

Database

The organisation and functions of the Office of the Legal Adviser in the Ministry of Foreign Affairs

This database contains the original national contributions bringing together information on The organisation and functions of the Office of the Legal Adviser in the Ministry of Foreign Affairs



Information on the contribution

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Translations
• No translations

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Database of the CAHDI "The organisation and functions of the Office of the Legal Adviser in the Ministry of Foreign Affairs" - contribution of Slovenia - 01/09/2014

1. What is the title, rank and position of the Legal Adviser?

(September 2014)

The Legal Adviser is Head of the International Law Department. It is a high-ranking professional diplomat, usually minister plenipotentiary. The Legal Adviser is a part of the Diplomatic Service.

2. What are the principal functions of the OLA?

The principal function of the Office of the Legal Adviser is to provide legal advice to the Minister of Foreign Affairs and other Departments within the Ministry of Foreign Affairs on issues of public international law and EU law. It also provides legal advice to all other Ministries of the Government, assists with drafting the texts of the agreements, the administrative procedure with regard to their conclusion and ratification in the Government or the Parliament. Its representatives attend bilateral and multilateral agreement negotiations. It also prepares legal analyses, reports and other information for the Ministry of Foreign Affairs, other bodies of the Government, and the Parliament. The Legal Adviser or his deputies attend meetings of the Parliament committees and the plenary Parliament sessions. It supervises all the phases of the procedures of conclusion of international agreements and other international acts of Slovenia, keeps the register and acts as a guardian of the treaties. The Legal Adviser and members of the Office frequently attend conferences and meetings in Slovenia and abroad.

3. Please give a brief description of staff employed by the OLA, including overseas staff. What is the distribution of posts between men and women within the OLA and what category of staff do they respectively belong to?

There are currently 13 lawyers working in the International Law Department in Ljubljana. The Slovenian diplomatic service has no special career track for lawyers, and there are also no special legal postings abroad. There are currently 7 women, one of them is a deputy head of the department.

4. Are there any specific recruitment and promotion policies, provisions and/or quotas to ensure non-discrimination and equal opportunities, e.g. for the underrepresented sex, for persons with disabilities or for persons belonging to ethnic or religious minorities or of immigrant origin?

There is no need for specific recruitment and promotion policies to facilitate diversity within the department. Both genders are equally represented. In the past the department was headed by a woman and two deputy positions are always occupied respecting gender equality.

5. Is OLA staff trained on gender equality issues and are these issues mainstreamed into the OLA's work?

There is no specific training on gender equality issues.

6. Briefly describe the organisation and structure of the OLA.

The Legal Office has two units: the Unit for Public International Law and the Unit for EU Law. Both units perform similar functions, and the legal advisers in those units specialise either on questions of public international law or EU law, respectively. Each legal adviser is assigned a number of areas, i.e. internal affairs, environment, defence, including the international organizations, and his work focuses mainly on those areas. Legal advisers are, however, expected to take on a variety of work from different areas of law. The work of the office is supported by a registry.

7. What is the OLA's place within the Ministry of Foreign Affairs?

The Legal Adviser is a head of the International Law Department within the Directorate for International Law and the Protection of Interests. However, its competences extend over all other directorates of the MFA when issues are related to international public law. Officers, who serve in the department, are part of the Diplomatic Service.

8. What are the main contacts of the OLA within Government?

The Office of the Legal Adviser is the principal service within the Government for the issues of public international law and EU law. The Office has close contacts mostly with the Government Office for Legislation and the relevant departments of the ministries and agencies of the Government. Outside the Government, the OLA works closely with the Legislative and Legal Service of the National Assembly of the Republic of Slovenia. The Office of the Legal Adviser has a general advisory role and must be consulted in advance on all the international agreements and other international acts, entered into by the Government, before their conclusion.

9. Please describe the relations of the OLA with lawyers in private practice, academics and legal institutions.

Lawyers in private practice are retained by the Ministry of Foreign Affairs in cases of suits abroad, where and if the need arises. The Office of the legal Adviser consults with the International Law Professors at the Law Faculty of the University of Ljubljana, and often retains them as consultants. The OLA occasionally organises seminars in collaboration with them.

10. Please provide a brief bibliography on the OLA, if available.

No bibliography is available.