

The Slovenian Association of Former Owners of Expropriated Property (SAFOEP) is a civil society organization with over 4000 members which has been representing the interests of 200.000 Slovene expropriated persons and their immediate families since 1990.

The denationalisation and privatisation processes are two foundation stones of the successful transition in the Republic of Slovenia. Predominantly regarding the denationalisation, the SAFOEP unfortunately once more establishes that the implementation of the law is not well-intentioned and that the efficiency of the Denationalisation Act is again in decline due to the reinforcement of political forces and ideas inherited from the period of the communist totalitarianism.

- The implementation of the passed legislation and the adoption of new acts in the Republic of Slovenia do not comply with the principles of the European *acquis communautaire*.
- The EU representatives do not react decisively enough to the legal provisions which in a discriminatory way still violate the right to private property and legalize again the unfounded privileges from the previous regime.
- Already for 12 years, Slovene expropriated persons have been fighting for their rights with their own country which after the World War II, contrary to all civilization norms, brutally expropriated them, dislodged them from their own homes, banished them from the country or even killed them in order to get to their property. So far, in the Republic of Slovenia no one has ever been accused of, let alone punished for, all these actions which can without any difference be classified as criminal and often also genocidal ones! The Republic of Slovenia has never publicly condemned the manipulations of the then authority nor offered a single word of apology to its own persecuted and expropriated citizens!
- Instead of justly and voluntarily restituting at least the remaining part of the once nationalised property to the expropriated owners in the period of transition, the Republic of Slovenia tries, with various administrative hindrances, unbelievable procrastination and promoted anti-propaganda in mass media, to return as little property as possible to the lowest possible number of expropriated persons. And not just that: the already formally "restituted" property is under the statutory restraint in some cases still being used by the former privileged individuals of the regime instead by the original and today again lawful owners.
- The SAFOEP expects the EU representatives to get acquainted before 1 May 2004 with the erroneous actions of the Republic of Slovenia, particularly in the field of legislation and its implementation, and to force the new Member State with appropriate measures to comply with the European *acquis communautaire* and with the fundamental human rights in the field of private property.

Therefore the SAFOEP establishes:

1. The restitution of the unjustly nationalised property is extremely politicised. The left-wing option, which follows the ideas of the 50-year-lasting communist period, is again occupying all the important positions in the state, and its influence is increasing. For this reason the obstruction of the restitution of property is a genuine political task of all governing structures in the country against which the expropriated persons actually have no real power.
2. The interpretation of the current Act itself is negative and malevolent (e.g. regarding citizenship), which also holds true of the parallel legislation (e.g. the Housing Act, the Hunting Act, etc.). Even more: in the course of years the arrogant left-wing parties have produced quite a methodology pursuant to which the property shall not be restituted. In December 1993 the last term expired for filing the restitution claims and despite of that today some cases are still at the beginning of the proceedings because it often happened that they were returned unsolved to the first instance. The most zealous participants in this whirligig of violation of human rights and making fun of the legal state are, of course, extremely left-wing oriented ministries (e.g. Ministry of Culture and Ministry of Environment, Spatial Planning and Energy). In such a system of property restitution there certainly exists serious discrimination against the rightful claimants since the blockades in the process of property restitution are more and more numerous and minutely worked out.
3. The Republic of Slovenia does not comply with the Resolution No. 1096 of the Parliamentary Assembly of the Council of Europe regarding the abolition of heritage of former totalitarian communist regimes.

Even the passing of new laws (e.g. the Housing Act or the Hunting Act) is not based on the European *acquis communautaire* because it takes into account neither private property nor owner rights. It simply rests on the communist practice whereby it particularly carefully safeguards all the unjustified privileges related to having at disposal other persons' property. Thus, in the pension, housing, land, "combatants", social, cultural and many other fields, the system of privileges from the past is in force which stimulates quite a number of privileged persons to thinking that everything was better and nicer in the period of communism.

The restitution of property is particularly hindered in the cases where the once nationalised property is still being used as a privilege (e.g. denationalised apartments, forests, business premises, lands, etc.). For this reason there is a permanent propaganda against the restitution going on and, due to the keeping in the position of the left-wing electoral body, this propaganda is also substantially supported by all instruments of the authority.

The revival of communist symbols and celebration of events from the communist period point out to the dangers which threaten the state pursuant to Point 3 of the Resolution No. 1096. Such developments of course preclude any accountability for the crimes committed in the communist period.

4. Slovenia is the future full member of the EU and NATO. Slovene expropriated persons are surprised at the fact that the European institutions allow with such tolerance the re-spreading of communist methods in the Slovene territory. We are unsatisfied to mention that the EU representatives do not try to get in touch with the civil society in Slovenia, but strictly contact the representatives of the left-wing authorities regarding all issues related to transition. This is of course simpler and less conflicting, but also completely ineffective in establishing a democratic and legal state.

Empty promises by the authority regarding a fair denationalisation, respect for private property, abolition of communist privileges and introduction of the European *acquis communautaire* are far from being a common practice.

The friendly patting by the representatives of the EU and RS government will certainly not speed up the restitution of the nationalised property.

5. Finally, the fact also has to be mentioned that, within the framework of the EU accession, the Slovene government committed itself to complete the entire denationalisation by the end of 2002. Unfortunately this was not accomplished. There is also information that it is still unknown whether and when this process will be completed.