



Slovenia Report

Miro Hacek, Susanne Pickel,
Frank Bönker (Coordinator)

Sustainable Governance Indicators 2019

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Executive Summary

In Slovenia, 2018 was a turbulent year. In March 2018, Prime Minister Miro Cerar, who had led a center-left coalition since September 2014, surprisingly resigned citing increased criticism from public sector unions and strong opposition to the government's high-profile project of constructing a second railway line to the port of Koper. In the early parliamentary elections of June 2018, most traditional center-left parties, including Cerar's Modern Center Party (SMC), lost votes. However, the rise of a new center-left party, the party of Marjan Šarec (LMŠ), a comedian turned mayor who came second in the presidential elections in 2017, allowed the center-left parties to reject the possibility of forming a ruling coalition with the winner of the elections, the center-right Slovenian Democratic Party (SDS) of Janez Janša which won twice as many votes as its nearest rival. In September 2018, the five center-left parties (List of Marjan Sarec, LMŠ; Modern Center Party, SMC; Democratic Party of Pensioners of Slovenia, DeSUS; Social Democrats, SD; Party of Alenka Bratušek, SAB) formed a minority government, which is tolerated by the leftist Levica party.

In 2017 and 2018, the recovery from the economic recession of 2008 – 2014 continued. The country's robust economic growth, which was around 5% in 2017 and 2018, helped reduce the fiscal deficit and resulted in a strong decline in unemployment. At the same time, however, the favorable short-term economic situation reduced the pressure on the Cerar government to further policy reforms. Although Slovenia features the largest long-term sustainability gap of any EU member states, the proposed comprehensive health care reform was left to the next government to address. Regarding pensions, the Cerar government eventually agreed with the government's social partners on the broad outline of a pension reform to be adopted in 2020 but refrained from implementing any controversial decisions. The tax reform eventually adopted in summer 2016 has been more modest than initially proposed and minor changes announced by the minister of finance for 2017 were only partially implemented. The promised privatization of Telekom Slovenija, the largest communication company in the country, fell victim to political opposition

from within and outside the governing coalition. The same happened with the promised privatization of NLB, the largest Slovenian bank.

The quality of democracy has continued to suffer from widespread corruption. While the Cerar government implemented the Anti-Corruption Action Plan, which had been adopted in January 2015, and the Commission for the Prevention of Corruption upgraded its web platform and launched its successor Erar in July 2016, doubts about the political elite's commitment to tackling corruption were raised by two developments. The first involved the non-transparent management of a government project to construct a second railway line between Divača and the port of Koper. The second involved investments by Magna, a Canadian-Austrian company that received large subsidies and unconditional support from the government to build a new car paint workshop near Maribor, but failed to deliver on its promise of creating several thousand jobs in the region. Differences in opinion between the government and civil society organizations regarding financing the construction of the second railway line resulted in a referendum in September 2017, which was repeated because of irregularities on government's side in May 2018. Nonetheless, despite the May 2018 referendum result, the project has not been abandoned, as voter turnout for both referendums was too low to make either vote binding.

Governance in Slovenia is marked by a strong corporatist tradition, which has had a mixed impact on the government's strategic capacity. As economic stability and growth returned under the Cerar government, the unions have become less willing to accept further compromise and have once again become more active in organizing strikes. Slovenia's strong corporatist tradition accounts in part for the lack of strategic planning and policymaking, as well as the government's limited reliance on independent academic experts, a weak core executive, an increasingly politicized civil service and a largely symbolic use of RIA.

Institutional reforms under the Cerar government were largely confined to a reshuffling of ministerial portfolios at the beginning of the term, and a strengthening of the Government Office for Development and European Cohesion Policy, the public body in charge of coordinating the use of EU funds. While the Cerar government adopted a strategy for the development of public administration in April 2015 and a separate strategy for the development of local government in September 2016, it failed to implement any serious reforms. As a result, conflicts between municipalities and the national government over the financing of public services have continued. The new Šarec government has not paid much attention to institutional reform.

Key Challenges

For a number of reasons, the reform capacity and the stability of the new Šarec government appear limited. The new prime minister, who only entered the national political scene in 2017, lacks political experience. Consisting of five parties (and including two former prime ministers), the governing coalition is vulnerable to infighting. As a minority government, it critically depends on the support of the leftist Levica party. Moreover, the government faces a strengthened opposition, which feels deprived of its victory in the 2018 parliamentary elections. While the strong political polarization might help to keep the governing coalition together, it will make it more difficult to initiate much-needed reforms, and reduce the public disenchantment with politics and politicians that has beset Slovenia for some time.

In order to regain the lost public trust in political institutions and political elites, the new government should strengthen the judiciary's quality and take a tougher stance on corruption. In addition, the selection and promotion of civil servants on the basis of their political affiliation, which continued under the Cerar government, should be ended and the career civil service model should be remodeled. To counter weakening media freedom and independence, the strategy for media regulation presented to the public in summer 2016 should be first amended and then implemented rigorously.

While steady economic growth has reduced short-term reform pressures, the need for structural reforms remains strong. Without major pension and health care reforms, demographic trends (e.g., an aging population) are likely to result in substantial fiscal pressures in the short- to medium-term. Adopting substantial health care and pension reforms, particularly in a failing public health care sector saddled by corruption, should be a clear policy priority. In order to strengthen the economy, the government should intervene less (whether formally or informally) in state-owned companies and implement a strategy to privatize remaining state-owned enterprises, including the NLB. The new government should also invest more into R&I and higher education, two areas which have been neglected in the past.

Achieving these goals could be facilitated by a number of changes in

Slovenia's policymaking process. The government should make greater use of expert advice, strengthen strategic planning and improve the RIA system. Such changes would make it easier for the government to plan and act on a long-term basis, overcome resistance by special interest groups, which often hinder or even disable governmental activity, and win public acceptance for much-needed reforms.

Party Polarization

Party polarization is very high in Slovenia and presents a major obstacle for policymaking. Political parties are divided into two parliamentary blocs: a center-left bloc of six parties and a right-wing bloc of three parties. These two blocs rarely cooperate. Furthermore, both the opposition media and the mainstream media, which is largely biased in favor of the center-left, help fuel this divide through sensationalist reporting that sometimes borders on hate speech. Polarization between the two camps complicated the formation of a new government after the early parliamentary elections in June 2018. The center-left parties refused to discuss the possibility of forming a ruling coalition with the winner of the elections, the center-right Slovenian Democratic Party (SDS) of Janez Janša, which won twice as many votes as its nearest rival. Instead, five center-left parties (List of Marjan Sarec, LMŠ; Modern Center Party, SMC; Democratic Party of Pensioners of Slovenia, DeSUS; Social Democrats, SD; Party of Alenka Bratušek, SAB) opted to form a minority government, which is tolerated by the leftist Levica party. The lack of a political party occupying the space in the political center between the two ideological blocs is unusual for a country that was led by a centrist party, the Liberal Democratic Party of Janez Drnovšek, from 1992 to 2004. (Score: 3)

Policy Performance

I. Economic Policies

Economy

Economic Policy
Score: 6

The Slovenian economy has been growing ever more robustly since 2014, registering an annual GDP growth rate of between 2.3% and 3.2% for the period from 2014 to 2016, and about 5% in 2017 and 2018. While Slovenia's export performance has remained strong, as evidenced by a current account surplus of about 5% of GDP, the economic recovery has become broader-based as private consumption growth has accelerated thanks to an improving labor market, rising consumer confidence and low energy prices. In addition, public investment in infrastructure projects co-funded by the EU, mostly on the municipal level, have helped to boost growth, and private investment has shown signs of recovery. In 2017 and 2018, the government paved the ground for two major investment projects, the construction of a huge paint shop near Maribor by the Austro-Canadian automotive giant Magna and the construction of a second railway line between Divača and the port of Koper. However, both projects are controversial. While Magna received large subsidies and almost unconditional support from the government for its investment, it failed to exercise transparency in managing the project and to honor initial job promises, and consequently, slowly lost public support. In October 2018, Magna also came into conflict with environmental NGOs over the environmental permit the plant needs to start production in early 2019. The railway project has likewise been criticized for being miscalculated and prone to corruption, and has been delayed because of the need to hold a second referendum on the issue in May 2018. Concerns about the reliability of economic policy have been raised by the limited implementation of the privatization program presented in 2015. The planned sale of 20 companies has progressed slowly. The Cerar government tried to win consent from European Commission and the European Central Bank (ECB) to postpone the sale of the New Ljubljana Bank (NLB) because of inadequate market prices, but failed to gain the support of Brussels or Frankfurt. As a result, the Cerar

government handed the controversial topic onto Šarec government, which proceeded with the sale process in late October 2018.

Labor Markets

Labor Market
Policy
Score: 6

As a result of the economic recession, unemployment rates in Slovenia rose between 2009 to 2013. In 2013, the employment rate among those aged 20 to 64 fell below the EU average for the first time. Since 2014, the labor market situation has significantly improved. The unemployment rate dropped from 9.1% in 2015 to 8.1% in 2016 to 6.7% in 2017 and to 5.2% in 2018. In August 2016, the number of registered unemployed persons fell under 100,000 for the first time since 2010. From 83,843 in August 2017, it further declined to 75,920 in August 2018, its lowest level over the past eight years. The improvement in labor market performance has been driven largely by the economic recovery. Despite improvements in recent years, major structural challenges have remained. Long-term unemployment still stands at more than 50% of total unemployment, the employment rates of older and low-skilled workers remain below the EU average and their participation in active labor market policies remains low. While Slovenia has a tradition of labor market policy that dates back to Yugoslav times and participates in a number of EU-funded programs (i.e., EURES), existing programs have suffered from budget cuts introduced in the period 2009 – 2014 and have only slowly regained their effectiveness.

Taxes

Tax Policy
Score: 5

Slovenia's tax system was overhauled in the 2004 – 2008 term and has changed only gradually since then. Tax revenues have been relatively high in relation to GDP but have not been enough to prevent high budget deficits from emerging. Tax revenues stem from a broad range of taxes, with a high percentage of about 40% of all tax revenues stemming from social insurance contributions. A progressive income tax with rates of 16%, 27%, 34%, 39% and, since 2013, 50% provides for some vertical equity. As the thresholds are set rather low, however, the majority of middle class citizens fall into the second- or third-highest category. The tax burden for enterprises is below the EU average, but higher than in most other East-Central European countries. Moreover, tax procedures for both individuals and companies are complex.

The Cerar government had announced comprehensive tax reform for 2016. However, the coalition partners eventually reached common ground on relatively modest changes only, focusing on tax relief for the middle class. Beginning in 2017, the tax burden on personal income, including performance and Christmas bonuses, was reduced, in part by introducing a new tax bracket

and by replacing the previous 41% tax rate with two rates of 34% and 39%. Contrary to the original proposition of the Ministry of Finance, the top income tax rate of 50% was retained. In order to compensate for the decline in personal income tax revenue, the corporate income tax rate increased from 17% to 19% in 2017. Business associations have complained that this increase added to an already relatively high tax burden on enterprises. The Cerar government's second minister of finance, Mateja Vraničar Erman, proposed a minor tax reform in 2017, targeting above all taxes paid by small companies, but couldn't find enough support in the government. Consequently, the changes implemented were very minor and more technical in nature.

One of the reform projects of the Šarec government's coalition agreement, which provoked substantial opposition from entrepreneurs and opposition parties, was tax reform. Based on a proposal by the Left, the coalition agreement calls for personal income from capital and rents to be subject to the personal income tax. In late October 2018, the National Assembly turned down a proposal from the opposition to lower VAT levels to its pre-crisis levels.

Budgets

Budgetary Policy
Score: 5

The Cerar government succeeded in bringing the fiscal deficit down from 3.4% of GDP in 2014 to 0.8% in 2017, thus exiting the European Commission's excessive deficit procedure in June 2016. The budget for 2018 foresaw a small surplus of 0.1% of GDP. As a matter of fact, the surplus turned out to be about four times higher. The improvement in the fiscal stance has largely stemmed from the recovery of the Slovenian economy and a number of one-off measures such as freezes on wages and promotions in the public sector. In part due to the country's solid economic growth, trade unions were less cooperative in 2017 and 2018 in particular, when they rejected an extension of wage restraints in the public sector, and widespread public sector strikes in February 2018 contributed to the resignation of Cerar government in March 2018. Slovenia's structural deficit has remained relatively high, the debt-to-GDP ratio, while declining since 2016, still exceeds 70%, and the fiscal pressure associated with an aging population is relatively high. In order to stress its commitment to a sustainable budgetary policy, the National Assembly, in line with the EU's Fiscal Compact, enshrined a "debt brake" in the constitution in May 2013. However, the corresponding legislation was not adopted until July 2015, and the government and opposition proved unable to reach a consensus on selecting the three members of the Fiscal Council (which is tasked with supervising fiscal developments) until late March 2017. In September 2018, the Fiscal Council warned of a possible double-digit GDP

deficit in the next few years, if the coalition agreement of Šarec government is fully implemented.

Research, Innovation and Infrastructure

R&I Policy
Score: 4

Slovenia's R&I activities have long been of both low quality and quantity. EU funds have declined in some areas of research, as Slovenia has experienced serious administrative difficulties in absorbing funds for R&I. After years of neglect, however, the Cerar government announced substantial increases in R&I spending when introducing the budgets for 2018 and 2019 to parliament in September 2017. In 2018, the science budget increased by almost 20%. The fact that government spending still does not comprise 1% of GDP featured prominently during a major demonstration of Slovenian researchers in Ljubljana in April 2018.

Global Financial System

Stabilizing
Global Financial
System
Score: 4

Compared to most other East-Central European countries, the degree of foreign ownership within the Slovenian financial sector has remained low. Like its predecessors, the Cerar government has not contributed actively to improving the regulation and supervision of international financial markets. Instead, it has focused on addressing financial problems within the Slovenian banking sector by implementing the bad-bank scheme devised by the Janša government. Established in March 2013, the Bank Assets Management Company (BAMC) has taken over non-performing loans in exchange for bonds backed by state guarantees. The persistent involvement of the Slovenian state in the financial sector still entails some risks for financial stability.

II. Social Policies

Education

Education Policy
Score: 7

Slovenia has moved relatively rapidly from the socialist curriculum tradition toward a more flexible organization of education. With a high share of the population aged 25 to 64 having completed at least upper secondary education as well as high ranks in international educational achievement tests, the education system fares relatively well by international comparison. The most pressing problems remain the small (but slowly growing) share of pupils enlisted in vocational education, as well as an underfunded tertiary-education system with high dropout rates and large fictitious enrollment figures.

Compared to previous governments, the Cerar government has devoted more attention to education policy. In September 2016, it announced increases in spending on education in 2017 and 2018, and in November 2016 parliament amended the Higher Education Act to make the higher education system more flexible, close the gender gap and ease bureaucratic burdens connected with internationalization processes. However, the implementation of the legislation by the Slovenian Quality Assurance Agency for Higher Education has progressed slowly.

Social Inclusion

Social Inclusion
Policy
Score: 8

Slovenia has a strong tradition of social inclusion, with its Gini coefficient being the lowest among EU member countries. In the past, social policy focused on providing benefits to the elderly and to families with children. After the onset of the economic crisis, however, social disparities widened. The Fiscal Balance Act, adopted by the Janša government in May 2012, cut several social-benefit programs and reduced the generosity of social benefits for the unemployed. Since then, however, most of these cuts have been reversed. In autumn 2015, the Cerar government launched a new National Housing Program 2015-2025.

Health

Health Policy
Score: 5

The Slovenian health care system is dominated by a compulsory public-insurance scheme. This scheme guarantees universal access to basic health services but does not cover all costs and treatments. In order to close this gap, citizens can take out additional insurance offered by Vzajemna, a mutual health insurance organization established in 1999, or, since 2006, additional insurance offered by two other commercial insurance companies. The quality of services, which are partly delivered by private providers and are organized locally, is relatively good and total health spending is well above the OECD average. However, both the compulsory public health insurance scheme and the supplementary health insurance funds have suffered from severe financial problems for some time, resulting in financial problems among the majority of health providers. Since 2015, several scandals about irregularities and corruption in procurement in hospitals have been reported.

Health care reform featured prominently in the coalition agreement of the Cerar government. Despite many calls for reforms both inside and outside the governing coalition, however, the specification and implementation of the 2015 National Healthcare Plan has progressed slowly. The government's agreement with the doctor's trade union on working standards and wages in March 2017 was criticized by other public sector unions, including those

representing nurses and police, for destabilizing the public sector's salary system. The widespread dissatisfaction with the agreement fueled the public sector strikes in February 2018, which contributed significantly to the fall of the Cerar government. The continuation of health care reform was a top priority in the coalition agreement of the new Šarec government.

Families

Family Policy
Score: 9

The employment rate among women in Slovenia is above the EU average, and the employment rate of mothers with children under six is among the highest in the EU. Reconciling parenting and employment is facilitated by the fact that Slovenia provides childcare facilities that exceed the EU average and meets the Barcelona targets both for children under three years of age and between three and five years of age. Over the past ten years the number of children enrolled at nursery schools has increased by about 50%. While the incidence of part-time work is growing slowly, most women work full time. The New Parental and Family Benefit Act that came into force in 2014 extended the right to part-time work when having two children from six years of age until the end of first grade of primary school. At 105 working days, the maximum duration of maternity leave is near the European average. In addition, parents can take up to 260 days of parental leave, part of which is paid. The 2014 act also included a gradual reform of the additional, non-transferable paternity leave which was completed in the course of 2017. On the one hand, the overall number of days of paternity leave was reduced from 90 to 30. On the other, the number of days with full salary compensation was doubled from 15 to 30, so as to make taking paternity leave more attractive to men. In March 2017, a new Family Code replaced the old one from 1976. The amendment has aimed at improving legal certainty in decisions on marital and family disputes and at safeguarding the good of the child in standard as well as non-standard families.

Citation:

European Commission (2016): Slovenia: A dynamic family policy to improve work-life balance. Brussels (<http://ec.europa.eu/social/main.jsp?catId=1248&langId=en&intPageId=3656>).

Stropnik, N. (2018): Thirty days of (fully) compensated paternity leave in Slovenia from January 2018. European Social Policy Network, Flash Report 2018/7, Brussels.

Pensions

Pension Policy
Score: 7

Slovenia has a traditional pay-as-you-go (PAYG) pension system with modest pensions, whose intergenerational fairness and financial sustainability in the face of an aging society has suffered from a low employment rate for the elderly. A substantial pension reform was adopted in December 2012. This

instituted a gradual increase in the full-retirement age to 65 for men and woman, or 60 for workers with at least 40 years of pensionable service. In addition, it introduced incentives for people to continue working after qualifying for official retirement and implemented changes to the pension formula that have slowed pension growth. The Cerar government emphasized the need for further change and eventually agreed with the social partners upon the broad outline of a pension reform to be adopted by 2020 that includes a 70% net replacement rate, raising the actual retirement age and an indexation rule that links the growth of pensions to wage growth and changes in consumer prices. Already in 2017, an amendment of the Pension and Disability Insurance Act, unanimously passed by parliament in April 2017, increased the minimum old-age and disability pension to €500 per month as from 1 October 2017 for pensioners meeting the full retirement conditions. According to estimates, around 52,000 pensioners have benefited from the amendment and, on average, received an additional €26 each month.

Citation:

Macjen, B. (2017): Slovenia increases minimum old-age and disability pension. European Social Policy Network, Flash Report 2017/53, Brussels.

Macjen, B. (2018): Slovenia has made another important step toward a new pension reform. European Social Policy Network, Flash Report 2018/15, Brussels.

Integration

Integration Policy
Score: 5

Successive governments have done little to foster the integration of migrants into society by opening up health services and schools, offering anti-discrimination support or encouraging political participation. In June 2015, however, the National Assembly adopted new legislation on foreign employment that improved protections for foreign workers employed in Slovenia, and as of 1 September 2015, foreign workers receive a unified work and residency permit. As a result of the economic crisis, the number of work permits for foreigners dropped from 85,000 in 2008 to a mere 7,033 in 2016. Since 2017, it has once again increased, with 12,011 permits issued in the first eight months of 2018.

The Cerar government reacted to the inflow of almost 500,000 refugees from October 2015 to March 2016 by pushing for the closure of the Western Balkans route. It sought to reduce refugee protection by allowing for the rejection of migrants already at border crossings. More recently, however, Slovenia has softened its stance. In October 2018, the country's first refugee resettlement program was completed. The refugees, who arrived from Turkey between July and October, included six Syrian families. Supported by the International Organization for Migration, they received comprehensive assistance.

Citation:

International Organization for Migration (2018): Slovenia's first refugee resettlement program completed after Arrival of last Syrian Family. Le Grand-Saconnex (<http://www.slovenia.iom.int/news/slovenia%E2%80%99s-first-refugee-resettlement-programme-completed-after-arrival-last-syrian-Family>).

Safe Living

Internal Security
Policy
Score: 9

Actual and perceived security risks in Slovenia are very low. Slovenia's accession to the Schengen group in December 2007 has resulted in a substantial professionalization of the Slovenian police force and border control. A six-month police strike, which ended in June 2016, brought substantial increases in wages as well as a commitment by the government to increase future spending on basic police equipment. The effects of that commitment were evident in the period under review, with the police receiving new equipment, such as radars and vehicles, to replace older models. While public trust in the police is slightly below the EU average, it is higher than in most other East-Central European countries and higher than public trust in political institutions.

Citation:

European Commission (2018): Standard Eurobarometer 89. Brussels (<http://ec.europa.eu/commfrontoffice/publicopinion/index.cfm/Survey/getSurveyDetail/instruments/STANDARD/surveyKy/2180>).

Global Inequalities

Global Social
Policy
Score: 5

With EU accession in 2004, Slovenia's status changed from donor to recipient of official development assistance. However, Slovenia has not been very active in international efforts to promote equal socioeconomic opportunities in developing countries. The few initiatives that exist are mostly focused on the former Yugoslavia. The prevailing attitude is that Slovenia has its own measure of socioeconomic problems to tackle and that potential Slovenian international influence is negligible. Still, Slovenia's official development assistance comes close to the EU target and has risen substantially in recent years.

III. Environmental Policies

Environment

Environmental
Policy
Score: 8

Slovenia enjoys extraordinarily rich biodiversity and landscapes due to its location at the junction of several ecological regions. The country's natural endowment has been enhanced by a tradition of close-to-natural forest management and by low-intensity farming. Forests comprise approximately 62% of the total land area, which is about twice the OECD average.

The key mechanism for defining sustainable development goals and targets has been Slovenia's new Development Strategy 2014-2020. In mid-2015, the Ministry of Environment and Spatial Planning initiated a comprehensive public debate about the update of the Spatial Planning Development Strategy (for the period until 2050 with a medium-term action plan until 2020), with a comprehensive third round of consultations taking place in March 2016. Over the last decade, Slovenia has established a comprehensive environmental legislation. It has transposed most EU environmental directives into the 2004 Environmental Protection Act and other national laws. It has introduced risk-based planning of environmental inspections and improved compliance monitoring and enforcement. Several action plans and programs are in planning, such as plans to reduce greenhouse gas emissions, implement risk assessments of natural and other disasters, establish an operational program for drinking water supplies, develop a new biodiversity strategy, and create a national development program to establish an adequate waste management infrastructure. Another instrument providing support to individuals is the ECO Fund, which creates financial incentives for various energy-efficiency measures and renewable energy schemes.

In parallel with these developments, Slovenia improved the provision of and access to environmental information. Environmental NGOs fulfill an important watchdog role, participate actively in environmental policymaking, and play a role in environmental management – for example, by helping manage nature reserves. However, as in many countries, the legal basis enabling NGOs to challenge government decisions in the courts could be strengthened and their independence from public finances could be strengthened. While gross expenditure on R&D for environmental purposes has more than tripled in real terms in the last decade, the country's environmental innovation system has produced relatively little output.

After massive fires in 2017 at two waste processing plants (Kemis Vrhnika and Ekosistemi Zalog), both plants have resumed operation, despite protests from local communities. Both events clearly demonstrated substantial deficiencies in environmental legislation and administration, and the lack of government commitment to protecting the environment and health of citizens. As a consequence of the events, new safety mechanisms and procedures are being implemented at all waste processing plants.

Global Environmental Protection

Global
Environmental
Policy
Score: 6

Geography determines the priorities of Slovenia's international environmental relationships, notably with respect to water management and the conservation of biodiversity. Slovenia's commitment to sustainable development on a regional and subregional scale is articulated through various cooperation agreements covering the alps, the Danube and its tributaries, and the Mediterranean (including the Adriatic). The Dinaric Arc area is an emerging focus of cooperation. Bilateral cooperation between Slovenia and its neighboring countries includes water management agreements with Croatia, Hungary and Italy, as well as agreements with Austria on spatial planning in border regions. Slovenia has continued to maintain many informal contacts at a professional/ technical level with the countries of the Western Balkans. Compared to these regional activities, Slovenia's contribution to strengthening global environmental protection regimes has been modest.

Quality of Democracy

Electoral Processes

Candidacy
Procedures
Score: 10

In Slovenia, the legal provisions for registering candidates and parties provide for a fair registration procedure for both national (parliamentary, presidential), local (mayoral, council) and sub-local (village or city district council) elections. Registration requirements are straightforward and not very demanding. Establishing a party requires only 200 signatures. The registration requirements for national parliamentary elections favor parties represented in parliament. Unlike non-parliamentary parties or non-party lists, they are not required to collect voter signatures. Candidates for the presidency must document support from at least ten members of parliament or 5,000 voters. When they are backed by at least one political party, three members of parliament or 3,000 signatures are sufficient. At local elections, a candidate for mayor and candidate or list of candidates for a municipal council can be proposed either by political parties or by a specified number of voters, which is dependent on the size of a municipality. Candidate lists both for national parliamentary elections and municipal assembly elections must respect a gender quota. On each list of candidates, neither gender should be represented by less than 40% of the total number of candidates on the list. Nine candidates ran for office in the presidential elections in October and November 2017, 25 political parties and lists competed in the parliamentary elections in June 2018.

Citation:

OSCE/ OHDIR (2017): Republic of Slovenia: Presidential Election, 22 October 2017. Final Report. Warsaw (<https://www.osce.org/odihr/elections/slovenia/363561?download=true>).

OSCE/ OHDIR (2018): Republic of Slovenia: Early Parliamentary Elections, 3 June 2018. Final Report. Warsaw (<https://www.osce.org/odihr/elections/slovenia/394106?download=true>).

Media Access
Score: 7

While both the public and private media tend to focus on the parliamentary political parties, Slovenia's public-media regulatory system and pluralist media environment ensure that all candidates and parties have access to the media. The public TV and radio stations are legally obliged to set aside some airtime for parties to present their messages and their candidates. Since a third public TV channel (mainly covering parliamentary debates) was established in 2014, airtime for political parties and candidate lists has increased. But neither

the regulatory body nor civil society organizations systematically monitor media coverage during a campaign. Before the 2018 early parliamentary elections, there were numerous televised debates with representatives of all 22 political parties that had candidates in all eight electoral units. Compared to previous elections, however, media bias in favor of the governing coalition and its potential political allies increased, and the debates were separated into debates including only political parties represented in parliament between 2014 and 2018 (including the party of Marjan Šarec) and debates including all other non-parliamentary parties. Furthermore, during televised debates, anchors did not allow or tried to limit debate between representatives of the political parties and debate on certain sensitive issues (e.g., migrant crisis).

Voting and
Registration
Rights
Score: 10

The electoral process is largely inclusive at both national and local levels. All adult citizens, including convicted prisoners, can participate in elections and no cases of voting irregularities have occurred in the period under review. Voters that will not be in their place of residence on election day can ask for a special voter's pass that allows voting at any polling station in the country. While no general postal vote exists, Slovenian citizens who live abroad as well citizens unable to make it to the polling stations for health reasons or because of disabilities can exercise their voting rights by mail. In another attempt at making voting more inclusive, a 2017 amendment to the electoral code called for making all polling stations accessible for persons with disabilities. This amendment was for the first time implemented during the parliamentary elections in June 2018 and led to the closure of some polling stations that were not accessible for persons with disabilities. One Slovenian peculiarity are the special voting rights for the Hungarian and Italian minorities and the Roma population. Members of the Hungarian and Italian minorities can cast an additional vote for a member of parliament representing each minority in the national parliament. In the case of local elections, a similar provision exists for the Roma population in all municipalities with a substantial Roma minority.

Citation:

OSCE/ OHDIR (2018): Republic of Slovenia: Early Parliamentary Elections, 3 June 2018. Final Report. Warsaw (<https://www.osce.org/odihr/elections/slovenia/394106?download=true>).

Party Financing
Score: 7

According to the Act on Political Parties, parties can be financed by membership fees, donations, estate revenues, the profits of their companies' revenues and public subsidies. If a political party wins at least 1% of all votes in the previous parliamentary elections, it is entitled to financial resources from the national budget: 25% of the total budget amount is divided equally between all eligible parties. The remaining 75% is divided among the parties represented in the National Assembly according to their vote share. In addition, parliamentary party groups can obtain additional support from the

national budget for their parliamentarians' education purposes, and for organizational and administrative support. All political parties must prepare annual reports and submit them to the National Assembly. The reports, which are submitted to the Agency of the Republic of Slovenia for Public Legal Records and Related Services, must disclose aggregate revenues and expenditures, detail any property owned by the party, and list the origins of all donations that exceed the amount of five times Slovenia's average gross monthly salary (i.e., around €8,200). Parties are also required to submit post-electoral reports to the Court of Audit, which holds official responsibility for monitoring party financing. Following many calls to further increase transparency and strengthen the monitoring and sanctioning of party financing, legislation on the issue was finally amended in January 2014, barring donations from private companies and organizations. In March 2018, the largest opposition party, Janez Janša's Slovenian Democratic Party (SDS), was indicted by the Court of Audit over two loans it took from Bosnian citizen Dijana Đudić, which totaled €450,000, as the law puts the annual ceiling for party loans from individuals at ten times the value of the average gross monthly salary (i.e., about €6,500). SDS admitted the mistake, returned the money and canceled the loans. During local elections, municipalities autonomously set campaign financing for political parties.

Popular Decision-Making
Score: 8

Slovenia has a strong tradition of direct democracy. Until a constitutional amendment in May 2013, referendums on all issues could be called by parliament, the National Council (a body representing major interest groups) as well as by citizens themselves. As a result, many referendums were called and, in a number of cases, controversial government initiatives were rejected. A May 2013 constitutional amendment, which was adopted by the legislature with an overwhelming majority, kept the relatively low threshold of signatures required for calling a referendum (40,000), but ruled out the calling of referendums by parliament and by the National Council. Moreover, the set of eligible issues was reduced so as to exclude the public budget, taxes, human rights and international agreements, the majority requirements for the validity of referendums were tightened and the period for which parliament is bound to the results of a referendum was reduced. As a result, the number of referendums has fallen. In the period under review, only one national referendum was held. On 13 May 2018, citizens had the chance to vote for the second time on the construction of a second track along the railway line connecting Koper (Slovenia's only seaport) to the Divača logistics hub. The referendum, originally conducted in September 2017, was repeated because of irregularities identified by the Supreme Court, which mostly concerned the government's unacceptable use of taxpayer money during the referendum campaign. The referendum had originally been initiated by an organization of local citizens, the Taxpayers Standing Our Ground, which claimed that the

government's finance model was prone to corruption and inflated payouts. However, voter turnout in the second referendum was again very low (15%). While 50.1% of voters opposed the act, voter turnout was too low to make the result binding on the government.

Access to Information

Media Freedom
Score: 5

Slovenia's constitution and legal system guarantee freedom of the press, and the media, for the most part, operate without direct political interference. The laws regulating public television and radio broadcasting reflect the strong corporatist element of Slovenian political culture. The Council of Radio-Television of Slovenia (Radiotelevizija Slovenija, RTVS) has 29 members, who are appointed by the National Assembly, but proposed by a broad variety of political and social actors. Changes to the rules and procedures in the previous years strengthened the independence of the public media by reducing the scope for discretionary cuts in public funding, and by requiring an absolute rather than relative majority for the election of the director-general of the Council of Radio-Television of Slovenia. An amendment of Article 260 of the Slovenian Criminal Code, which entered into force on October 2015, strengthened media freedom by making clear that an individual disclosing classified information no longer incurs a criminal liability. In the period under review, however, there have been some cases of political pressure on public media journalists covering sensitive issues, such as the Magna corporation investment in Maribor, killings after the Second World War or the second referendum on the new railway line in May 2018. Some private media outlets are owned by companies from other economic sectors (e.g., construction) and reporting sometimes seems to be biased toward the ruling coalition as a means of securing public sector procurement contracts. Another problem is that a lot of local newspapers and publications are owned and funded by the municipalities and exploited by mayors for political purposes.

Media Pluralism
Score: 5

Slovenia currently has about 1,400 different media outlets, including more than 80 radio and 50 television broadcasters (both local and cable operators). However, the public-media market share is still substantial, with Radio-Television of Slovenia (Radiotelevizija Slovenija, RTVS) running seven out of 10 national TV and radio channels (for TV: SLO1, SLO2, SLO3; for radio: Program A, Program Ars, Val 202 and Radio Slovenia International).

Recent ownership changes have raised concerns about media pluralism. In the print media, the controversial sale in July 2014 of *Večer*, a prominent daily newspaper (primarily serving the northeastern part of the country), was followed by the auctioning of Slovenia's biggest newspaper publisher Delo in June 2015. The new owner, the financial management company FMR, has

little to no media experience and is run by Stojan Petrič, a businessman who is believed to be politically well connected. Several prominent journalists were fired. As a result of these changes, sales of Delo newspaper dropped to the lowest level so far in late 2017 (26,884 issues sold daily). In response, FMR made the seasoned journalist and former editor-in-chief of Siol.net news portal Uroš Urbas editor-in-chief of Delo, replacing Gregor Knafelc who had little journalistic experience. In August 2018, the publishers of Dnevnik and Večer, the second and the third largest daily newspapers in Slovenia, announced a merger, which has yet to be approved by the Ministry of Culture and the Competition Protection Agency.

In the electronic media, the U.S. media conglomerate, United Media received the green light from the Ministry of Culture in October 2017 and from Competition Protection Agency in early 2018 to take over Pro Plus, the operator of the largest commercial TV channels in Slovenia, POP TV and Kanal A. As a result, United Media, which also provides telecommunication services and is a big player in the Balkan countries, will control a huge slice of Slovenian media.

Media pluralism has further suffered from the growing involvement of political parties in the media business. In February 2016, the Slovenian Democratic Party (SDS), which has long complained about an alleged media bias, launched its own private news TV station, Nova24TV. Nova24TV got new owners in early 2017 with three Hungarian companies taking over, reported to be connected to the Hungarian prime minister Viktor Orbán. In September 2017, the SDS also started to publish the new weekly Scandal24. There were some reports of additional investments from Hungarian companies in Nova24TV during the electoral campaign.

Access to
Government
Information
Score: 9

Slovenian law guarantees free and quite easy access to official information. Restrictions are few and reasonable (covering mostly national security and secret data issues), and there are effective mechanisms of appeal and oversight enabling citizens to access information. When access to official information is obstructed or denied, the Information Commissioner, an autonomous body that supervises both the protection of personal data as well as access to public information, can be called upon and intervene. In a number of cases, the Information Commissioner has helped citizens and journalists enforce their right of access. The new online application “Supervisor,” set up by the Commission for the Prevention of Corruption (CPC) as a means of enhancing transparency in the country, has helped the public and the media access some previously restricted financial information. In July 2016 Supervisor was upgraded and integrated into the new web application Erar, also developed by the CPC. The Ministry of Public Administration has developed a publicly available web-based public procurement portal and online statistical tool.

Civil Rights and Political Liberties

Civil Rights
Score: 6

In Slovenia, civil rights are largely respected. Citizens are effectively protected by courts and by independent institutions like the ombudsman against infringements of their rights. Some problems exist with regard to the integrity of the judiciary. By contrast, the duration of court proceedings, which was very long in the past, has been reduced.

Political Liberties
Score: 9

In Slovenia, political liberties are constitutionally protected and guaranteed and are respected by government institutions. The rights to assembly and association, for instance, are guaranteed in Article 42 of the Slovenian constitution and can only be restricted in special cases. The fact that Slovenia has more civil society organizations per capita than most other countries testifies to the protection of the freedom of association. Infringements on political liberties are rare.

Non-discrimination
Score: 7

Slovenian law guarantees equal rights to all citizens and protects against discrimination based on prescribed criteria. There are also various forms of positive discrimination, including a gender quota in electoral law and special voting rights for the officially recognized national minorities as well as for the Roma population. Despite the legal framework, foreign workers and women are still at times paid somewhat less for the same work than Slovenian and male workers, and there have been cases of discrimination against same-sex couples. Amnesty International and others have criticized the government for not doing enough to counter discrimination toward the Roma. Media rights for minorities other than the Hungarian, Italian and Roma are underdeveloped. The annual report of the Human Rights Ombudsman for 2017 addressed several persistent discrimination issues, such as the difficult living conditions of some Roma families, the lack of infrastructure and sanitation in non-regularized Roma settlements, and the fact that the responsibility for resolving Roma settlements issues should not rest exclusively with municipalities.

Citation:

Human Rights Ombudsman (2018): Annual Report for 2017. Ljubljana (<http://www.varuh-rs.si/index.php?id=54&L=6>).

Rule of Law

Legal Certainty
Score: 7

Legal certainty in Slovenia has suffered from contradictory legal provisions and frequent changes in legislation. The number of newly adopted regulations increased from 1,360 in 1991 to almost 20,000, including 800 laws, in December 2017. Many crucial laws are amended on a regular basis, and contradictions in legislation are frequently tested in front of the Constitutional Court. The procedures of rule-making are misused or side-stepped by making

heavy use of the fast-track legislation procedure. In 2017, 48.4% of the 111 adopted legislative acts in the National Assembly were subjected to the fast-track or shortened legislation procedure (compared with 39.5% in 2016). In the vast majority of cases, however, government and administration act on the basis of and in accordance with the law, thereby ensuring legal certainty.

Citation:

Haček, M., S. Kukovič, M. Brezovšek (2017): *Slovenian Politics and the State*. Lanham, Boulder, New York, London: Lexington Books.

Judicial Review
Score: 8

While politicians try to influence court decisions and often publicly comment on the performance of particular courts and justices, Slovenian courts act largely independently. Independence is facilitated by the fact that judges enjoy tenure. The Cerar government has preserved the independence of the Prosecutor's Office and strengthened the independence of the judiciary by expanding its funding. The Constitutional Court has repeatedly demonstrated its independence by annulling controversial decisions by the governing coalition, for instance on the candidacy rights of former Prime Minister Janša and the referendum on same-sex marriages. However, the lower courts have sometimes been criticized for letting influential people off the hook. In a spectacular case, Zoran Janković, the incumbent mayor of Ljubljana which has faced a dozen corruption charges, avoided conviction in 2018. The same applies to the former mayor of Maribor, Franc Kangler, who was indicted in 21 cases, but has been acquitted in 16 cases and is yet to be convicted in any of the cases.

Appointment of
Justices
Score: 8

In Slovenia, both Supreme and Constitutional Court justices are appointed in a cooperative selection process. The Slovenian Constitutional Court is composed of nine justices who are proposed by the president of the republic and approved by the parliament by absolute majority. The justices are appointed for a term of nine years and select the president of the Constitutional Court themselves. Supreme Court justices are appointed by parliament by a relative majority of votes based on proposals put forward by the Judicial Council, a body of 11 justices or other legal experts partly appointed by parliament and partly elected by the justices themselves. The Ministry of Justice can only propose candidates for the president of the Supreme Court. Candidates for both courts must meet stringent merit criteria and show a long and successful career in the judiciary to be eligible for appointment. In March 2017, four new Constitutional Court justices were appointed by the National Assembly, all with an overwhelming majority of votes, a rare example of party cooperation, and another Constitutional Court judge will be appointed in late 2018 to replace the current president of the court, Jadranka Sovdat.

Corruption
Prevention
Score: 5

Corruption has been publicly perceived as one of the most serious problems in Slovenia since 2011. While the Commission for the Prevention of Corruption (CPC), the central anti-corruption body, managed to upgrade its Supervisor web platform and launch its successor Erar in July 2016, it has remained under fire for its lack of determination and professionalism, especially after the resignation of Alma Sedlar, one of the three-strong CPC leadership in September 2017, which was eventually replaced by Uroš Novak in March 2018. Allegations of corruption have featured prominently in the debates about the investment by Magna, the construction of the second railway line from Divača to the port of Koper and the health care system. The continuing failure of parliament to adopt an ethical code for members of parliament and the inability of the prosecution to present strong cases, which would enable courts to convict some major political players (e.g., Zoran Janković, mayor of Ljubljana), have further raised the doubts about the political elite's commitment to fighting corruption.

Governance

I. Executive Capacity

Strategic Capacity

Strategic
Planning
Score: 4

The institutional capacity for strategic planning in Slovenia is rather weak. Capacities for planning in the ministries are limited, and there is no central policy-planning unit in the Government Office. After assuming office, the Cerar government announced that it would expand planning capacities but achieved little progress. In December 2017, however, the government finally adopted the Slovenian Development Strategy 2030, a strategic framework for policymaking in the country. Preparation of the strategy started in June 2016 and involved more than 200 experts and government officials. The strategy sets five strategic goals: an inclusive and safe society; an education system that supports lifelong learning; a productive and equitable economy that creates added value for everyone; the preservation of Slovenia's natural environment; and a cooperative, competent and efficient system of governance.

Citation:

Government of the Republic of Slovenia (2017): Slovenian Development Strategy 2030. Ljubljana (http://www.vlada.si/fileadmin/dokumenti/si/projekti/2017/srs2030/en/Slovenia_2030.pdf).

Expert Advice
Score: 4

In Slovenia, the Government Office and the ministries have various advisory bodies that include academic experts. Prime Minister Cerar, an academic himself, strongly relied on academic and practitioners' advice when establishing his party platform, coalition and government program. While the Cerar government regularly sought external advice, it often failed to implement it.

Interministerial Coordination

GO Expertise
Score: 4

Slovenia has a strong tradition of departmentalism and collegial cabinets. The Government Office focuses on the legal and technical coherence of draft bills but lacks the capacity and sectoral expertise to evaluate their policy content,

especially since the recruitment of expert staff is limited and often subject to political pressures and political compromise. The change in the head of the Government Office in October 2016 – from Darko Krašovec, who had to resign after allegations of corruptions, to Lilijana Kozlovič, a member of parliament belonging to Prime Minister Cerar’s SMC party – did little to change the situation. Marjan Šarec, the new prime minister, has brought in new experts. Among others, he made Damir Črnčec, an influential security expert, his national security advisor.

Line Ministries
Score: 3

The Government Office is not directly and systematically involved in line ministries’ preparation of policy proposals. Once the coalition agreement and government program have defined certain projects, full responsibility for drafting bills rests with the line ministries, interministerial commissions or project teams. The Government Office is seldom briefed about the state of affairs. If it is, consultation is rather formal and focuses mostly on legal and technical issues.

Cabinet
Committees
Score: 8

Cabinet committees play an important role in the preparation of cabinet proposals in Slovenia and settle issues prior to the cabinet meeting. Under the Cerar government, there were three standing committees: the Committee of State Matters and Public Issues, the Committee of National Economy and the Commission of Administrative and Personnel Matters. In addition, the Cerar government established 11 temporary committees for particular tasks, including cabinet committees for youth issues, disability issues, integration of migrants and protection against natural disasters. The Šarec government has so far kept the three standing cabinet committees.

Ministerial
Bureaucracy
Score: 6

The government rules of procedure establish clear mechanisms to ensure effective cooperation between the ministries. They require the consultation of all ministries that are concerned before the submission of bills to the cabinet. While senior civil servants are thus heavily involved in the coordination of legislation, the effectiveness of this coordination has suffered from the deteriorating quality and increasing politicization of the upper echelons of civil service. Under the Cerar government, a number of prominent and experienced high-ranking civil servants were replaced by party loyalists with limited administrative experience and even less expert knowledge. The Šarec government’s five-party coalition agreement failed to address the issue.

Informal
Coordination
Score: 7

Slovenia’s tradition of coalition governments has meant that informal coordination procedures have played a significant role in policy coordination. Under the Cerar government, the leaders of the three coalition parties met frequently, making major decisions at coalition meetings that were often also attended by the ministers and from time to time also by the leaders of parliamentary majority groups and coalition members of parliament. In press conferences and public statements after these meetings, very little information about the decisions made was provided to the public. The dominant role of the

Digitalization for
Interministerial
Coordination
Score: 7

party leaders within their parties also meant that a considerable amount of policy coordination took place in party bodies. The Šarec government has so far followed this style.

In 2016, the Cerar government transferred competences for information society and electronic communication from the Ministry of Education, Science and Sport to the Ministry of Public Administration, in order to better coordinate the digitalization of public administration with digital transformation in general. The reorganization of responsibilities has led to a more appropriate organization for the implementation of the 2016 “Digital Slovenia 2020” strategy and a more efficient use of the existing ICT infrastructure. One of the goals of the strategy is to further strengthen the use of digital technologies to support interministerial coordination.

Citation:

Government of Slovenia (2016): Digital Slovenia 2020: Development strategy for the information society until 2020. Ljubljana
(http://www.mju.gov.si/fileadmin/mju.gov.si/pageuploads/DID/Informacijska_druzba/pdf/DSI_2020_3-2016_pic1.pdf).

Evidence-based Instruments

RIA Application
Score: 6

In Slovenia, RIA guidelines have largely been copy and pasted from the European Union. The government’s Public Administration Development Strategy 2015-2020 acknowledged the need for improving RIA and has brought some progress. However, oversight has continued to suffer from institutional fragmentation, so that the quality of RIA has been uneven among ministries. When an RIA is applied, it is often limited to a qualitative assessment, and there are no official statistics regarding the implementation of RIA. As fast-track legislation is exempt from RIA, RIAs were not performed for at least a third of all new measures passed in the period under review.

Citation:

Government of the Republic of Slovenia (2015): Public Administration 2020: Public Administration Development Strategy 2015-2020. Ljubljana
(http://www.mju.gov.si/fileadmin/mju.gov.si/pageuploads/JAVNA_UPRAVA/Kakovost/Strategija_razvoja_JU_2015-2020/Strategija_razvoja_ANG_final_web.pdf).

OECD (2018): Regulatory Policy in Slovenia: Oversight Matters. Paris.

Quality of RIA
Process
Score: 2

The RIA process in Slovenia suffers from several weaknesses. First, public participation often fails to meet the legal standards. Second, the conducted RIAs are rarely made public, if ever. Third, quality control is limited. RIA oversight is divided among several agencies; however, supervising agencies largely check for formal and legal correctness, without addressing substantive quality.

Sustainability
Check
Score: 3

Slovenia's RIA guidelines provide for relatively far-reaching sustainability checks. However, the specification of assessment criteria and the set of indicators to be used suffer from gaps, and the actual quality of RIA is very uneven. In some cases, there are only vague assessments; in others, comprehensive analytical work is done. During the period under review, the quality of assessments has somewhat improved.

Quality of Ex
Post Evaluation
Score: 6

Ex post evaluations are regularly carried out for the most significant policies, but rarely for all other policies. When carried out, ex post evaluations are primarily used for the improvement of existing policies rather than for the development of new policies.

Societal Consultation

Public
Consultation
Score: 5

Slovenia has a strong tradition of corporatism and of government consultation with interest groups more generally. The Cerar government stuck to this tradition and discussed part of its legislative initiatives in the Economic and Social Council, the tripartite body for social and economic dialog. The government managed to reach agreement with the social partners over several cornerstones of its legislative program. In other cases, however, consultations failed to produce any results, with trade unions complaining that the government does not take their positions or negotiations seriously. The Cerar government's indulgence of doctors in late 2017 led to strikes in other parts of the public sector, which contributed to the resignation of Cerar in March 2018. One of the flagship projects of the new Šarec government, an increase in the minimum wage, has been prepared without consulting the social partners, which has led to heavy criticism from employers' associations.

Policy Communication

Coherent
Communication
Score: 5

Ministerial communication with the public was more coherent under the Cerar government than under its predecessor. However, there were instances of contradictory statements. In particular, the ministers and parliamentarians from the Democratic Party of Pensioners (DeSUS), the second strongest party coalition party, sometimes publicly opposed policies proposed or adopted by the coalition. The new Šarec government started its term with several public clashes over the appointment of ministers, who performed poorly in front of the parliamentary committees, and Damir Črnčec, the prime minister's new national security advisor.

Implementation

Government
Effectiveness
Score: 5

The Cerar government's coalition agreement was relatively comprehensive and more detailed than those of previous governments. However, many goals and deadlines stated in the agreement were not met, as the government's reform propensity abated over the course of its term. The proposed health care and education reforms were postponed several times. The tax reform eventually adopted in summer 2016 was more modest than initially announced. On pensions, the Cerar government agreed with the social partners on a broad reform outline, but largely refrained from committing to more specific measures. With regard to privatization, the coalition agreement took a cautious approach and remained relatively vague. Given the lack of consensus among the coalition partners about the remaining role of the state, it did not come as a surprise that some privatization decisions led to cracks in the coalition. The promised privatization of Telekom Slovenija, the largest communication company in the country, fell victim to political opposition from within and outside the governing coalition. The same occurred with the promised privatization of Slovenia's largest bank NLB, which was postponed several times. In 2017 and 2018, the government became increasingly preoccupied with its two large-scale investment projects.

Ministerial
Compliance
Score: 6

As head of a coalition government, Prime Minister Cerar primarily relied on frequent coalition meetings of narrow (including only the presidents of coalition parties) or broader composition (including ministers and members of parliament as well) in order to ensure the implementation of the government's program. In the Cerar government's first two years in office, seven ministers resigned or were removed from office. In the period under review, no such changes in the leadership of ministries occurred.

Citation:

Haček, M., S. Kukovič, M. Brezovšek (2017): *Slovenian Politics and the State*. Lanham, New York, London, Boulder: Lexington Books.

Monitoring
Ministries
Score: 5

The weak capacity of the Government Office (GO) and the predominance of coalition governments have limited the GO's role in monitoring line ministries' implementation activities. Under the Cerar government, the GO tended to respect the assignment of ministries in the coalition agreement, so that most monitoring took place in coalition meetings. The new prime minister, Šarec, seems willing to expand the role of the GO in monitoring the activities of line ministries.

Monitoring
Agencies,
Bureaucracies
Score: 4

Following the passage of the 2002 Civil Service Act, which at least formally has made it easier for the government to get rid of unwanted personnel, politicization has increased in Slovenia's executive agencies. Despite a rhetorical commitment to depoliticization in public administration in the 2014

coalition agreements, the Cerar government replaced a number of experienced high-ranking and even some mid-level civil servants with less qualified staff loyal to the coalition parties and filled leading positions in executive agencies with politically loyal personnel. Also, ministerial cabinets were largely filled with politically loyal personnel that often lacked the requisite expertise to carry out its functions and aid the minister. Political and personal ties prevented the prosecution of misconduct and incompetency, resulting in a decreasing level of civil service quality at the national level. Under the new Šarec government, the politicization of the civil service has continued.

Task Funding
Score: 3

Municipal governments – the sole tier of subnational self-government in Slovenia – have suffered substantial fiscal difficulties for some time. The Cerar government focused on reducing the bureaucratic burdens without reducing the number of municipalities. However, the measures taken were not effective, and municipalities suffered from the government’s decision to postpone the re-introduction of the property tax to the period after the next parliamentary elections. Government proposals to lower central government transfers met resistance by the Association of Municipalities and Towns of Slovenia (SOS), the Association of Municipalities of Slovenia (ZOS) and the Association of City Municipalities (ZMOS). In 2017 and 2018 alike, the three municipal associations and the Cerar government failed to reach an agreement on the financing of municipalities. The coalition agreement of the Šarec government has placed greater emphasis on the adequate funding of local self-government system, which might lead to some changes.

Constitutional
Discretion
Score: 5

The Slovenian constitution, the European Charter on Local Government (ratified in 1996) and the Local Government Act give municipalities responsibility for all local public affairs and some autonomy in implementing national legislation. In practice, however, financing constraints and a limited administrative capacity in the larger number of small municipalities limit local autonomy. The Cerar government started to address this issue through the adoption of the Public Administration Development Strategy in April 2015 and a separate strategy for the development of local government in September 2016. Both strategies aim at fostering closer cooperation between municipalities in the fields of public services and tourism, but implementation of those strategies has so far proven inadequate and central government and municipalities are still far apart on the most issues.

Citation:

Government of the Republic of Slovenia (2015): Public Administration 2020: Public Administration Development Strategy 2015-2020. Ljubljana
(http://www.mju.gov.si/fileadmin/mju.gov.si/pageuploads/JAVNA_UPRAVA/Kakovost/Strategija_razvoja_JU_2015-2020/Strategija_razvoja_ANG_final_web.pdf).

Ministry for Public Administration (2016): Strategija razvoja lokalne samouprave do 2020 (Strategy of local government development until 2020). Ljubljana
(http://www.mju.gov.si/fileadmin/mju.gov.si/pageuploads/JAVNA_UPRAVA/svlsrp.gov.si/pageuploads/lo-k-sam-2015/aktualno-ls/strateg-ls/12_SRLS_16.9.2016.pdf).

Rožen, Tomaž and Miro Haček (2014): *Merjenje upravljaljske sposobnosti lokalnih samoupravnih skupnosti: primer slovenskih občin* (Measurement of administrative capacity of local governments: case of Slovenian municipalities). Ljubljana: Faculty of Social Sciences.

National
Standards
Score: 3

In Slovenia, public-service standards are poorly defined, especially with regard to the independent functions of municipal governments. As the constitution guarantees the autonomy of every municipality, the extent and quality of public services differ substantially across the country. Financial controls and inspections are often ineffective due to the lack of resources and staff. Moreover, the monitoring of standards is often highly fragmented. In the case of finances, for instance, the Ministry of Finance, the Court of Audit and municipal supervisory committees all play an oversight role.

Effective
Regulatory
Enforcement
Score: 6

Ministries and government agencies largely succeed in enforcing regulations effectively and without bias. However, there have been some cases in which they succumbed to pressure from interest groups. In the period under review, a case in point was the investment of Magna in Maribor in which a number of legal requirements were ignored by state agencies due to the threat that Magna would move its investment to another country and pressure from the Cerar government, which blindly supported the project.

Adaptability

Domestic
Adaptability
Score: 6

Upon EU accession, Slovenia developed a complex system for coordinating European affairs, with the Ministry of Foreign Affairs serving as the central coordinator. The Cerar and Šarec governments left this system largely unchanged. In order to increase the absorption of EU funds, the Cerar government created a new ministry without portfolio with responsibility for development, strategic projects and cohesion and changed procedures. As a result, the absorption rate has substantially increased. The Šarec government has kept the ministry.

International
Coordination
Score: 5

Like its predecessors, the Cerar government was preoccupied with domestic political and economic issues and paid little attention to improving institutional capacity for shaping and implementing global initiatives. The country's main international focus has been on shaping the European Union's policy toward the western Balkans, where Slovenia sees its strategic interests. In the period under review, the 25-year long territorial dispute between Slovenia and Croatia over the Gulf of Piran and part of the land border continued. While Slovenia accepted the arbitration decision of June 2017 and amended its legislation in December 2017, Croatia has refused to do so, prompting Slovenia to pursue legal action in the European Court of Justice in July 2018.

Organizational Reform

Self-monitoring
Score: 4

There is no regular self-monitoring of institutional arrangements in Slovenia. The monitoring that takes place is ad hoc and limited. The annual reports of state organizations are formal and self-congratulatory. Under the Cerar government the number of audits performed by private sector organizations remained low.

Institutional
Reform
Score: 5

At the beginning of its term, the Cerar government increased the number of ministries from 13 to 16 and changed ministerial portfolios. By establishing separate ministries for public administration, infrastructure and environment/spatial planning, as well as by creating a ministry without a portfolio responsible for development, strategic projects and cohesion, the Cerar government improved its strategic capacity. The strengthening of the Government Office for Development and European Cohesion Policy and the changing procedures associated with the creation of a new ministry for development, strategic projects and cohesion have helped to substantially increase the absorption rate. The government's Public Administration Development Strategy 2015-2020 adopted in April 2015 was relatively brief on institutional reform. Same goes for the Strategy for the Development of Local Self-Government until 2020, adopted in October 2016. The main goal of the strategy is to strengthen local self-government and improve the quality of life at the local level. It focuses on strengthening citizen's influence and their participation in decision-making by local self-government bodies in order to ensure the efficient use of public resources and the provision of efficient local services. However, the strategy is very vague and was not positively accepted by all three associations of municipalities. The new Šarec government has kept the structure of ministries and is yet to pay significant attention to institutional reform.

Citation:

Government of the Republic of Slovenia (2015): Public Administration 2020: Public Administration Development Strategy 2015-2020. Ljubljana
(http://www.mju.gov.si/fileadmin/mju.gov.si/pageuploads/JAVNA_UPRAVA/Kakovost/Strategija_razvoja_JU_2015-2020/Strategija_razvoja_ANG_final_web.pdf).

Ministry for Public Administration (2016): Strategija razvoja lokalne samouprave do 2020 (Strategy of local government development until 2020). Ljubljana
(http://www.mju.gov.si/fileadmin/mju.gov.si/pageuploads/JAVNA_UPRAVA/svlsrp.gov.si/pageuploads/lok-sam-2015/aktualno-ls/strateg-ls/12_SRLS_16.9.2016.pdf).

II. Executive Accountability

Citizens' Participatory Competence

Political
Knowledge
Score: 4

According to a Eurobarometer survey in May 2017, around 70% of Slovenian citizens think they are well informed about what is going on in the country – though their knowledge of government policymaking is rather limited. While both print and electronic media provide mostly adequate information, certain segments of the population lack media literacy, and most citizens are simply not interested in the details of policymaking. The recurring corruption and political scandals have fostered frustration and disenchantment among a majority of the population. The latest Eurobarometer survey from 2018 reveals that trust in the national government (17%, compared to an EU28 average of 34%), the parliament (20%, compared to an EU28 average of 34%), political parties (11%, compared to an EU28 average of 19%) and public administration (40%, compared to an EU28 average of 50%) remains very low.

Citation:

European Commission (2017): Standard Eurobarometer 87. Brussels (<http://ec.europa.eu/commfrontoffice/publicopinion/index.cfm/Survey/getSurveyDetail/instruments/STANDARD/surveyKy/2142>).

European Commission (2018): Standard Eurobarometer 89. Brussels (<http://ec.europa.eu/commfrontoffice/publicopinion/index.cfm/Survey/getSurveyDetail/instruments/STANDARD/surveyKy/2180>).

Open
Government
Score: 8

The Slovenian government launched a new and unified open data government portal, OPSI (Odprti podatki Slovenije), in late 2016. The new portal provides a central catalog of all the records and databases of Slovenian public bodies, and a broad range of datasets in machine-readable formats and with an Open Data license. Access to data is largely unrestricted and published in user-friendly formats.

Legislative Actors' Resources

Parliamentary
Resources
Score: 9

Slovenian members of parliament command sufficient resources to perform their jobs effectively and to monitor government activity. Each member of parliament has a personal budget for education and literature acquisition as well as access to research and data services provided by the Research and Documentation Section. Additional resources are available to parliamentary party groups for organizational and administrative support, and for hiring expert staff. Parliamentary groups must have a minimum of three members of

parliament. During the 2014 – 2018 parliamentary term, only three members of parliament did not belong to a parliamentary group. Since the early parliamentary elections in June 2018, all members of parliament have been part of a parliamentary group.

Obtaining
Documents
Score: 8

In Slovenia, parliamentary committees have the right to ask for almost all government documents, and they can discuss any document in sessions either open or closed to the public. However, the Cerar government, similar to previous governments, sometimes delivered draft bills and other documents at the last minute or with considerable delay, thereby infringing on the work of the committees and obstructing public debate on the proposals. Compared to previous governments, there have been more public debates on most important legislation.

Summoning
Ministers
Score: 10

The right of parliamentary committees to summon ministers is enshrined in the Rules of Procedure of the Slovenian parliament. Ministers regularly follow invitations; if they are unable to attend in person, they can also authorize state secretaries to represent them. Ministers are also obliged to answer questions from members of parliament, either in oral or written form, and this obligation is largely respected in practice. Moreover, the prime minister must personally answer four questions from members of parliament in every parliamentary session. In 2017, members of parliament submitted a total of 1,409 questions to the government generally or to individual ministers specifically (361 less than in 2016), with 80% of questions submitted by opposition parties. Only three questions remained unanswered (3 more than in 2016).

National Assembly (2018): Report on the Work of the National Assembly in 2017. Ljubljana (https://fotogalerija.dz-rs.si/datoteke/Publikacije/PorocilaDZ/Mandat_2014%E2%80%932018/Letno_porocilo_-_2017.pdf).

Summoning
Experts
Score: 9

Parliamentary committees in Slovenia may invite experts or form expert groups in charge of helping to draft legislative proposals. Under the Cerar government, the number of experts invited has increased. Parliamentary committees have launched several public expert discussions on important pieces of legislation and invited experts to the sessions of investigation committees.

Task Area
Congruence
Score: 8

The Slovenian parliament has two kinds of working bodies – 13 committees, which normally cover the work of ministries, and seven commissions, some of them standing, which deal with more specific issues such as the rules of procedure, the supervision of intelligence and security services or the national minorities. Under the Cerar and the Šarec governments, the committee structure has remained unchanged, even though the number of ministries has increased. As a result, the number of committees overseeing more than one ministries has grown. However, this has not infringed on the monitoring of ministries.

Media

Media Reporting
Score: 6

In Slovenia, the majority of both electronic and print mass media fail to provide high-quality information on government decisions, but mostly focus on superficial subjects. However, there is a clear distinction to be made between the private and public media here. Whereas the private media, especially private electronic media, tend to focus on non-political information and infotainment, the public media, especially television and radio broadcasters, put more emphasis on providing high-quality information about government decisions. They even devote some attention to the debates preceding these decisions. This particularly applies when debates are initiated by the government.

Parties and Interest Associations

Intra-party
Decision-Making
Score: 4

Slovenian party law leaves political parties with some organizational autonomy. Political parties are very heterogeneously organized, with some organized only on the micro level (i.e., in one or several of the 212 municipalities) and others organized only on the macro level. Access to decision-making processes is normally restricted to party members. Whereas party members have the formal right to participate in decisions, the party leadership controls the candidate lists and the policy agendas. The details of internal party decision-making are not widely known to the public, as most decisions are made behind doors that are firmly shut. In the 2018 parliamentary elections, only two political parties managed to win more than 10% of votes.

Association
Competence
(Employers &
Unions)
Score: 7

In Slovenia, with its strong corporatist tradition, economic-interest associations are very well organized and possess relatively strong analytical capacities. Most economic and social policies are discussed in detail in the Economic and Social Council, a tripartite body. Trade unions and employers' associations do not have their own research institutes but cooperate with universities and think tanks. Trade unions' analytical capacities have suffered from the fragmentation associated with the coexistence of seven separate union confederations.

Association
Competence
(Others)
Score: 8

Slovenia's vibrant third sector has been quite active in monitoring government activities. Despite a decline in public funding, most interest associations have considerable policy knowledge, and many can rely on think tanks that involve various experts from the universities and research institutes in their work. Policy proposals developed by interest associations, although not numerous, have been featured prominently in the media. In period under review, interest associations have been heavily involved in two major political issues: the Magna corporation investment in Maribor and the building of a second train

track to the port of Koper. Some associations have been unable to withstand pressure from the government and opposition to their positions.

Independent Supervisory Bodies

Audit Office
Score: 9

According to Article 150 of the Slovenian constitution, the Court of Audit is the supreme auditing authority in all matters of public spending. The Court of Audit is an independent authority accountable exclusively to parliament. The Court of Audit scrutinizes the performance of national and local governments and all legal persons established or owned by them. The chairman and the two vice-chairmen are elected by the parliament for nine years – on the basis of secret ballots – and the office reports regularly and whenever requested to the parliament. The Court of Audit has far-reaching competencies and enjoys a good reputation and high public trust. Its reports have impact on the policymaking process and its criticisms are mostly regarded as positive. However, its position is somewhat limited by a lack of both financial and human resources. While it can propose its own budget to the legislature, the ultimate decision regarding the Court's resources rests with parliament.

Ombuds Office
Score: 8

In addition to the parliament's Commission for Petitions, Human Rights and Equal Opportunities, there is an independent ombudsman, who is accountable exclusively to parliament. The ombudsman is elected by parliament for a term of six years and reports regularly to the legislature. The current ombudsman, Vlasta Nussdorfer, was elected in February 2013 with the broadest majority yet seen in the country's short parliamentary history (82 out of 90 votes). She enjoys a good reputation and is quite effective in settling issues. Her annual reports focus on a wide variety of problems, above all problems with the judiciary, administrative issues and issues with limitations on personal freedom. As with previous ombudspersons, however, Nussdorfer's role has been occasionally constrained by the lack of interest among members of parliament and ministerial inactivity. In addition, some members of the political opposition and non-parliamentary groups have criticized her lack of action taken in several publicly renowned cases.

Data Protection
Authority
Score: 9

Following the establishment of the Information Commissioner on 31 December 2005, Slovenia has an independent and effective data protection authority. The commissioner supervises the protection of personal data and access to public information. The office is led by Mojca Prelesnik, previously the general secretary to the parliament. The competencies of the Information Commissioner include: deciding on appeals against decisions by another body to refuse or dismiss a request for information; deciding on alleged violations of the right to access or re-use public information; supervising the implementation of legislation regulating the processing and protection of personal data; acting as an appellate body on individual complaints regarding a refusal to make personal information available to the respective individual.

There is also a government Office for the Protection of Classified Information. The office monitors the classification and protection of information, and ensures the development and implementation of classified information protection standards across government agencies, local community agencies, holders of public authorizations, NGOs and commercial companies that hold classified information. The office also issues permissions to access classified information and security certificates to legal persons.

Citation:

The Information Commissioner 2018 (<https://www.ip-rs.si/en/about/information-commissioner/>)

Address | Contact

Bertelsmann Stiftung

Carl-Bertelsmann-Straße 256
33311 Gütersloh
Germany
Phone +49 5241 81-0

Dr. Christof Schiller

Phone +49 5241 81-81470
christof.schiller@bertelsmann-stiftung.de

Dr. Thorsten Hellmann

Phone +49 5241 81-81236
thorsten.hellmann@bertelsmann-stiftung.de

Pia Paulini

Phone +49 5241 81-81468
pia.paulini@bertelsmann-stiftung.de

www.bertelsmann-stiftung.de
www.sgi-network.org