



Nations in Transit 2017

Slovenia *Country Profile*

REGIME
CLASSIFICATION:

CONSOLIDATED
DEMOCRACY



Nations in Transit Score

Democracy Score



SCORE EVOLUTION: ↘

NIT COUNTRY RANK: 3/29

Quick Facts

Capital:	Ljubljana
Population:	2.06 million
GNI/capita, PPP:	\$22,600
Freedom in the World Status:	Free
Press Freedom Status:	Free
Net Freedom Status:	n/a

Nations in Transit Ratings and Averaged Scores

	2017
National Democratic Governance	2.25
Electoral Process	1.50

Civil Society	2.00
Independent Media	2.50
Local Democratic Governance	1.50
Judicial Framework and Independence	2.00
Corruption	2.50
Democracy Score	2.04



NOTE: The ratings reflect the consensus of Freedom House, its academic advisers, and the author(s) of this report. If consensus cannot be reached, Freedom House is responsible for the final ratings. The ratings are based on a scale of 1 to 7, with 1 representing the highest level of democratic progress and 7 the lowest. The Democracy Score is an average of ratings for the categories tracked in a given year. The opinions expressed in this report are those of the author(s).

Score Changes:

National Democratic Governance rating declined from 2.00 to 2.25 due to instability and the government's low effectiveness; a growing popular aversion towards established politics; and the strengthening of radical and populist voices. As a result, Slovenia's democracy score declined from 2.00 to 2.04.

EXECUTIVE SUMMARY:

In 2016, growing instability and low public support for the center-left government coalition challenged democratic governance in Slovenia. Despite positive and improving macroeconomic and fiscal trends following the severe crisis between 2009 and 2014, the government failed to initiate reforms that would contribute to the sustainability of public systems and increase transparency and accountability in the management of state assets. Meanwhile, internal tensions weakened the center-right opposition, and low public trust in the established

parties gave space to populism and xenophobia, feeding on the increasingly unstable external environment. Previously introduced savings measures continued to negatively affect the NGO sector, the position of labor unions, media independence, and local governance.

The coalition—composed of the Party of the Modern Center (SMC), the Democratic Party of Pensioners (DeSUS), and the Social Democrats (SD)—faced growing instability and declining support in the second year of its mandate. The main coalition party SMC’s cabinet ministers were held responsible for a lack of reform in the healthcare system and a failure to address the problem of accountability and effectiveness in the management of the state assets. This became evident in a number of affairs involving the two most important state asset managers—Slovene Sovereign Holding (SDH), responsible for the management of state assets, and the Bank Asset Management Company (DUTB),¹ established to improve the capital of state-owned banks affected by the economic crisis. Tensions climaxed in June, when the SD and DeSUS refused to back the SMC over the future strategy of the state-owned port operator, Luka Koper. At the time, support for the government was at its lowest since coming to power.² Although the European Commission closed its excessive deficit procedure against Slovenia in June, and macroeconomic indicators showed positive and improving trends (economic growth was at 2.3 percent in 2016),³ the economy continued to face the prospect of long-term instability. Economic woes were reflected in increasing dissatisfaction and industrial action, including a strike of medical doctors in November.

Following the center-right government’s collapse due to corruption scandals in 2013, internal divisions continued to weaken the conservative opposition. The leading opposition party, the Slovenian Democratic Party (SDS), argued that the 2014 elections were

illegitimate due to the imprisonment of its leader, Janez Janša,   during the election campaign. With Janša no longer considered an acceptable candidate for opposition leader, the SDS found itself increasingly isolated politically, and continued to use radical rhetoric of fight against perceived remnants of the former communist regime in the judiciary, the media, and even in its fellow opposition parties. Meanwhile, against the backdrop of internal crises plaguing both the government and the opposition, large portions of the electorate became averse to mainstream party politics.⁴ Weak support for the established centrist parties strengthened populism and radicalism, which was in turn fed by the ongoing migrant and refugee crisis and an overall unstable external environment. In response to the refugee crisis, the government attempted to offset pressure by securitizing the issue and drafted controversial amendments to the Law on Foreigners that would undermine refugee protections.

NATIONAL DEMOCRATIC GOVERNANCE:

2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.25

- The center-left government coalition consisting of the Party of the Modern Center (SMC), the Social Democrats (SD), and the Democratic Party of Pensioners (DeSUS) faced growing criticism due to inaction and internal divisions on economic governance issues. The criticism especially targeted the leading coalition party, SMC. Prime Minister Miro Cerar (SMC) took personal responsibility for the low accountability and effectiveness of the State Sovereign Holding (SDH) and the Bank Asset Management

Company (DUTB), two key public institutions managing state assets, by backing the leadership of the heads of these bodies.⁵ The heads of the SDH had been allegedly involved in the controversial appointment of board members to state-owned companies and banks, and a failure to control the boards and managers. Similarly, the leadership of the DUTB—established to manage bad loans bought from banks affected by the Eurozone crisis—was accused of trying to circumvent state regulation regarding the personal salaries of its management. The heads of the DUTB were also accused of selling properties—now free of debt and at a discounted price—back to the original owners. The finance minister, Dušan Mramor (SMC), a key government figure responsible for state finances and assets, faced accusations of receiving, and enabling others to receive, illegal payments during his time as a university professor.⁶ Minister of Infrastructure Peter Gašperšič (SMC), and the SDH engaged in open conflict with the management of the state-owned port operator Luka Koper over strategic plans; and health minister, Milojka Kolar Celarc (SMC) was blamed for the poor performance and lack of reform of the public healthcare system. The affairs dividing the coalition enabled different lobby groups to block proposed changes, thus hindering the government’s effectiveness and accountability.

- Tensions in the coalition climaxed in June, after the coalition partner DeSUS supported the interpellation of the SD Minister of Labor, Family, and Social Affairs, Anja Kopač Mrak, essentially a vote of confidence in the minister’s ability.⁷ SD and DeSUS went against the SMC and SDH on the Luka Koper issue. Support for the government declined, reaching its lowest level, with less than a third of people approving of the government.⁸ Ahead of confidence votes against Infrastructure Minister Peter Gašperšič

and Health Minister Milojka Kolar Celarc in September and in October, the coalition managed to secure its position, but this consolidation came amid a series of resignations in the second half of the year. In June, Finance Minister Mramor and SDH leader Marko Jazbec both resigned.⁹ Towards the end of the year, tensions in the coalition briefly reescalated over the issue of healthcare reform and the ending of savings measures.

- Despite of the low level of support for the government, the center-right opposition failed to present itself as a suitable alternative, due to its own internal cleavages. The Slovenian Democratic Party (SDS) continued to argue that the 2014 elections were illegitimate due to the imprisonment of its leader, Janez Janša. The SDS was leading the polls throughout most of the year,¹⁰ but Janša, based on past allegations of corruption, became an unacceptable leader for potential coalition partners. In response, the party continuously used a radical rhetoric of fighting against political structures related to the former communist regime in state-run systems, the media, and even in the other opposition parties. Some more moderate SDS members departed or distanced themselves from the party.¹¹ Tensions increased between the SDS, the second largest conservative party, New Slovenia (NSi),¹² and the third largest center right party, the Slovene's People's Party (SLS).¹³ The SDS sympathized with the new neoconservative Catholic "Movement for Children and Families"—led by Aleš Primc and often described in the media as a satellite of the SDS—and the "New SLS", a competitor to NSi and SLS. Even though the ruling coalition tried to overcome the traditionally strong political polarization, for example by supporting the excavation and burial of victims of the former regime, closer cooperation between parties from the center-right and center-left block was still unimaginable.

- The European refugee crisis continued to act as a destabilizing factor. Between October 2015 and March 2016, when the Western Balkans corridor was closed, almost 480,000 migrants passed through Slovenian territory.¹⁴ This resulted in chaos, particularly in the first few weeks, and created the perception that government was not in control of the situation. The conservative opposition used increasingly negative attitudes towards irregular migrants and the closure of borders further north—triggering fears that Slovenia might become a “migrant pocket,” which would result in humanitarian and security crises—to pressure on the government. In February, anti-immigration protests took place, supported by the SDS,¹⁵ which questioned the government’s ability to provide for the security and safety of the people and proposed the establishment of a national guard of 25,000 volunteers.¹⁶ In order to offset pressures and prevent the escalation of political radicalism, the government responded by pushing for the closure of the Western Balkans route, thus curbing the influx of refugees and helping to reimpose border control. In October, the government further drafted changes to the Law on Foreigners that would enable the rejection of migrants already at border crossings, thereby preventing critical situations such as those in 2015 from reoccurring. The law received criticism for undermining refugee protections and further dividing society and political parties.
- Favorable external market conditions contributed to positive and improving economic growth, which reached 2.3 percent in 2016.¹⁷ Positive changes in foreign financing conditions and fiscal stringency enabled Slovenia to leave the EU’s excessive budget deficit procedure in June.¹⁸ For the first time since 2008, the state budget was creating a surplus and the debt-to-GDP ratio started to decline. Employment was also slowly returning to pre-crisis

levels,¹⁹ though labor market conditions were still static and a number of newly created jobs were insecure. The structural reforms needed to ensure the long-term sustainability of the economy and public systems moved slowly due to political divisions. After a number of disagreements, September's "small tax reform" increased taxation of profits and slightly reduced taxation of the lowest and highest incomes, with the latter reforms mostly benefiting better paid public sector officials. Business groups strongly criticized the reforms.²⁰ Towards the end of the year, the government agreed to allocate more funds to medical doctors who went on strike in November, and to end some of the savings measures affecting public sector salaries.

ELECTORAL PROCESS:

2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
1.50	1.50	1.50	1.50	1.50	1.50	1.50	1.50	1.50	1.50

- In October, a parliamentary committee began discussion of proposed changes to several electoral laws. Two of the major changes advanced were banning those convicted to more than six months imprisonment from running for public office, and powers enabling the electorate to recall a mayor. The first amendment was initially proposed during the elections of 2014 when the opposition leader Janez Janša—in prison at the time—was elected to parliament, while calls for the second emerged after popular uprisings in 2012 against the mayor of Maribor, Franc Kangler, who refused to resign despite facing a number of criminal charges. The opposition was critical toward the proposed changes due to links between the amendments and individuals, and the

propensity for interference with active political rights. The so-called Lex Janša failed to secure the two-thirds majority required for it to pass, while discussions of the Lex Kangler continued.²¹ Parties with relatively more mayors in their ranks, including the coalition partner SD, were critical toward the latter proposal.

- Growing tensions between the center-right parties also resulted in conflicts within parties, challenging internal party governance. Some more moderate SDS members, who departed the party due to its support for its leader and continuous use of radical rhetoric, argued that party democracy inside SDS had reached an alarmingly low level.²² The MPs that left SDS in April and June also argued that the internal candidate selection procedures were undemocratic.²³ In June, when former SLS president Marjan Podobnik—considered to be close to SDS—challenged the authority of the incumbent SLS leader, Marko Zidanšek, physical violence broke out between the two as both men accused each other of using undemocratic measures.²⁴
- Ideological divisions between conservatives and the radical left further weakened the opposition. The United Left (ZL), an alliance of three parties, enjoyed relatively high support, being the fourth most popular party.²⁵ ZL, however, had difficulties finding a unified voice. In the Initiative for Democratic Socialism (IDS), the largest member of the alliance, members and the leadership disagreed on the issue of integration into a single party.²⁶ In April, when IDS was deciding on integrating into a single party, conflict emerged between the party leadership and delegates. The latter, who were against integration, accused the former of trying to deny them a voice on the issue by using procedural tricks to postpone decision-making. At the

convention, dialogue between the party's leadership and delegates reached a dead end.²⁷



- The crises faced by the government coalition, and tensions within and between the opposition parties, passivized the majority of the electorate and strengthened aversion towards the established parties. The share of voters that would not participate in the elections increased to 10-20 percent, the share of undecided voters grew to 20-30 percent, while an additional 15-25 percent would not vote for any of the existing parties.²⁸ This, as well as the increasingly unstable political environment, created space for new populist movements arising from civil society, which were often linked to existing political parties.

CIVIL SOCIETY:

2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00

- Referenda have been an important tool of civil society in Slovenia. In 2016, the Apače Civil Initiative—a group of Slovenian cross-border workers—decided to use the referendum procedure as an act of civil disobedience, protesting additional taxes on income originating from Austria. The initiative launched referendum procedures on several randomly selected laws, thus hindering the legislature's effectiveness and delaying the implementation of the laws. The president of the parliament, Milan Brglez (SMC), reacted to these actions in May by rejecting several of them.²⁹ The decision to reject the initiatives was

controversial as it was based on the proposals’ “illegitimate referendum claim”—and not on procedural merits—thus posing a threat for future interference in the right to popularly initiate referenda. The opposition and some analysts also considered the decision a demonstration of state power against a group of workers who, after being unable to find jobs in Slovenia, went to work abroad, and who were further punished based on different tax systems. The Constitutional Court rejected their appeal in July,³⁰ and the government finally promised to find a compromise solution.

- Some major civil society developments demonstrated the tense relationship between the sector and established political parties. The movement “It’s About Children”—renamed the “Movement of Children and Families” in May 2016 following a successful referendum against the equal family rights of gay couples in December 2015—announced its intention to become a political party. Aleš Primc, considered to be close to SDS, led the movement.³¹ Primc was also the head of “Committee 2014”, a civil society initiative established following the imprisonment of SDS leader Janša in 2014, and which argued during protests before public buildings that the judiciary, media, and other systems in Slovenia were illiberal and undemocratic due to the continuous influence of power structures linked to the former communist regime. In 2016, Committee 2014 continued its activities, focusing on issues such as accountability in the judicial system, the right to publicly initiate referenda, and family rights. In June and July, labor unions in the state owned port operator, Luka Koper, and civil society initiatives linked with the coalition SD party and various interest groups,³² blocked all traffic entering and leaving the port. The decision to initiate industrial action was due to disagreements about the company’s future. The industrial

action prevented the SDH–responsible for the management of state assets—from replacing three supervisors, and resulted in the resignation of that party’s head, Marko Jazbec, as well as pressuring infrastructure minister Peter Gašperšič (SMC) into concessions.³³

- The savings measures reduced state financing of the NGO sector, hindering its role as an autonomous and independent actor. In January, environmental NGOs wrote a letter to the Prime Minister Cerar, calling for systematic changes and stressing their unfavorable position due to the declining share of public funding and irregular financing.³⁴ During recent years, and under the threat of a financial default that would have led to an even more drastic reduction of labor rights and standards, public sector unions agreed on saving measures, which were considered temporary. Following improvements in economic indicators, the government wanted to extend the measures to further reduce deficit and debt. In order to put pressure on the unions, the government threatened to put individual acts directly to parliament without first consulting with the unions. This triggered a revolt by the labor unions, which threatened major protests.³⁵ By the end of the year, the government and public sector unions agreed on the partial removal of the savings measures.
- The migrant and refugee crisis proved a fertile ground for right-wing extremism. In February, about 3,000 people, including MPs from the SDS, protested the creation of a temporary refugee reception center in Šenčur.³⁶ National television journalists suggested that the SDS played a role in the organization of the protest.³⁷ A number of smaller protests both in favor of and against refugee reception centers also took place in other

cities.³⁸ There was substantial mobilization of public opinion against the resettlement of any migrants or refugees in some conservative, traditional media outlets, and on social media. In February, the Islamic community faced several attacks—including the dumping of pig heads at a mosque construction site in Ljubljana—that were intended to provoke interreligious conflict.³⁹

INDEPENDENT MEDIA:

2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
2.25	2.25	2.25	2.25	2.25	2.25	2.25	2.25	2.50	2.50

- Although in recent years there have been a number of high profile prosecutions of journalists for publishing classified information in the public interest, legislative changes in 2015 decriminalized this act, and in 2016, no journalists were prosecuted for publishing such information. However, journalists still face the threat of imprisonment for offending politicians' honor and reputation.⁴⁰ In May, a photojournalist was fined for obstruction after taking pictures of a traffic police officer's dealings with an elderly cyclist. According to journalists, this penalty demonstrated the continuous presence of a "police state" mentality.⁴¹
- Although in 2016 there were fewer reported cases of direct political pressure on—or attempts to discipline—journalists, notable cases did emerge. In one notable example, a March Tweet by SDS leader Janez Janša characterized two female journalists working for the national television broadcaster as "prostitutes" in response to reports on the links between the SDS and protests in

Šenčur. Janša's Tweet triggered negative reactions from a   part of the media community, civil society, and politics, with the parliamentary Committee for Culture unanimously condemning any attempt to pressure journalists.⁴²

- However, the SDS has long argued that a large portion of the Slovenian media is biased and under the control of interests related with the so-called transition left. The SDS has therefore decided to support a new media project, in which individuals –mostly members and supporters of the party–invested capital. The most influential part of the project, the television outlet Nova24TV, started broadcasting in March.⁴³ The new project, although contributing to Slovenian media plurality, strengthened media politicization in the country.
- In June, the Ministry of Culture presented a draft strategy for the development of the media towards 2024.⁴⁴ The document would serve as a basis for changes to outdated sections of the media law –including one that narrowly defined a journalist as someone with permanent employment. In 2016, at least one third of journalists were, in practice, self-employed or on part-time contracts.⁴⁵ Although welcoming the strategic approach, civil society representatives and journalists criticized aspects of the document. In particular, they emphasized the insufficient involvement of experts and journalists' organizations in the process of drafting the amendments to the media law. They also highlighted the unbalanced scope of attention to individual issues, especially a lack of attention to the social and professional position of journalists, effective regulation of the industry, a systematic approach to state support, and the systemic involvement of civil society organizations. The strategy also failed to address the position of the national broadcasting service

and state news agency, which were exposed to political interference and pressures, including threats to cut financing and privatization.⁴⁶



- Since the mid-2000s, media ownership and production has faced an unstable environment due to the ruling political elites' attempts to control the media, often by using the state's role in the economy as a lever. The years of financial and economic crisis deepened the crisis in the media. In 2016, consolidation of ownership and layoffs of journalists continued across a number of media outlets. The shrinking number of journalists contributed to the poor general health of the media and the decline of professional standards, including increasing self-censorship.⁴⁷ The media company FMR—part of the Kolektor group controlled by the center-left Stojan Petrič—acquired *Delo*, the biggest daily in the country, in January. In February, FMR appointed the former head of its public relations division, Gregor Knafelc—a man with no editorial or journalistic experience—to the office of editor-in-chief of the newspaper. Due to legal loopholes in the existing media law, the new owners were able to bypass the requirement to consider journalists' opinion of the appointment.⁴⁸ Ownership changes also occurred in the daily *Dnevnik*, Planet TV—which was recapitalized by the state-owned IT services provider Telekom—and in some other outlets.

LOCAL DEMOCRATIC GOVERNANCE:

2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
1.50	1.50	1.50	1.50	1.50	1.50	1.50	1.50	1.50	1.50

- The financial and economic crisis prevented the government from introducing a new level of governance in Slovenia, that of regions. Savings measures introduced during the crisis years have put local municipalities' finances under strain. While smaller municipalities were already struggling with the problem of administrative inefficiency, larger urban governments faced growing public service expenses, including social support and preschool care. The government's attempts to reduce municipalities' financial burdens by simplifying the legal procedures and requirements by which financing is procured did not produce the expected results. Tensions emerged as the Ministry of Finance and the Association of Municipalities and Towns of Slovenia started negotiating the financing of municipalities for 2017 and 2018.⁴⁹ Proposed changes to the electoral laws enabling the recall of mayors and the government's intention to liberalize the maintenance of cemeteries and the provision of funeral services—a sector monopolized by municipalities—were particular points of contention.⁵⁰ Finally, the parties reached a compromise solution on local government financing.
- In July, in Maribor—a former industrial city and Slovenia's second largest city located in the lesser developed eastern part of the country—the city council coalition headed by Mayor Andrej Fištravec collapsed. Fištravec was elected after massive protests in 2012 ousted then-incumbent Mayor Franc Kangler, who was facing a number of criminal charges. Kangler's resignation represented a major victory of (local) civil society and an opportunity for civil society organizations to take a more active role in Slovenia. However, as civil society failed to effectively organize, and as poor governance continued under Fištravec's mayoralty, belief in civil society's power waned.⁵¹

- At the local governance level, independent civil society was relatively weak. In June, the Municipality of Ljubljana demolished buildings in the area of the old Rog factory as a part of its spatial plans. The demolitions triggered conflict with local individuals, who lived and worked in the area with the consent of municipality. After dialogue between the two parties failed, the municipality decided to use force by sending in security guards, triggering a physical confrontation with the squatters. After public pressure, the matter was remitted to court for resolution.⁵²
- The accountability of mayors and city councils regarding the transparent and efficient use of public funds remained a problem. Case studies by Transparency International Slovenia,⁵³ as well as cases investigated by the police,⁵⁴ demonstrated that municipalities were not effectively fighting corruption beyond formally complying with anti-corruption legislation. For example, reports by the Court of Auditors showed that almost all municipalities published free local newsletters financed by taxpayer money; most of these newsletters predominantly promoted the mayors and their coalitions.⁵⁵

JUDICIAL FRAMEWORK AND INDEPENDENCE:

2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
1.50	1.75	1.75	1.75	1.75	1.75	1.75	1.75	2.00	2.00

- Following the imprisonment of Janez Janša during the parliamentary elections campaign in 2014, the strong politicization facing the judiciary continued in 2016. In September, the SDS announced a lawsuit against the state for

damages incurred as a result of losing the 2014 elections,⁵⁶ the Supreme State Prosecutor rejected as “absurd”.⁵⁷ Committee 2014, a civil society movement close to the SDS and established during Janša’s imprisonment, continued to protest in front of the courts. In June, it initiated a procedure to adopt a new law to ensure publicity, transparency, and accountability in the judicial system.⁵⁸ The mandate of the current president of the Supreme Court, Branko Masleša, who was accused of interfering with Janša’s case (the Supreme Court confirmed the verdict against Janša),⁵⁹ expired, and Masleša decided not to run for another term. Criticism was raised about the lack of transparency in the selection process for a new Supreme Court president.⁶⁰

- Contrasting the controversy over the appointment of a new Supreme Court president, center-left and center-right parties reached a political deal on the nomination of two new constitutional judges, Špelca Mežnar and Marko Šorli, who were each supported by one political camp. In recent years, a number of Constitutional Court decisions, including the court’s decision to release Janša from prison and repeal the verdict against him, raised criticism that the court bench was leaning to the center-right, and that this political orientation was influencing the implementation of the court’s decisions.⁶¹ From this perspective, the deal was a positive development. The agreement, however, still subjected the appointment of judges to political horse-trading, as evidenced by the fact that individual legal experts considered one candidate professionally inappropriate.⁶²
- In the context of claims by Committee 2014, in July the Ministry of Justice published a proposal of new laws to strengthen accountability by giving the Judicial Council, the body overseeing judges’ careers, new regulatory powers. The proposed laws would

further increase transparency by making documentation available online and allowing photography and filming during public hearings.⁶³



- Against the backdrop of the migrant crisis, the perception grew in politics, the media, and public opinion that human rights –including those granted by refugee and humanitarian law –should be respected only after economic welfare and security is guaranteed.⁶⁴ In February, in order to offset opposition pressure, the government announced changes to the Law on Foreigners that would enable the mass rejection of asylum seekers at the border in the event of a crisis similar to that the country faced in October 2015. Under the proposed changes, the expulsion of asylum seekers would occur without an individualized asylum procedure, raising criticism from international human rights organizations, civil society, and some politicians.⁶⁵ After the closure of the Western Balkans route in March, the proposal was removed from the agenda. However, towards the end of the year and despite domestic and international criticism—including from the Minister of Justice, the president of the parliament, and the parliamentary legal service—Prime Minister Cerar and Interior Minister Vesna Györköös Žnidar (SMC) again pushed for legal change in this area. A proposal that would enable the authorities to deny asylum to those entering the country illegally was pending in the parliament at year’s end.
- In 2016, the public perception of judicial independence was the fifth lowest in the EU.⁶⁶ Apart from the perceived politicization of the judiciary, the negative perception was influenced by seeming inefficiency, especially in the prosecutions of important persons in recent years. One case that contributed to this perception concerned Igor Bavčar, an ex-politician and businessman, who

successfully avoided his sentence on health grounds. Responding to public pressure, the Minister of Justice, Zoran Klemenčič (SMC), said in September that “heads will fall” if the Bavčar case was not processed in due time; such a procedural delay would automatically release him of any charges. In response, the president of the court responsible for Bavčar’s case criticized Klemenčič for overstepping his power, as the ministry can only oversee the system’s efficiency, and cannot pressure individual judges.⁶⁷ However, court backlogs—previously a major issue—were halved in the past five years, and the expected length of different procedures was reduced to an extent that actually made Slovenia one of the top performers in the EU in this area.⁶⁸ This improvement was in part due to the lower number of new cases, while the number of cases taking more than 10 years actually increased in 2015.⁶⁹ The European Commission nevertheless credited the government for its determination to make further improvements in this area.⁷⁰

CORRUPTION:

2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
2.25	2.50	2.50	2.50	2.25	2.25	2.50	2.50	2.50	2.50

- The weaknesses of the Commission for Prevention of Corruption (CPC)—a central institution in the fight against corruption—continued to be a major problem. The CPC played an important, but also controversial, role in the past, for example, by issuing a report establishing the risk of corruption in the Janez Janša and Zoran Jankovič cases—two of the most important political leaders at the time. The report played a role in the downfall of Janša’s

government in 2013, and was later repealed by the Court of Appeal on procedural grounds.⁷¹ In 2014, Boris Štefanec was appointed to the presidency of the CPC following the resignation of its leadership out of protest for the lack of political backing. Štefanec's competence was questioned, resulting in a number of key employees leaving the CPC, tensions within the organization's leadership and between the CPC and other public institutions, a number of important cases being repealed by the courts, negative public image, and a decline of new cases being brought to the CPC. A special OECD working group has expressed concerns about these developments since 2014, and in February 2016 issued an open letter to the government highlighting a lack of autonomy, political pressure, and insufficient human resources in the CPC. The OECD letter urged the government to act.⁷² In May, a group of independent MPs unsuccessfully mounted a motion to remove the president of the CPC,⁷³ demonstrating a general lack of political will to bring about change in the body's leadership.

- The government failed to establish the independent and transparent management of state assets. A number of affairs relating to the management of state assets demonstrated the risk of corruption facing such enterprises. According to a report by the Court of Auditors, the methodology by which nonperforming loans were transferred from the state-owned bank, NLB, to the Bank Assets Management Company (DUTB) was inconsistent, suggesting that individual debtors were treated differently.⁷⁴ “Political loans” by the NLB contributed to the financial deficit in the period 2008-2014, which in turn had to be filled using taxpayers' money. Meanwhile, the government again postponed the privatization of the NLB, breaking a promise given to the European Commission in 2013 as a precondition for

allowing bank recapitalization. Individual affairs related to the management of state assets by the Slovenian Sovereign Fund (SDH) also demonstrated poor organization and a lack of transparency, indicating a high risk of corruption.⁷⁵

- Slovenia's corruption perception rating slightly improved in 2016, although it remained below that of 2013.⁷⁶ While the total number of corruption cases investigated in 2015 was 59, during the first six months of the 2016, this increased to 142.⁷⁷ This increase was due to larger number of smaller cases, as well as the police's greater attention and efficiency. The public healthcare system in particular attracted substantial attention as one the largest sources of corruption from the media, the general public, and politicians in 2016. In May, reports surfaced that medical equipment had been purchased for a greater price than what it was worth, triggering the creation of a parliamentary commission –consisting of the SDS, NSi and independent MPs–to investigate corruption in the public healthcare system.⁷⁸ In October, police presented evidence of systemic bribery for preferential treatment in the Klinični Center, Slovenia's largest public hospital, in which employees and even police officers were involved.⁷⁹
- A variety of corrupt practices continued to be widely tolerated in different public spheres. Finance Minister Dušan Mramor and Education Minister Maja Makovec Brenčič (SMC), who received illegal earnings while they were university professors, returned the money but kept their cabinet positions. The Court of Auditors has been highlighting this issue since 2012, but according to the media investigating the issue, the universities provided an unsatisfactory response to the allegations.⁸⁰ In May, MP Bojana Muršič (SD)–charged with using public money to buy promotional material for her party–resigned as a vice president of

the parliament, but kept her position as an MP.⁸¹ Despite positive signals at the beginning of government's mandate, MPs have failed to adopt an ethical codex to strengthen self-regulatory mechanisms.⁸² Whistleblowers are not protected and were widely exposed to retaliatory measures. In September, media revealed that Janez Zemljarič, who served as a head of the secret police under the communist regime, enjoyed privileged access as a lobbyist to the Minister of Economy, Zdenko Počivalšek (SMC).⁸³

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GOVERNANCE:

NOTES:

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