

Protest of the Peace Institute against the prosecution of journalists

Peace Institute strongly condemns the growing trend of repressive prosecution of journalists in Slovenia. With indignation, we find that improper prosecution of the journalist Anuška Delić of Delo newspaper is followed by new improper cases of pre-trial proceedings and hearings – this time it is a journalist of the Television Slovenia Erik Valenčič, however, a complaint has also been filed against journalists Meta Roglič and Peter Lovšin of Dnevnik newspaper, who have already been questioned. All prosecuted or investigated journalists explore topics that are of public interest and are of utmost importance for the Slovenian public – the strengthening of racist and neo-Nazi movements, concealing the links between these movements and political parties, tailored reports on these phenomena, and dubious role of intelligence service.

Note that criminal and pre-trial prosecutions of journalists due to verification and publication of information that are indisputably in public interest are in stark contrast to the right of expression and freedom of the media.

We expect the Minister for Justice and the government to immediately submit into the legislative process a proposal to amend the Penal Code, which will avoid continued prosecution of journalists. We would like to point out that any potential conviction would not withstand the judgment of the European Court of Human Rights, which raises freedom of expression and freedom of the media among the most important values of democratic societies. In order to limit freedom of expression and intervene in journalistic autonomy, one would need justified reasons, which in cases of prosecution of Slovenian journalists, were not given.

In this case, we suggest to the Government and the Parliament to use an abbreviated legislative procedure that will allow for a quick change of the law. According to procedural criminal law, in case of a change of the law, criminal proceedings that are already under way continue under the law, which is more favourable for defendants. In this way, the prosecutors may lawfully resign from the prosecution and the cases would be concluded.

In the long term, such amendment of the Criminal Code would ensure that journalists researching and reporting on the actions and connections that are in the public interest will not be hindered by the threat of criminal prosecution.

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