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The PanSlovenian Investors' & Shareholders' Association (VZMD) welcomes the fact that also now the Supreme Court of the Republic of Slovenia bolstered the opinion, voiced by the VZMD's associates since December 4, 2013 when they lodged the first initiative for a constitutional review of the amendment of the Banking Act (ZBan-1L) – that this law with which the self-proclaimed "domestic troika" nationalized as many as six Slovenian banks is unconstitutional and even to such extent that it violates a number of constitutionally protected human rights.

The Supreme Court judges - besides a highly categorical position that the law deprived expropriated persons of the judicial protection right in the text that can be found [HERE](#) - have also agreed with the Advocate-General of the European Court of Justice that the Bank of Slovenia has evaded responsibility and faked ignorance by referencing the "rules" of the European Commission (item 9 of the explanation), and expressed their strong opinion that the Bank of Slovenia encroached upon the constitutionally protected right to private property through the expropriation decisions (item

16).

"Thus the Supreme Court concurs with requests for the constitutional review (the Ombudsman, the National Council of the Republic of Slovenia, the District Court in Ljubljana and the Higher Court in Ljubljana) and with 26 initiatives for the constitutional review of which the first one was outlined and written by the VZMD's associates," is how the VZMD President, Mr. Kristijan Verbič, commented on the contents of the request for the constitutional review which was referred by the Constitutional Court of the Republic of Slovenia to the Supreme Court of the Republic of Slovenia.

A ATM - Associação de Investidores e Analistas Técnicos do Mercado de Capitais tem duas acções populares (class actions) relacionadas com o caso da resolução do Banco Espírito Santo que são em tudo idênticas às acções promovida pela VZMD e que o Supremo Tribunal de Justiça da Eslovénia acabou por decidir em favor do peticionado pela homologa da ATM na Eslovénia.

A ATM continua aguarda que o tribunal de primeira instância se pronuncie sobre as duas acções submetidas há quase dois anos.

A ATM equaciona apresentar uma queixa contra o Estado Português junto do Tribunal de Justiça da União Europeia devido à lentidão da justiça nos vários processos judiciais que tem em curso e pela violação de pelo menos uma Directiva Europeia, nomeadamente os relacionados com a resolução do BES, Luz Saúde (Espírito Santo Saúde), Portugal Telecom (Pharol), etc.



[Decisão do Supremo Tribunal de Justiça da Eslovénia \(Empty 2016-04-07 11:44:07\)](#)