



STALNO PREDSTAVNIŠTVO REPUBLIKE SLOVENIJE PRI SVETU EVROPE  
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**Mrs Marja Ruotanen**  
**Director of the Private Office**  
**of the Secretary General**

Strasbourg, 23 February 2006  
99/06/JB

Dear Mrs Ruotanen,

Enclosed please find the original letter by his Excellency Dr Dimitrij Rupel, Minister of Foreign Affairs of the Republic of Slovenia, addressed to his Excellency Mr Terry Davis, Secretary General of the Council of Europe. We would be most grateful if you could forward the copy to its high addressee.

Yours sincerely,

Aleš Biber  
Chargé d'affaires

Dr. DIMITRIJ RUPEL  
MINISTER OF FOREIGN AFFAIRS  
OF THE REPUBLIC OF SLOVENIA

Ljubljana, 16 February 2006

Dear Secretary General,

With reference to your letter concerning Article 52 of the European Convention on Human Rights (ECHR) I wish to inform you that the Slovenian Police has no data on any alleged violations of Article 52 of the ECHR or any alleged secret deprivations of liberty of persons suspected of being involved in terrorist acts on the territory of the Republic of Slovenia. In the Republic of Slovenia, there is no such police investigation under way and no alleged victims have so far filed a criminal complaint with the Slovenian Police.

With regard to kidnapping or false imprisonment, the Penal Code of the Republic of Slovenia (Uradni list RS Nos. 63-2167/1994 and 95-4208/2004) contains two criminal offences, the elements of which are defined in Articles 143 and 144 of the Penal Code:

**"False imprisonment**

**143. Article 143**

(1) Whoever unlawfully incarcerates another person or keeps him incarcerated or otherwise deprives him of the freedom of movement shall be sentenced to imprisonment for not more than one year.

(2) If the offence under the preceding paragraph is committed by an official through the abuse of office or of official authority, such an official shall be sentenced to imprisonment for not more than three years.

*H.E.  
Mr Terry Davis  
Secretary General  
Council of Europe*

**STRASBOURG**

(3) Any attempt to commit the offence under the first paragraph of the present article shall be punished.

(4) Whoever either deprives another person unlawfully of his liberty for a period exceeding one week or acts so in an aggravated manner shall be sentenced to imprisonment for not less than three months and not more than five years.

## **Kidnapping**

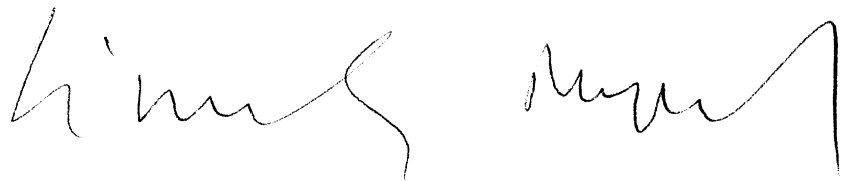
### **144. Article 144**

(1) Whoever abducts another in order to compel him or any other person to perform an act or to omit to perform an act or to suffer any harm shall be sentenced to imprisonment for not less than six months and not more than five years.

(2) Whoever commits the offence under the preceding paragraph against a minor or threatens the kidnapped person with murder or serious bodily harm shall be sentenced to imprisonment for not less than one and not more than ten years.

(3) The perpetrator of any of the offences under the first or second paragraphs of the present article who releases the kidnapped person before the payment of a ransom, the extortion of which was the motive of the kidnapping of that person, may be granted a reduction or remission of his sentence."

Please accept, Dear Secretary General, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read 'L. M. S. M.', written in a cursive style.