

Sign: Su 216/2025-7  
Date: 10th October 2025

**European Network of Council for Judiciary (ENCJ)**

**President**

**Ms. Madeleine Mathieu**

**e-mail: office@encj.eu**

**SUBJECT: Response to the adopted amendments to the Draft Judicial Council Act**

Dear Ms. Madeleine Mathieu,

As ENCJ is already aware Slovenia has been undergoing a process of judicial reform, in which the Judicial Council has actively participated, contributing with expert opinions and proposals during the formulation of solutions. In May this year, a package of judicial legislation was submitted to the legislative process. During this process, within this week, the relevant parliamentary committee for justice held a comprehensive discussion on the proposed laws, in which the Judicial Council also took part. Unfortunately, numerous amendments presented during the committee's session have led to significant complications in the process of adopting these legislative changes, causing a lack of clarity in the proceedings and obscuring already complex issues.

This approach has prevented a thorough examination of the legislative solutions and hindered careful consideration of their long-term consequences for the judicial system. Particularly concerning are the changes made through the amendments to the Draft Judicial Council Act, which open the door for the further erosion of trust in the impartiality of the entire judicial system and represent a direct encroachment by the legislative branch on the functioning of the Judicial Council.

The lack of broader expert dialogue regarding these amendments points to irresponsible handling of decisions with potentially far-reaching negative effects. The amendments adopted fail to take into account the specific constitutional position of the Judicial Council and pose a serious threat to the fundamental principles of the rule of law, particularly with respect to safeguarding the independence of the judiciary.

Among the key changes introduced are those that:

1. **limit the discretionary decision-making power** of the Judicial Council and
2. **introduce mechanisms that seek to transfer final substantive decision-making on matters within the Judicial Council's jurisdiction to the Supreme Court.**

These changes not only reduce the autonomy and independence of the Judicial Council but also contradict established international standards (i.e. CCJE Opinion nr. 24/2021 - conclusion par. 5; Summary of the Principles and Recommendations of the ENCJ - par. 9) and practices, which call for a clear separation between the legislative, executive, and judicial branches of government, ensuring that the judiciary operates independently from political influence.

In this context, it is crucial that the adoption of such changes be re-evaluated, taking into account the expert opinions of all relevant stakeholders, and that there is a proper examination of legislative solutions that will not undermine the core values of the rule of law, such as judicial independence and impartiality in decision-making.

We would like to emphasize that the legislative process is still ongoing, and it is still possible to prevent the proposed solutions that undermine the independence of the Judicial Council. Therefore, we would greatly appreciate your support in this process.

Yours sincerely,

**President of Sodni svet  
dr. Urška Kežmah**

*For the attention of:*

- CCBE
- Directorate-General for Justice and Consumers, Mr. Jože Štrus