

Problems of the Slovenian Penitentiary System in Light of Practices in the European Court of Human Rights

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Nowadays it is widely accepted, at least in principle, that the essence of a prison sentence shall be in the deprivation of freedom, while limitations of other rights and freedoms are inadmissible, unless they are inherently linked to this loss of freedom. Which limitations are inherently linked to the loss of freedom, is a matter of interpretation; in the past few decades, this question has been extensively elaborated by the European Court of Human Rights (the Court). This study attempts a comprehensive analysis of its practice, with the main emphasis on Article 3 (prohibition of torture) and Article 13 (the right to an effective legal means) of the European Convention on Human Rights (1950/1994). Slovenia has recently been found guilty for violations of these two articles; the core problem of the prison system in Slovenia is prison overcrowding and insufficiency of legal means available to prisoners (the legislation provides several legal means, none of them, however, have turned out to be efficient enough in practice). By analysing the Court's jurisprudence, the authors critically assess imprisonment standards that have been set by the Court, while at the same time propose measures to improve the position of prisoners in Slovenia.

Keywords: prison, housing conditions, prison overcrowding, legal remedies, European Court of Human Rights, conditional release, Slovenia

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Mapa: \\GUITSR01\Redir\$\jesmrekar\My Documents
Predloga: C:\Users\jesmrekar\AppData\Roaming\Microsoft\Predlo
ge\Normal.dotm
Naslov: Media reports on crime in Slovenia
Zadeva:
Avtor: uit0198
Ključne besede:
Komentarji:
Datum izdelave: 23.9.2014 15:42:00
Številka spremembe: 5
Zadnjič shranjeno: 14.4.2015 15:48:00
Zadnji shranil: jesmrekar
Celotni čas urejanja: 237 minut
Nazadnje natisnjen na: 15.4.2015 11:42:00
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