kidnapping in the EU. Also, there have been practically no reported cases of violent extremism by left-wing groups or terrorist acts by individuals radicalized in religious settings.

There have been however significant instances of radicalised public behaviour by right-wing extremist groups, as well as cases xenophobic, homophobic, and Islamophobic hate speech by various individuals, including politicians and journalists in both online and offline communication. According to the 2020 Europol's Te-Sat report on radicalisation and terrorism, the main security threat in Slovenia is "paramilitary groups pretexting the state's impotence to protect the population against the perceived threat from Islam and immigration". 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.

Slovenia's constitution was adopted on 23 December 1991, including its basic constitutional charter on the independence of the new republic from Yugoslavia. It removed socialist restrictions on private property and ensured multi-party political competition. What many immediately notice in the Slovenian constitution is the separation between ethnic Slovenes and Slovene citizens as constitution 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, while Article 5 assures that "Slovenes not holding Slovene citizenship may enjoy special rights and privileges in Slovenia".

In the constitution, self-determination is mentioned only in relation to Slovenes, 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 in the Slovenian constitution, the word "narod" is actually much more exclusionary than the word "nation" suggests. Namely, "narod" emphasizes the ethnic origin of the group rather than allowing for its ethnic diversity. It is this principle of "Slovenianisation" of an ethnically and religiously diverse Slovenian society – detected not only in the constitution but also in numerous other regulations – that has been predominantly used by politicians and media when addressing or discussing the community of Slovenian residents.

The constitution protects the fundamental rights of individuals in a number of articles (from Article 14 to 65) including the freedom of expression. The latter 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 by several provisions stipulating that certain types of expression are criminal offences. The Slovenian report is particularly interested in Article 297 of the Criminal Code, prohibiting public incitement to hatred, violence or intolerance, in short, prohibiting hate speech.

Constitutional speech provisions and restrictions are important not least due to political elites’ and ethnic Slovenes’ discriminatory attitude towards minorities since the inception of independent Slovenia. One of the first culminations of such attitudes was the government’s illegal “Erasure” in February 1992 of over 1% of the population. Namely, approximately 25,000 inhabitants of Slovenia who were predominantly members of ex-Yugoslav and Roma minorities were stripped of all fundamental rights through an undisclosed and unlawful removal from the register of permanent residents. Several Constitutional Court decisions and European Court of Human Rights (ECtHR) judgements notwithstanding, 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.

Although hate speech affects various minorities in Slovenia, its main targets these days are Muslim migrants. Judging by a miniscule number of convictions, the state of Slovenia has so far been reluctant to prosecute hate speech. Despite the Article 297 of the Criminal Code, 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.

However, when dealing with contemporary hate speech, many scholars believe that Slovenia should start prosecuting it more rigorously and in line with the ECtHR judgments that define it much more clearly than Slovenian legislation. As hate speech in Slovenia is arguably one of the main indicators of radicalisation the report focuses profusely on this issue, proposing a modification and a more exact wording of the Article

297 of the Criminal Code in the hope of future jurisprudence that could pave a way to the de-radicalisation of a hate speech-prone Slovenian society.

In conclusion, let us emphasize the fact that de- and counter-radicalisation programmes and initiatives exist in Slovenia neither on local and regional level nor on the national level. There are efforts by security scholars to promote the launch of best-practice solutions in various frontline institutions dealing with potentially radicalised persons, but these efforts have not been successful so far. The reasons for the lack of programmes and initiatives tackling radicalisation in Slovenia remain to be thoroughly analysed. However, our report suggests that this absence could be explained to a certain degree by relative peacefulness of the country in general, practically no terrorist violence, as well as broad tolerance of homophobic, xenophobic and Islamophobic hate speech by Slovenia's prosecutors and judiciary.

For more insights, see the [REPORT >>](#), that provides a conceptual account on existing policies and laws addressing radicalisation, to pinpoint their most critical aspects and best practices, and to develop evidence-based policy and guidelines.

Categories: Blog | Tags: [De-radicalization: legal and policy framework](#), [Slovenia](#)

< Of Talking Crickets and De-radicalisation: Can international organisations counter radicalisation?

Can states be trusted to protect the public from radicalised extremists? >

# D.Rad

DeRadicalisation in Europe and Beyond:  
Detect, Resolve, Reintegrate



## The Glasgow Caledonian University

Cowcaddens Rd, Glasgow G4 0BA, United Kingdom

### PROJECT COORDINATION

Prof. Umut Korkut | Glasgow School for Business and Society, Glasgow Caledonian University | [Umut.Korkut@gcu.ac.uk](mailto:Umut.Korkut@gcu.ac.uk)

Marcus Nicolson | Glasgow School for Business and Society, Glasgow Caledonian University | [Marcus.Nicolson@gcu.ac.uk](mailto:Marcus.Nicolson@gcu.ac.uk)

Email:

First Name:

Last Name:

University:

**SUBSCRIBE**

Copyright © 2025 By DradProject.com

