

**Question for written answer E-005199/2014  
to the Commission**

Rule 117

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Subject: Use of judicial systems for political reasons in the EU

Janez Janša twice served as Prime Minister of Slovenia and in 2008 chaired the European Council. In June 2013, the Court of First Instance in Ljubljana sentenced him to two years in prison. The conviction was on the grounds that he had accepted a promise of an unknown reward for an alleged illegal favourable intervention in a public tender. None of the accusations were proved, however, nor could they be, because they were wholly untrue. The trial was staged. The indictment of committing an offence at an 'unknown moment', at an 'unknown place', through an 'unknown method of communication', is far too unspecific to allow the defendant the slightest opportunity to defend himself. This constitutes a clear violation of the principle of presumption of innocence and the right to defence recognised in the EU Charter of Fundamental Rights (Article 48). Twenty-five years ago, Janša was arrested and sent to prison (the judgment was later repealed) by a former agent of the secret police, the spouse of the prosecutor in the 2013 case. This seems to be a clear infringement of the European standards set by the Council of Europe and, again, of the principles laid down in the Charter (Article 47). The prosecution of a political leader via a specific expedited procedure that rules out any prior independent judicial verification, as used in the Janša case, can be a way of attempting to prevent an opposition leader from running for office (breach of Article 40 of the Charter) while a more common and equally effective procedure would have preserved his democratic rights. In such cases, expedited procedures are a political tool used to radically distort democracy both in the Member States and in the EU.

How would the Commission assess the rights of the defendant in the Janša case?

What are the standards against the use of judicial systems for political reasons in the EU?

What influence might such a judgment have on the confidence of citizens in judicial systems, standards of democracy, and human rights as promoted by the EU around the world?