



Slovenia Report

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Sustainable Governance Indicators 2022

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Executive Summary

From March 2020 to the end of the review period in January 2022, Slovenia was governed by a minority coalition government led by Prime Minister Janez Janša, president of the center-right Slovenian Democratic Party (SDS). The other political parties of the governing coalition included the liberal party of Miro Cerar (SMC), the New Slovenia – Christian Democrats (NSi) and the Democratic Party of Pensioners (DeSUS). The government relied on parliamentary support from the extreme right Slovenian National Party (SNS), and two deputies from the Hungarian and Italian minorities. The new government took office just one day after Slovenia declared COVID-19 an epidemic. While the governing parties and left-wing parties rarely cooperated before 2020, the political climate has deteriorated even further during the period under review. Relentless back-and-forth attacks between both sides, aided by a partisan media and civil society that are aligned on one side or the other, led to extreme polarization between the opposing blocks and the failure of the two sides to cooperate even on issues connected to the COVID-19 pandemic.

The global pandemic and associated lockdowns undermined economic growth, which Slovenia had enjoyed between 2014 and 2019, and led to a drop in GDP of more than 4.2% in 2020. The Janša government placed strong emphasis on economic recovery following the pandemic-induced economic decline in 2020, with GDP growth forecast to achieve 6.4% in 2021 and 4.2% in 2022. While the Janša government did not decide to sell any of the remaining state-owned companies, it did put additional emphasis on improving the efficiency of major state-funded infrastructure projects, and further expanding the list of projects funded by the government or EU recovery and cohesion funds. The economic downturn in 2020 raised unemployment levels (5.2% in 2020), but – with major incentives provided to support the labor market by the Janša government – unemployment rates did not fall dramatically and started to improve, reaching a record low of 3.8% in November 2021. But the coronavirus pandemic led to a substantial rise in public debt – due to the Janša government’s financing of anti-coronavirus measures – to almost 80% in

2020.

As for social policies, the remaining austerity measures dating back to 2012 were removed by the previous Šarec government, which also increased family benefits. The Janša government expanded social benefits even further, such as those aimed at assisting large families, and increased the annual allowance for pensioners. In January 2020, the minimum wage was increased to €700 per month. Under the Janša government, the Long-Term Care Act was finally adopted, after being prepared and discussed for almost two decades, although the exact amount of funding for long-term care has yet to be decided. The pandemic placed the entire healthcare system under substantial stress, but – after expanding the capacities of ICUs – the system managed to cope with the surge in admissions during the first four waves of the pandemic. Proposed by the Janša government, the National Assembly adopted minor changes to the Pension and Disability Insurance Act in September 2020. However, further changes, which would enable employers to dismiss employees who have met the conditions for retirement, met with resistance from trade unions and were subsequently blocked by the Constitutional Court. The Janša government adopted several additional financial assistance packages for pensioners during the COVID-19 pandemic.

The quality of democracy has suffered from widespread corruption and growing media polarization. Allegations of corruption have featured prominently in debates about the government's COVID-19 response, especially during the first wave regarding the public procurement of personal protective equipment. Despite the adoption of a code of ethics for members of parliament, corruption scandals and the inability of the prosecution services to present strong cases, which would enable courts to convict major political players (e.g., Zoran Janković, mayor of Ljubljana), have confirmed doubts about the political elite's commitment to fighting corruption. The growing polarization and even hostility within the media has infringed upon media independence and pluralism, and the quality of media reporting.

Governance in Slovenia is marked by a strong corporatist tradition, which has had a mixed impact on the government's strategic capacity. As economic stress increased with the global pandemic and political polarization managed to intrude into the non-governmental sector, trade unions have become less willing to cooperate with the center-right government. Slovenia's strong corporatist tradition accounts in part for the lack of strategic planning and policymaking, the weakness of the core executive, an increasingly politicized civil service, and the largely symbolic use of RIAs. The Janša government established several expert groups tasked with preparing policy solutions. Several of these solutions (e.g., concerning de-bureaucratization and

digitalization) have already been adopted inside amended normative framework. The Janša government also added in July 2021 a new minister to the government, a minister without a portfolio, who is responsible for advancing digital transformation. However, due to weak support in the parliament and the coronavirus crisis, the government failed to properly address much-needed institutional reforms.

Key Challenges

Once famous for its consensual policy style, Slovenia has been subject to growing political polarization since the June 2018 early elections, which further tightened following the formation of the Janša government in March 2020. After the resignation of Prime Minister Šarec in January 2020, one of the main goals of the center-left minority coalition, to prevent arch-rival Janez Janša from taking office again, failed. Supporters of the left-wing parties concentrated their anger on the two “traitors,” the centrist SMC and DeSUS parties, which had decided against early parliamentary elections and agreed to join a new coalition government with Janša as prime minister. The extreme polarization between the two camps that followed has had a considerable impact especially on the media, making the defense of media freedoms and pluralism in Slovenia a major challenge. Polarization has had mostly negative effects on the functioning of supervisory institutions (e.g., the Court of Audit and Commission for the Prevention of Corruption), in the appointment of Constitutional Court justices, the selection and promotion of civil servants, and in daily policymaking. Overcoming such political polarization is essential to reducing the public disenchantment with politics and politicians that has beset Slovenia for some time. Regaining public trust in political institutions and political elites will also require taking a tougher stance on corruption, and re-establishing trust in both media professionalism and the judiciary.

Both the effects of the economic downturn in 2020, which was the result of the COVID-19 pandemic, and the subsequent rapid rebound in the second half of 2020 and beginning of 2021 (which came at the expense of spiraling public debt) are reminders that economic activity cannot be taken for granted and that the need for structural reform remains strong. Without major pension and healthcare reforms, demographic trends, most notably population aging, are likely to result in substantial fiscal pressures in the medium to long run. Adopting substantial healthcare reform, particularly in the failing public healthcare sector, saddled by corruption and the negative consequences of the COVID-19 pandemic, should be a clear policy priority in the short term. 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 the remaining state-owned enterprises, starting with Telekom Slovenije. Whoever wins the next parliamentary election in spring 2022 should continue to improve the management of major state-funded infrastructure projects, and make effective use of available post-COVID-19 EU recovery and cohesion funds. In addition, the next government should continue to overhaul the sometimes-rigid tax system in order to help economic recovery and bring some relief to taxpayers.

Achieving these goals could be facilitated by a number of changes to Slovenia's policymaking process. The government should make greater use of expert advice, strengthen strategic planning, limit the politicization of the civil service and greatly improve the RIA system. Such changes would make it easier for the government to plan and act on a long-term basis; overcome resistance from and obstacles presented by special interest groups, which often hinder or even disable governmental activity; and win public acceptance for much-needed reforms. Neglected for far too long, institutional reform deserves a more prominent place on the political agenda.

Party Polarization

Historically, party polarization has been very high in Slovenia and presents a major obstacle for policymaking, and the COVID-19 pandemic and the change of government in March 2020 only made polarization worse. Political parties are divided into two parliamentary blocs: a center-left bloc of six parties and a center-right bloc of three parties. These two blocs rarely cooperate. However, in March 2020, after the previous prime minister, Šarec, resigned, two members of the center-left bloc (Modern Center Party, SMC; Democratic Party of Pensioners of Slovenia, DeSUS) decided to form a government with two members of the center-right bloc (Slovenian Democratic Party, SDS; New Slovenia – Christian Democrats, NSi). This led to attacks on the government from the other four center-left parties, as well as some sections of the media and civil society, which started even before government took office. The extreme polarization between the four new coalition parties and four remaining center-left opposition parties resulted in the failure of the two sides to cooperate even on issues connected to the COVID-19 pandemic. The pressure on the two center-left coalition parties – which had defied the traditional lines of party polarization and enabled the formation of the new government in March 2020 under the leadership of SDS president Janša – slowly pushed the DeSUS out of the coalition and cost the SMC half of their

members of parliament, who crossed to the opposition side. In turn, this resulted in a hung parliament, with the government unable to govern efficiently and the opposition unable to replace the ineffective government. (Score: 3)

Citation:

European Parliament/Committee on Civil Liberties, Justice and Home Affairs 2021: MISSION REPORT following the LIBE ad hoc delegation to Slovenia. <https://www.europarl.europa.eu/news/de/press-room/20211118IPR17626/slovenia-meps-discuss-threats-to-media-freedom-and-democracy>

Alenka Krasovec/Damjan Lajh 2021: Slovenia: Tilting the Balance? In: Verheugen, Günter/Vodicka, Karel/Brusis, Martin (Hrsg.): Demokratie im postkommunistischen EU-Raum. Wiesbaden: Springer, pp. 165-166, 168

Sustainable Policies

I. Economic Policies

Economy

Economic Policy
Score: 6

The Slovenian economy has been growing robustly from 2014 to 2019. However, real GDP growth declined from more than 4.8% in 2017 to about 3.2% in 2019, largely because of the high export propensity of the Slovenian economy and its strong dependence on development in larger European economies. However, the COVID-19 pandemic and extensive closures of the economic activity hampered growth and caused a drop of GDP in 2020 for more than 4.2%.

The Šarec government stuck to the controversial infrastructure projects initiated by its predecessor. These projects included the construction of a second Karavanke highway tunnel toward Austria, and the construction of a second railway line between Divača and the port of Koper. However, development struggled, as the projects continued to suffer from mismanagement, corruption and delays in implementation. The Šarec government was more successful in privatizing state banks, which has been on the agenda for some time. It sold 75% minus one share in the largest Slovenian bank (NLB) to institutional investors and the third largest bank (ABanka) to the U.S. fund Apollo, which also owns Slovenia's second largest bank, Nova KBM d.d. The Janša government placed strong emphasis on economic recovery following the pandemic-induced shock in 2020, with GDP growth forecasted to be 6.4% in 2021 and 4.2% in 2022. While the Janša government did not decide to sell any of the remaining state-owned companies, it did put additional emphasis on improving the efficiency of major state-funded infrastructure projects, as well as further expanding the list of projects that are being funded by the government or from EU recovery and cohesion funds.

Labor Markets

Labor Market
Policy
Score: 7

While the unemployment rate increased from 2009 to 2013, since 2014, the labor market has significantly improved. In 2016, the number of registered unemployed persons fell below 100,000 for the first time since 2010 and continued to decline each year, reaching a ten-year nadir in September 2019 of 69,834. In recent years, the unemployment has fallen steadily from 9.1% in 2015 to 4.4% in 2019. However, the improvement in labor market performance has been driven largely by the economic recovery, which came to an abrupt stop in 2020 due to the COVID-19 pandemic, which also affected unemployment (5.2% in 2020). But with the major incentives to support the labor market provided by the Janša government, unemployment rates did not fall dramatically and started to rebound as early as late 2020, reaching a record low of 3.8% (65,379 persons) in November 2021. Despite improvements in the period under review, some structural challenges have remained, but long-term unemployment rates decreased slightly in the period under review.

Citation:

Stropnik, N. (2020): Slovenia revises its unemployment benefit regulation to foster employment. ESPN, Flash Report 2020/14, Brussels.

Taxes

Tax Policy
Score: 6

Slovenia's tax system was overhauled in the 2004 – 2008 term and has changed only gradually since then. 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 a handful of different rates 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.

Under the Šarec government, changes in tax regulations were modest. In February 2019, the prime minister announced that the government would draft a package of measures before the end of the year and, in June 2019, a reform tax package was put up for public debate. The changes proposed are minor, and include cutting income tax rates in the second and third brackets by one to two percentage points, a slight increase in tax deductions, higher capital gains taxes on items that have been owned for less than 20 years, and a higher rate of personal income tax on rental property. In October 2019, the prime minister announced that there would be no property tax implemented until at least 2022, as there was no consensus among the coalition parties on the issue.

The Janša government prepared a mini-tax reform in 2021, which would help economic recovery and relieve taxpayers. The proposed measures include raising the general allowance for dependent family members from €3,500 to €7,500, with a transitional period from 2022 to 2024. The harmonization of allowances and net annual tax bases regarding the personal income tax scale is also being reintroduced. The reform would also bring higher net salaries, as the government is proposing a reduction in the tax rate from 50% to 45% for taxpayers in the highest (fifth) income class. The changes would also relieve the burden on capital income, namely the personal income tax rate on interest earned, while the dividends and capital gains rate would be reduced from 27.5% to 25%, and the rental property rate from 27.5% to 15%. But following strong opposition to the proposal from trade unions and opposition parties, citing fears concerning budgetary balance, the fate of the proposal is unclear.

At almost 37%, the tax-to-GDP ratio is below the EU average, but relatively high from a regional perspective. The post-pandemic fiscal deficit suggests that revenues to finance the budget over the mid-term are questionable.

The progressive income tax provides for vertical equity. The tax burden for enterprises is below the EU average, but higher than in most other Central and Eastern European countries. Moreover, given the complexity of tax procedures for both individuals and companies, the Janša government proposed a de-bureaucratization act, which would simplify procedures.

Slovenia's revenue from environmentally relevant taxes remains above the EU average. Environmental taxes made up 3.73% of GDP in 2017 (EU-28 average: 2.4%) and energy taxes made up 3.16% of GDP (EU-28 average: 1.84%). In the same year, the environmental tax amounted to 10.13% of total revenue from taxes and social security contributions (EU-28 average: 5.97%).

Citation:

European Commission (2019): Environmental Implementation Review 2019. Country Report Slovenia. SWD(2019) 131 final. Brussels (https://ec.europa.eu/environment/eir/pdf/report_si_en.pdf).

OECD Tax Revenue Statistics (2021): Slovenia. Paris (<https://www.oecd.org/tax/revenue-statistics-slovenia.pdf>).

Budgets

Budgetary Policy
Score: 6

Despite the unexpected economic slowdown and the resulting need for a budget revision, the Šarec government managed to achieve a small fiscal surplus in 2019. Buoyed by the surplus, active public debt management, low interest rates and substantial privatization proceeds, public debt fell from 70.4

% of GDP in 2018 to 66.7% in 2019. But the COVID-19 pandemic and the associated economic shutdowns changed those positive trends, leading to a substantial rise in public debt – due to the Janša government’s financing of anti-coronavirus measures – to almost 80% in 2020. The general government cash-flow deficit is estimated at 4.6% of GDP in 2022 and 2.7% of GDP in 2023, below the Maastricht level.

Interest payments on servicing public debt amounted to 1.7% of GDP in 2020, which is more than €300 million lower than in 2014, when it amounted to 2.9% of GDP. In the 2020–2021 period, more than €4.4 billion has been paid out of the state budget for anti-COVID measures.

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 December 2018, the Fiscal Council warned of a deterioration of the fiscal stance. As a matter of fact, the revised 2019 budget did not fully meet the targets of the medium-term budgetary framework. In 2021, the Fiscal Council issued several warnings that projections for the coming years in the adopted budget documents are not based on appropriate facts, which has increased the risk of a structural deterioration in public finances. The state budget deficit is expected to amount to almost €4 billion in 2021, which is €0.5 billion more than in 2020, according to the Fiscal Council.

Citation:

European Commission (2020): Country Report Slovenia 2020. SWD(2020) 523 final. Brussels (<https://ec.europa.eu/info/sites/info/files/2020-european-semester-country-report-slovenia-en.pdf>), 17-18.

European Commission (2021): Country Report Slovenia 2021. SWD(2021) 915 final. Brussels (https://ec.europa.eu/info/sites/default/files/economy-finance/commission_opinion_on_the_2022_draft_budgetary_plan_of_slovenia.pdf).

Research, Innovation and Infrastructure

R&I Policy
Score: 4

Slovenia’s R&I activities have long been of both low quality and quantity. The objectives of R&I policy include a polycentric model of science development and networking of research organizations, autonomous guidance, monitoring and evaluation of R&D activities, and the promotion of science development cores in areas that are the basis of long-term socioeconomic development. While public R&I spending increased between 2018 and 2021, it still doesn’t comprise 1% of GDP (0.98% in 2021). In some areas of research, the extent of

EU funding has declined, as Slovenia has experienced serious administrative difficulties in absorbing funds for R&I under the Šarec government, and two ministers resigned because they did not manage to increase EU funding absorption rates. The Janša government strengthened the Government Office for Development and European Cohesion Policy both in terms of funding and human resources, and EU funding absorption rates improved dramatically in the period under review, from 40% of allocated funds (2019) to 64% of allocated funds (2021).

Citation:

European Commission. (2021). Cohesion Data: Slovenia. (<https://cohesiondata.ec.europa.eu/countries/SI>).

Global Financial System

Stabilizing
Global Financial
System
Score: 6

In the wake of the pandemic, the share of non-performing loans in affected sectors, such as accommodation and tourism, have risen in Slovenia. The decline of corporate credit has challenged the business models of banks. From March 2020 to March 2021, firms and households were enabled to postpone amortization and interest payments on their loans. Public guarantee schemes for loans were introduced to avoid bankruptcies. The central bank intensified its monitoring of commercial banks and made the reclassification of non-performing loans more flexible.

Slovenia was the first post-socialist EU member state to introduce the euro. Because of its troubled financial sector, the country became a strong supporter of a European solution when the euro crisis began. In 2013/14, it was the first EU member state to apply the rules of the new European banking union. While the resulting restructuring of the domestic financial sector has prompted substantial domestic conflicts, the Šarec government stuck to the controversial sale of major banks to foreign investors. The Bank of Slovenia has played an active role in the regulation and supervision of financial markets.

Citation:

Alenka Krasovec/Damjan Lajh 2021: Slovenia: Tilting the Balance? In: Verheugen, Günter/Vodicka, Karel/Brusis, Martin (Hrsg.): Demokratie im postkommunistischen EU-Raum. Wiesbaden: Springer, p. 171.
Council of Europe 2021: Anti-money laundering and counter-terrorist financing measures: Slovenia. 3rd Enhanced Follow-up Report. <https://rm.coe.int/moneyval-2021-5-fur-slovenia/1680a29c71>.

IMF: Republic of Slovenia. Staff Report for the 2021 Article IV Consultation, Washington: IMF, 3 May 2021

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.

Both the Šarec and Janša governments have slightly increased spending on education. While the Šarec government failed to adhere to a five-year old decision of the Constitutional Court on the public funding of accredited private school programs, the Janša government managed to implement the aforementioned decision of the Constitutional Court, providing 100% of the funding for the compulsory program and 85% for the extended program in all private schools. The Janša government also announced several additional concessions for selected higher education areas (e.g., media studies, healthcare, social gerontology and the management of smart cities), bringing more competition to the tertiary education sector, a move that has been harshly criticized by some public academics and universities.

In February 2020, a process of modernizing basic and upper secondary general education, and the kindergarten curriculum was started. In particular, the process aims to improve digital and sustainable development competences in basic and upper secondary general education, as well as to improve the integration of migrant children.

Citation:

OECD 2021: Education at a Glance. https://www.oecd-ilibrary.org/education/education-at-a-glance-2021_b35a14e5-en

European Commission 2022: Eurydice. Slovenia. National reforms in school education. https://eacea.ec.europa.eu/national-policies/eurydice/content/national-reforms-school-education-68_en

Social Inclusion

Social Inclusion
Policy
Score: 9

Slovenia has a strong tradition of social inclusion. In 2018, the country's Gini coefficient was the second lowest among EU member states and has remained fairly stable since then. Slovenia's at-risk-of-poverty rate is below the EU

average. 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. During the period under review, the Šarec government eliminated the last remaining austerity measures in the area of social security benefits and increased a broad range of social benefits. Subsequently, the Janša government further expanded some social benefits, such as those aimed at assisting large families, and increased the annual allowance for pensioners. In January 2020, the minimum wage was increased to €700 per month, with a further 10% increase proposed by the largest trade union.

Citation:

Alenka Krasovec/Damjan Lajh 2021: Slovenia: Tilting the Balance? In: Verheugen, Günter/Vodicka, Karel/Brusis, Martin (Hrsg.): Demokratie im postkommunistischen EU-Raum. Wiesbaden: Springer, p. 171.
Contryeconomy.com 2022: Slovenia gini index. <https://countryeconomy.com/demography/gini-index/slovenia>

Health

Health Policy
Score: 5

The Slovenian healthcare 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. While total health spending is well above the OECD average, both the compulsory public health insurance scheme and the supplementary health insurance funds have suffered from 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 surfaced. These scandals, combined with the growing lack of general practitioners in primary care, threaten to cripple the entire system.

Healthcare reform has been on the political agenda for some time, and has featured prominently in the coalition agreements of both the Šarec and Janša governments. For both governments, however, progress has been slow. Under the Šarec government, the coalition parties held different views on reforms, which were difficult to reconcile. The outside coalition partner, the Left (Levice), for instance, pressed hard to expand the public health insurance scheme to the detriment of the supplementary health insurance funds. When

the coalition parties disagreed, the Left withheld its support for the government, which led to its demise. Under the Janša government, the Long-Term Care Act was finally adopted, after being prepared and discussed for almost two decades. However, the exact budget for long-term care has yet to be decided. In addition, the Janša government presented ambitious plans to tackle the issue of healthcare waiting times, but this has largely been postponed by the COVID-19 pandemic. The pandemic put the entire healthcare system under substantial distress, but – after expanding the capacity of ICUs – the system managed to cope with the surge in admissions during the first four waves of the pandemic. Though healthcare spending has increased steadily, reaching \$2,283 PPP in 2019, it is still below the EU average.

Citation:

European Observatory on Health Systems and Policies 2021: Slovenia: health system review 2021. Health Systems in Transition, Vol. 23 No. 1 <https://eurohealthobservatory.who.int/publications/i/slovenia-health-system-review-2021>

European Observatory on Health Systems and Policies 2021: Health systems review and policy brief on EU support tools launched in Slovenia. 19 October 2021 News release. <https://eurohealthobservatory.who.int/news-room/news/item/19-10-2021-health-systems-review-and-policy-brief-on-eu-support-tools-launched-in-slovenia>

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 10 years, the number of children enrolled in nursery schools has almost doubled. In January 2021, the Janša government introduced a new policy that provides families free nursery schooling for the second child, if first child is also enrolled, plus all children in families with three or more children are eligible for free nursery care. While the incidence of part-time work is growing slowly, most women work full time. 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.

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. (2019): Slovenia abandons cuts to family benefits. ESPN, Flash Report 2019/07, 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 a rapidly 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. The Šarec government has prepared amendments to the Pension and Disability Insurance Act that have aimed at improving pension adequacy and at fostering the employment of pensioners, but have raised concerns about the financial sustainability of the pension scheme. Proposed by the Janša government, the National Assembly adopted minor changes to the Pension and Disability Insurance Act in September 2020. However, further changes, which would enable employers to dismiss employees who have met the conditions for retirement, were met with resistance by trade unions and subsequently blocked by the Constitutional Court. The Janša government adopted several additional financial assistance packages for pensioners during the COVID-19 pandemic.

Citation:

European Commission (2020): Country Report Slovenia 2020. SWD(2020) 523 final. Brussels, 18-20 (<https://ec.europa.eu/info/sites/info/files/2020-european-semester-country-repor-t-slovenia-en.pdf>).

Macjen, B. (2019): Slovenia Plans to Increase Pension Adequacy. ESPN, Flash Report 2019/43, Brussels.

Integration

Integration Policy
Score: 4

Successive governments, including the Šarec and Janša governments during the period under review, 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. While the number of active work permits for foreigners dropped from 85,000 in 2008 to a mere 16,993 in 2016 as a result of the economic crisis, it has been on the rise since 2017 and reached 44,967 in first half of 2021. At the same time, the period under review saw an increase in the number of asylum-seekers on their way to neighboring Italy and Austria. The government has responded by erecting an additional fence along the southern border, which is guarded by a higher number of policemen and (assisting) army personnel. In this context, NGOs complain that the right to asylum is systematically denied. Since 2018, more than 28 000 people have been expelled, mostly to Croatia where they face being pushed back to Bosnia and Herzegovina. In addition, they complain about the situation of the Roma community living in settlements with no access to water and sometimes no electricity.

Citation:
ZRSZ. 2021. Zaposlovanje tujcev (Employment of foreign workers)
(https://www.ess.gov.si/trg_dela/trg_dela_v_stevilkah/zaposlovanje_tujcev).

European Parliament/Committee on Civil Liberties, Justice and Home Affairs 2021: Mission Report Slovenia.
<https://www.europarl.europa.eu/committees/en/libe-democracy-rule-of-law-and-fundament/product-details/20190103CDT02662#20190103CDT02662-section-2>

Safe Living

Internal Security
Policy
Score: 8

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, and both the Šarec and Janša governments have lived up to this commitment in the period under review, as police received new equipment, such as radars and vehicles, to replace older models. While public trust in the police is 13 points below the EU average, it improved by seven points in last Eurobarometer measurement

and is higher than public trust in political institutions. According to latest Landgeist research, Slovenia ranked as the safest country in Europe.

Minister of Interior Aleš Hojs and the police president resigned in June 2020, claiming that police investigations against the minister of economy, who was suspected of abusing his office when interfering in the procurement of ventilation equipment during the pandemic, were guided by political motives. Hojs claimed that parts of the police were controlled by the former governing party and the Communist-era intelligence service. Since his resignation was rejected by the prime minister, Hojs stayed in office and initiated a legislative amendment that enabled him to replace the police leadership.

Critics argued that his interventions were aimed at creating a politically loyal police force.

Citation:

European Commission (2021): Standard Eurobarometer 95. Brussels (https://data.europa.eu/data/datasets/s2532_95_3_95_eng?locale=en).

Landgeist (2021): How safe do people feel to Walk Alone at Night in Europe. (<https://landgeist.com/2021/11/26/how-safe-do-people-feel-to-walk-alone-at-night-in-europe/>).

https://www.euractiv.com/section/politics/short_news/upheaval-in-slovenias-police-force-as-new-legislation-kicks-in/

<https://sloveniatimes.com/hojs-dismisses-allegations-of-politicisation-of-police/>

<https://www.total-slovenia-news.com/politics/6524-interior-minister-police-commissioner-resign-move-linked-to-procurement-scandal>

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, although the Janša government has placed a little more emphasis on this policy compared to previous governments. 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, with Slovenia ranking among the highest in group of former socialist countries, having made substantial gains in recent years.

III. Environmental Policies

Environment

Environmental
Policy
Score: 8

Over the last decade, Slovenia has established comprehensive environmental legislation. It has transposed most EU environmental directives into the 2004 Environmental Protection Act and other national laws. Environmental policy has also been guided by the country's Development Strategy 2030 which was approved by the government in December 2017. Certain environmental policy goals such as those regarding waste are ambitious, and the implementation and coordination of environmental policy has been largely effective.

Resource productivity has improved overall in Slovenia in the last 10 years, though it remains below the EU average, particularly when compared with the EU-15. Slovenia performs above the EU-28 average in terms of the number of people employed in the circular economy. New policy instruments were introduced in 2019 to promote waste prevention, make reuse and recycling more economically attractive and shift reusable and recyclable waste away from incineration.

Slovenia has registered 378 sites where potentially polluting activities have taken or are taking place. Air quality in Slovenia continues to give cause for concern. For 2015, the European Environment Agency estimated that about 1,800 premature deaths were attributable to various sources of air pollution (i.e., fine particulates). Slovenia planned to take action to reduce the key sources of emissions in 2019 under the National Air Pollution Control Programme. The ecological status of most natural lakes and rivers as well as all coastal waterbodies have been assessed as "good" or better. Chemical pollution, followed by organic and nutrient pollution, have been identified as having the most significant impact on all surface water categories. Despite ongoing protests from local communities, two waste-processing plants (Kemis Vrhnika and Ekosistemi Zalog) that suffered from massive fires in 2017 have resumed operations. Further plants also suffered from massive fires in 2019, 2020 and 2021. As a consequence of these events, new safety mechanisms and procedures are being implemented at all waste-processing plants, though policy implementation is clearly lacking oversight and monitoring. As a result, many municipalities are increasingly turning away from hosting waste-processing plants on their territory. In July 2021, an overwhelming referendum majority rejected legislative changes proposed by the government, which could have opened the way to construction projects by the sea, lakes and rivers

that would have threatened the environment. The government claimed the changes were intended to secure funds to protect lakes and rivers, strengthen flood defenses, and tighten construction regulations, but the vast majority (86.6%) of referendum voters disagreed.

Slovenia's national target under the Effort Sharing Regulation is to reduce greenhouse gas emissions by 15% by 2030 compared to 2005 levels. Since 2016, Slovenia has had a National Adaptation Strategy in place, developed through its Strategic Framework for Climate Change Adaptation. The framework provides a long-term vision and strategic guidelines for adaptation-related activities. Slovenia is currently in the process of developing a National Action Plan based on a comprehensive national Climate Change Vulnerability Assessment. Sectors that have devoted the most attention to climate change adaptation action are water management (and the associated risks of flood and drought), agriculture and forestry.

Slovenia has more than 350 Natura 2000 sites. Together, these sites cover 10.6 km² of marine waters and 37.9% of the country's land area, which is the largest share of land area coverage in the EU (EU average 18.1%). Considering the Natura 2000 coverage in Slovenia, there is no doubt it forms the backbone of efforts to promote green infrastructure. This infrastructure requires an upgrade in order to improve ecological connectivity among Natura 2000 sites and to provide green infrastructure in urban areas outside Natura 2000 sites.

During its Presidency of the Council of the European Union in 2021, the Slovenian government has focused on environmental policy, and achieving climate targets by 2030 and 2050.

Citation:

European Commission (2019): Environmental Implementation Review 2019. Country Report Slovenia. SWD(2019) 131 final. Brussels (https://ec.europa.eu/environment/eir/pdf/report_si_en.pdf).

OECD (2019): Slovenia Development Strategy 2030: Prospects, challenges and policy options to achieve the main objectives. Paris.

Slovenian Presidency of the Council of the European Union 2021: Green transition: an ambitious fight against climate change. <https://slovenian-presidency.consilium.europa.eu/en/programme/key-topics/green-transition-an-ambitious-fight-against-climate-change/>

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). Slovenia has signed and ratified almost all multilateral environmental agreements.

The Dinaric Arc area is an emerging focus of cooperation. Bilateral cooperation between Slovenia and its neighboring countries includes various cross-border agreements, such as 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.

Robust 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. Local elections in November 2018 saw 688 mayoral candidates (only 14.5% of which were female candidates) and 22,314 candidates for municipal councilors (45.7% female candidates), whereas 14 political parties and lists proposed 103 candidates at the elections to the European Parliament at the end of May 2019. Slovenian citizens may compete for a parliamentary seat if they are at least 18 years old and their legal capacity is not constrained.

Media Access
Score: 4

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. Since the third Janša government was sworn into office in March 2020, media access has suffered even more from

the growing party polarization, as most media outlets showed a bias toward either the governing coalition or opposition parties. The latest research, carried out by Faculty of Media in 2020, showed that most media, including the public RTV service, lean toward the left side of the political spectrum, with one private news-only TV broadcaster (Nova24) leaning heavily toward the right side.

Citation:

Raziskava ministrstva za kulturo: mediji v Sloveniji so pretežno nevtralni, 24ur.com, 1 March 2021, available at <https://www.24ur.com/novice/slovenija/raziskava-medijske-krajine.html>.

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. Party financing or donations from abroad are prohibited. 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 €9,360 in September 2021). The legislation puts the annual ceiling for party loans from individuals at ten times the value of the average gross monthly salary (i.e., about €18,720 in September 2021). 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. 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, one referendum was held in July 2021. Voters in the referendum overwhelmingly rejected a new act relating to waterside areas, with 86% voting against the act. The referendum revolved around provisions in the new law, which would determine the development of coastal, lakeside and riverside areas. It was initiated by a grassroots movement largely comprising of NGOs, which objected to provisions that they say would lead to too much development, restrict public access to waterside areas and potentially jeopardize groundwater.

Citation:

Voters Strongly Reject Water Development Act in Referendum, Total Slovenia News, STA, 12 July 2021, available at

<https://www.total-slovenia-news.com/politics/8585-voters-strongly-reject-water-development-act-in-referendum>.

Media Freedom
Score: 4

Access to Information

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. (Only five are proposed by political parties). 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 in October 2015, strengthened media freedom by making it clear that an individual disclosing classified information no longer incurs criminal liability. In the period under review, however, there have been reports of political pressure being placed on public and private journalists covering sensitive political issues by both government and opposition representatives. There was attempt by the government to introduce a public media service reform, but it was never submitted to parliamentary procedure, as there was no support for the reform even among the coalition partners. Media freedom has further suffered in the period under review, as the owners of private media exert their influence. Most private media outlets are owned by companies from economic sectors such as construction and rubbish collection. Reporting often seems to be biased, which helps these owners secure public sector procurement contracts, either with right-wing or left-wing governments. There was a long and exhausting stand-off between the government (represented by UKOM, the government communication office) and Slovenian Press Agency (STA) over the details of the agency's public service tasks, which was fueled by the prime minister's rather aggressive comments regarding the media situation on Twitter. This dispute was viewed as an attempt to strengthen the government's influence over STA, and led to protests from the European Commission and international media advocacy organizations. In November 2021, the directors of UKOM and STA signed a new public service contract and ended the stand-off. During the period under review, both highly polarized political sides tried to create and strengthen their own media system, often via opaque financing and odd business practices. For example, right-wing media have received financial support from Hungary, while left-wing media are connected with private sector oligarchs and sometimes within unknown owners.

Citation:

STA signs deal on public service with UKOM valid until end of the year, STA, 8 November 2021, available at

<http://agency.sta.si/2964066/sta-signs-deal-on-public-service-with-ukom-valid-until-end-of-the-year>.

Media Pluralism

Score: 4

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 construction businessman who is believed to be politically well connected. As a result of these changes, sales of *Delo* newspaper dropped to the lowest level so far in 2019 (close to 20,000 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 was approved by the Ministry of Culture and the Competition Protection Agency in late July 2019, but never materialized.

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. But in January 2019, Central European Media Enterprises, the owner of Pro Plus, temporarily withdrew from the sale and remained the owner of the country's largest private TV network, only to be sold to Czech investment group PPF in late 2020. In June 2020, the state-owned telecommunication company Telekom Slovenije sold its troubled subsidiary Planet TV to the Hungarian free-to-air channel TV2, owned by Jozsef Vida. Vida is associated in the media with the business network of the Hungarian ruling party Fidesz.

Media pluralism has further suffered from the growing involvement of political parties in the media business. In February 2016, the Slovenian Democratic Party (SDS), the main opposition party, 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 began publishing the new weekly Scandal24. The governing coalition reacted by establishing a parliamentary investigation commission in charge of determining whether the Hungarian investment in the SDS media represents illegal party financing. However, the investigation did not lead to any legal proceedings.

EU approves takeover of Pro Plus owner, STA, 9 October 2020, available at <https://english.sta.si/2817203/eu-approves-takeover-of-pro-plus-owner>.

Ottavio Marzocchi 2021: The situation of Democracy, the Rule of Law and Fundamental Rights in Slovenia. Policy Department for Citizens' Rights and Constitutional Affairs Directorate-General for Internal Policies PE 690.410, p. 11
<https://www.europarl.europa.eu/cmsdata/231906/SLOVENIA%20IDA%20DRFMG.update.pdf>

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. The percentage of citizens using the internet for obtaining information from public authorities in Slovenia is above the European average.

Citation:

European Commission (2020): Digital Government Factsheet 2020: Slovenia. Brussels (https://joinup.ec.europa.eu/sites/default/files/inline-files/Digital_Public_Administration_Factsheets_Slovenia_vFINAL_1.pdf).

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 drastically reduced and the number of unsolved cases dropped from 42,424 cases with a waiting time of over three years in 2016 to only 18,408 cases in 2020, reaching the lowest levels since the 1990s. Though civil rights are largely protected, there have been attempts by public authorities to undermine civil society. The prime minister has shown an increasingly hostile attitude toward civil society organizations. The government has campaigned against these organizations and sought to restrict their access to public funding, in effect contributing to the shrinking of civil society spaces.

Citation:

Annual Report on Efficacy and Effectiveness of Courts, 2020, available at https://www.sodisce.si/mma_bin.php?static_id=2021050412351310.

Civicus Report 2021: Slovenia: The government has taken advantage of the pandemic to restrict protest. <https://www.civicus.org/index.php/media-resources/news/interviews/4931-slovenia-the-government-has-taken-advantage-of-the-pandemic-to-restrict-protest>

Political Liberties
Score: 8

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. A 2018 law on NGOs has further strengthened the legal position of NGOs.

Since his inauguration, Prime Minister Janša has attacked civil society organizations with various restrictive measures and used hostile rhetoric against NGOs. In December 2020, the government took advantage of the coronavirus crisis in an unsuccessful attempt to abolish state funding for non-governmental organizations through its seventh anti-coronavirus stimulus package. Individuals, NGOs and other informal groups critical of the political situation in the country are often subject to disavowing campaigns. Among others, these target NGOs working in various civil society fields, including culture, human rights, environmental protection, non-discrimination and LGBTQ+ rights. The campaigns are often carried out through media and other communication channels close to the SDS.

Citation:

Civil Liberties Union for Europe 2021: EU 2020: Demanding on Democracy. Country & Trend Reports on Democratic Records by Civil Liberties Organisations Across the European Union. https://dq4n3btxmr8c9.cloudfront.net/files/AuYJXv/Report_Liberties_EU2020.pdf

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 2020 addressed several well-known 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 (2020): Annual Report for 2019. Ljubljana (https://www.varuh-rs.si/fileadmin/user_upload/pdf/lp/LP_2020/Letno_porocilo2020_-_pop.pdf).

Rule of Law

Legal Certainty
Score: 6

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 over 20,000, including 840 laws, in December 2020. 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 the 2018–19 period under the Šarec government, 67% of the 91 adopted legislative acts in the National Assembly were subjected to the fast-track or shortened legislation procedure. In 2020, under the Janša government, 59% of the 78 adopted legislative acts were subjected to the fast-track or shortened legislation procedure, most of those with relation to so-called anti-COVID-19 legislation.

Attacks by the prime minister on the judiciary have been known and documented since March 2020. In March 2021, the Slovenian Association of State Prosecutors told the Council of Europe division for the independence and efficiency of justice that Prime Minister Janša and pro-government media (Nova24TV.si and Demokracija) exert “inadmissible pressure” on prosecutors. The government has been holding up the appointment of state prosecutors, including two European delegated prosecutors. The Slovenian Association of Prosecutors suspects that the selected candidates “fell out of favor with the

SDS and its chairman Janez Janša.” That is why the government rejected the Ministry of Justice’s amendment to the law regulating the status of seconded prosecutors.

Citation:

Haček, M. and M. Brezovšek (2021): Thirty Years of Slovenian Statehood: Institutionalisation of Slovenian Democracy. Ljubljana: FSS Publishing House.

National Assembly. (2021). Report on the work of National Assembly for 2020. (https://fotogalerija.dz-rs.si/datoteke/Publikacije/PorocilaDZ/Mandat_2018%E2%80%932022/Porocilo_o_delu_Drzavnega_zbora_v_letu_2020.pdf).

Alenka Krasovec/Damjan Lajh 2021: Slovenia: Tilting the Balance? In: Verheugen, Günter/Vodicka, Karel/Brusis, Martin (Hrsg.): Demokratie im postkommunistischen EU-Raum. Wiesbaden: Springer, p. 166.

Ottavio Marzocchi 2021: The situation of Democracy, the Rule of Law and Fundamental Rights in Slovenia. Policy Department for Citizens’ Rights and Constitutional Affairs Directorate-General for Internal Policies PE 690.410

[https://www.europarl.europa.eu/cmsdata/231906/SLOVENIA%20IDA%20DRFMG.up date.pdf](https://www.europarl.europa.eu/cmsdata/231906/SLOVENIA%20IDA%20DRFMG.up%20date.pdf)

Judicial Review

Score: 7

While politicians try to influence court decisions and often publicly comment on the performance of particular courts and justices, Slovenian courts act largely independently. The Cerar government 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 limitation of the right to assembly and protest, and the right to free movement during the COVID-19 epidemic. However, the lower courts have sometimes been criticized for letting influential people off the hook.

In January 2020, parliament passed a law amending the Classified Information Act, which restricts access rights for deputy ombudsmen. They can no longer fulfill their obligations without restrictions. At the same time, the Union for Civil Liberties reports that prosecutors and courts frequently withhold information contrary to the provisions of the Access to Public Information Act.

Citation:

ENNHRI, The rule of law in the European Union Reports from National Human Rights Institutions, p. 203 http://ennhri.org/wp-content/uploads/2020/06/The-rule-of-law-in-the-European-Union-Reports-from-NHRIs_11-May-2020.pdf

Ottavio Marzocchi 2021: The situation of Democracy, the Rule of Law and Fundamental Rights in Slovenia. Policy Department for Citizens’ Rights and Constitutional Affairs Directorate-General for Internal Policies PE 690.410

[https://www.europarl.europa.eu/cmsdata/231906/SLOVENIA%20IDA%20DRFMG.up date.pdf](https://www.europarl.europa.eu/cmsdata/231906/SLOVENIA%20IDA%20DRFMG.up%20date.pdf)

Civil Liberties Union for Europe 2021: EU 2020: Demanding on Democracy. Country & Trend Reports on Democratic

Records by Civil Liberties Organisations Across the European Union. https://dq4n3btxmr8c9.cloudfront.net/files/AuYJXv/Report_Liberties_EU2020.pdf

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 December 2020, a new Supreme Court justice was appointed on the second attempt, as there was no political majority in support of the first attempt in July 2020, as the candidate was coming from academia with no previous experiences in the courts. In November 2021, a new Constitutional Court justice was finally appointed by the National Assembly on the fourth attempt, as the first three candidates narrowly failed to secure the required parliamentary support.

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. However, Novak resigned in July 2021 and was replaced by David Lapornik in October 2021. Allegations of corruption have featured prominently in debates about foreign investments (banks, Magna), construction of public infrastructure (railways, highways) and over-payments in the healthcare system. The most recent case involves the purchasing of COVID-19 protection equipment during the first COVID-19 wave in spring 2020, which is being investigated by two parliamentary investigation commissions, the police and the Public Prosecutor's Office. The parliament finally managed to adopt an ethical code for members of parliament in June 2020. But the inability of the prosecution to present strong cases, which would enable courts to convict several major political players (e.g., Zoran Janković, mayor of Ljubljana), have raised further doubts about the political elite's commitment to fighting corruption.

In May 2020, the government and general director of the police replaced the heads of several independent bodies, including the director of the Specialized Anti-corruption Police Department, the director of the Statistical Office

(SURS) and the Director of the Financial Intelligence Unit, for the first time without stating a cause. The dismissal of the director of the National Bureau of Investigation was subsequently annulled by the Administrative Court.

On 19 March 2021, the OECD issued a report stating, “Slovenia’s lack of enforcement of foreign bribery remains a serious concern as allegations of political interference in criminal investigations and prosecutions escalate.” Whistleblowers are only partly protected by law and face the threat of losing their job, at least in the procurement of personal protective equipment case involving Economy Minister Zdravko Počivalše.

A survey commissioned by the Greens in the European Parliament suggests that systemic corruption costs Slovenia €3.5 billion each year, 8.5% of GDP.

Citation:

The Greens/EFA in the European Parliament (2018): The Costs of Corruption Across the European Union. Brussels (<https://www.greens-efa.eu/en/article/document/the-costs-of-corruption-across-the-european-union/>).

Ottavio Marzocchi 2021: The situation of Democracy, the Rule of Law and Fundamental Rights in Slovenia. Policy Department for Citizens’ Rights and Constitutional Affairs Directorate-General for Internal Policies PE 690.410

[https://www.europarl.europa.eu/cmsdata/231906/SLOVENIA%20IDA%20DRFMG.up date.pdf](https://www.europarl.europa.eu/cmsdata/231906/SLOVENIA%20IDA%20DRFMG.up%20date.pdf)

OECD Anti-Bribery Convention 2021: Slovenia’s lack of enforcement of foreign bribery remains a serious concern as allegations of political interference in criminal investigations and prosecutions escalate. <https://www.oecd.org/daf/anti-bribery/slovenias-lack-of-enforcement-of-foreign-bribery-remains-a-serious-concern.htm>

OECD Anti-Bribery Convention 2021: Implementing the OECD Anti-Bribery Convention Phase 4 Report: Slovenia <https://www.oecd.org/daf/anti-bribery/slovenia-phase-4-report-en.pdf>

Good 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. However, save for the adoption in December 2017 of the strategic framework for policymaking, the Slovenian Development Strategy 2030, the Cerar government achieved little in the way of progress. The Šarec government did nothing to improve strategic planning. Meanwhile, the Janša government has been rather pre-occupied with the COVID-19 pandemic, but still managed to prepare a comprehensive report on the implementation of the Slovenian Development Strategy 2030.

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).

Government of the Republic of Slovenia (2020): Report on the Development 2020. Ljubljana (https://www.umar.gov.si/fileadmin/user_upload/razvoj_slovenije/2020/slovenski/POR2020.pdf).

Expert Advice
Score: 5

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. The Šarec government behaved in a similar fashion. The Janša government has established several expert groups for digitalization, de-bureaucratization, healthcare reform and the coronavirus crisis, which have been tasked with preparing policy solutions and proposing new or adopted legislation. Several solutions (e.g., concerning de-bureaucratization and digitalization) have already been adopted inside amended normative

frameworks. For instance, the de-bureaucratization law was adopted in December 2021 following intense public debate and included dozens of de-bureaucratization measures, which aim to simplify administrative procedures in both the public and private sectors.

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. Janez Janša, the new prime minister, has brought in a few new experts. Among others, he made Jelko Kacin, a former member of the European Parliament, his national coordinator for COVID-19 vaccinations. He also appointed Igor Senčar, the former ambassador and long-time expert in foreign affairs, as his adviser on foreign affairs and EU coordination. On the other side, Janša appointed some of his own party figures to the Prime Minister's Office to serve as advisors for national security and healthcare.

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. The Janša government, similar to previous governments, has kept the three standing cabinet committees: the Committee of State Matters and Public Issues, the Committee of National Economy and the Commission of Administrative and Personnel Matters. In the first 20 months of the Janša government, the three committees met 180 times in regular in-person meetings and 67 times at a correspondence sessions.

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.

Informal
Coordination
Score: 8

Slovenia's tradition of coalition governments has meant that informal coordination procedures have played a significant role in policy coordination. In the period under review, the leaders of the four coalition parties (later three parties, after DeSUS left the coalition) 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. There were also regular meetings between the coalition and their external expert groups, most notably the Expert Group on Containment and Epidemic Management of COVID-19. In press conferences and public statements after these meetings, some information about the decisions made was provided to the public, which was especially the case when the meeting also involved external experts. The dominant role of the party leaders within their parties meant that a considerable amount of policy coordination took place in party bodies and between the general secretaries of the coalition parties.

Digitalization for
Interministerial
Coordination
Score: 8

In an effort to better coordinate the digitalization of public administration with the broader issue of digital transformation, the Cerar government transferred in 2016 competences for information society and electronic communication from the Ministry of Education, Science and Sport to the Ministry of Public Administration. This reorganization of responsibilities has yielded a more appropriate structure 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. Even if implementation of the strategy slowed under the Šarec government, the Janša government has made digitalization one of the government's key policy priorities, appointed a special minister for digital transformation (July 2021) and established the Government Office for Digital Transformation.

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).

RTVSLO.si (2021): Mark Boris Andrijanič imenovan za ministra brez listnice, pristojnega za digitalno preobrazbo. Ljubljana (<https://www.rtvlo.si/slovenija/mark-boris-andrijanic-imenovan-za-ministra-brez-listnice-pristojnega-za-digitalno-preobrazbo/587808>).

Evidence-based Instruments

RIA Application
Score: 6

In Slovenia, RIA guidelines have largely been copied 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. These culminate in the 2019–2022 Action Plan, which

calls for the expansion of RIA guidance to include the assessment of non-financial impacts and suggests the implementation of preliminary impact assessments. 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.

OECD (2021): Regulatory Policy Outlook 2021: Slovenia. (<https://www.oecd-ilibrary.org/sites/3ebf1de2-en/index.html?itemId=/content/component/3ebf1de2-en>)

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 mostly 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 Šarec government has stuck to this tradition and has discussed part of its legislative initiatives in the Economic and Social Council, the tripartite body for social and economic dialogue. One of the flagship projects of the new Šarec government, the increase in the minimum wage in 2019, was prepared without consulting the social partners, which has led to heavy criticism from employers' associations. However, the

Šarec government succeeded where its predecessor had failed and completed negotiations with public sector unions late in 2018, avoiding a series of strikes and calming tensions within the public sector. In May 2021, employee representatives decided to pull-out of the Economic and Social Council, citing a lack of commitment from the government side, despite the data that shows that the Economic and Social Council had almost the same number of meetings (16) per year and a slightly higher number of issues debated per meeting (3.7) than before the Janša government took over (14 meetings per year, and 2.7 issues debated per meeting under the Cerar and Šarec governments).

Citation:

Oštro (2021), Ekonomsko-socialni svet ni zasedal več kot prej v šestih letih skupaj (<https://www.ostro.si/si/razkrinkavanje/objave/ekonomsko-socialni-svet-ni-zasedal-vec-kot-prej-v-sestih-letih-skupaj>).

Policy Communication

Coherent
Communication
Score: 5

The Janša government started its term just one day after the previous Šarec government declared COVID-19 an epidemic. COVID-19 heavily influenced the Janša government's communication with the public and media, and various governmental officials and expert groups often made incoherent announcements. In addition, the relationship between the government – especially Janša himself and some of his own party ministers – on one side, and several media outlets were very antagonistic, almost hostile from the start. Some elements in the media took a very tough approach toward the Janša government, actively supporting anti-government activities. Meanwhile, Janša and his party continued their hostile and distrustful relationship with most of the media. In the second half of the term, however, ministerial communication became more coherent and there have been fewer instances of incoherent communication. Compared to his predecessors, Janša has exercised an authoritative leadership style. As such, unlike under previous governments, there have been almost no contradictory statements from different coalition partners.

Implementation

Government
Effectiveness
Score: 6

The Šarec government's coalition agreement was relatively sparse in content and far less detailed than that of the previous government, but the Janša government's coalition agreement is much more detailed. While the Šarec government was successful in reaching an agreement with the government's social partners on public sector wage rises and abandoning some austerity measures, it was much less successful in other policy areas and failed to

launch any substantial policy reform. The government's appetite for reform abated toward its second year in the office and government support in the parliament was often lacking. Once the Janša government took over in March 2020, it had to deal with the pandemic and implemented a wide range of anti-coronavirus measures, as Prime Minister Šarec resigned in late January 2020 and failed to prepare the country for the upcoming health and economic crisis. During the period under review, the Janša government was quite successful in implementing its own policy objectives, despite a very thin majority in the parliament. Notable achievements included adopting the Long-term Care Act (a major goal for all coalition governments over the last two decades, which had never previously even reached the parliamentary procedure), progress on several infrastructure projects initiated by previous governments (e.g., the construction of a second railway track to the port of Koper and the second Karavanke highway tunnel to Austria), major progress on digitalization (e.g., introducing digital highway vignettes), the substantially improvement in relations with all Slovenia's neighbors and the Visegrad countries, and adopting a minor tax reform as well as a state budget for 2021–23.

Ministerial
Compliance
Score: 6

As head of a four-party coalition government (which became a three-party coalition government in 2021), Prime Minister Janša primarily relied on coalition meetings of narrow (including only the presidents of coalition parties) and broader composition (including ministers and members of parliament as well) in order to ensure the implementation of the government's program. Janša often used meetings with experts from various fields and established a number of expert groups to assist in achieving the government's policy objectives. However, Prime Minister Janša had a very tense (and sometimes combative) relationship with major media outlets and the majority of opposition parties. Consequently, the public had less insight into the outcomes of these meetings, as the media and opposition usually focused on the prime minister's communication style, and less on the policies being proposed, adopted and implemented. While seven ministers either resigned or were removed from office during the 18 months of the Šarec government, there has been more stability under the Janša government, as only three minister resigned in the first 21 months of the Janša government.

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 Janša and previous governments, the GO tended to respect the assignment of ministries in the coalition agreement, so that most monitoring took place in coalition meetings.

Monitoring
Agencies,
Bureaucracies
Score: 4

Favored by the 2002 Civil Service Act, the politicization of executive agencies in Slovenia has increased. Governments have reduced the autonomy of the independent regulatory agencies and filled leading positions in executive agencies with politically loyal, but professionally weak personnel. Political and personal ties have prevented misconduct and incompetency being subject to sanctions. While both the Šarec and Janša governments have paid some lip service to the depoliticization of public administration, the situation has deteriorated even further, with ample examples of the partisan politicization of state bureaucracy, regulatory agencies and even the police.

Ottavio Marzocchi 2021: The situation of Democracy, the Rule of Law and Fundamental Rights in Slovenia. Policy Department for Citizens' Rights and Constitutional Affairs Directorate-General for Internal Policies PE 690.410
[https://www.europarl.europa.eu/cmsdata/231906/SLOVENIA%20IDA%20DRFMG.up date.pdf](https://www.europarl.europa.eu/cmsdata/231906/SLOVENIA%20IDA%20DRFMG.up%20date.pdf)

Task Funding
Score: 6

Municipal governments – the sole tier of subnational self-government in Slovenia – have suffered substantial fiscal difficulties for some time. Both the Cerar and Šarec governments 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. The Janša government finally succeeded in implementing effective measures to reduce bureaucratic burdens on municipalities, as well as reaching a financial agreement, and subsequently improved central government transfers to municipalities, which had been below the legal limit for a number of years. Relations between central government, and the Association of Municipalities and Towns of Slovenia (SOS), the Association of Municipalities of Slovenia (ZOS), and the Association of City Municipalities (ZMOS) improved substantially with a number of meetings between both sides and governmental visits to most municipalities.

Constitutional
Discretion
Score: 6

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, although the situation improved in a major way during the period under review. 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. The implementation of those strategies was very slow from the beginning, achieving the stated goals only under the Janša government, when an agreement between central government and the three representative municipal associations was signed regarding adequate funding for local communities and lowering the bureaucratic burdens on municipalities.

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).

National Standards
Score: 5

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 have succumbed to pressure from interest groups. A good case in point have been the protracted conflicts over the enforcement of public procurement rules which have delayed the construction of the second Karavanke tunnel tube on the highway to Austria and have led to the resignation in April 2019 of Borut Smrdel, the head of the National Review Commission (DKOM), a review body for procurement-related disputes.

Adaptability

Domestic Adaptability
Score: 7

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, Šarec and current Janša 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. The Šarec government has kept the ministry, but replaced its minister twice due to the ministry's poor performance. In addition, the Janša government has kept the ministry, but notably increased the efficacy of cohesion funds absorption capacity. Slovenia was well prepared to take over the presidency of the Council of the European Union for the second time in the second half of 2021.

International Coordination
Score: 5

Like their predecessors, the Šarec and partially also the Janša governments have been preoccupied with domestic political and economic issues and have 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. In a judicial setback to Slovenia in its long dispute with Croatia over their maritime border, the Court of Justice said in January 2020 it has no jurisdiction to rule on the dispute and merely urged both sides to resolve their differences. In addition, during the period under review, Slovenia took over the presidency of the Council of the European Union for the second time in the second half of 2021.

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 both the Šarec and Janša governments, 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 Šarec government has kept the structure of ministries intact and had paid no attention to institutional reform. The only significant development in 2019 was the preparation of the legislative package for the regionalization of Slovenia, which was prepared by a large expert group on the initiative of the National Council. However, this stalled in 2020 following the outbreak of the coronavirus pandemic. In July 2021, the Janša government added a new minister responsible for digital transformation, but – given the lack of support in parliament and the outbreak of coronavirus – paid little attention to institutional reform.

II. Executive Accountability

Citizens' Participatory Competence

Political
Knowledge
Score: 5

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. However, the Slovenian media are under increased political pressure, which makes objective reporting more difficult and consequently affects the public's level of information. In addition, the journalists' association criticizes the poor working conditions of journalists, which lead to self-censorship. Recurring corruption and political scandals, along with the COVID-19 pandemic, have fostered frustration and disenchantment among a majority of the population. Eurobarometer surveys suggest that public interest in politics and trust in political institutions are at the same low levels as a decade ago, albeit trust in the government increased by seven points between 2018 and 2021. Nevertheless, trust levels in government, parliament, political parties and public administration were all well below the EU-27 average during the period under review, and 68% of the population say things are going in the wrong direction.

Citation:
European Commission (2021): Standard Eurobarometer 95. Brussels
(<https://europa.eu/eurobarometer/surveys/detail/2532>).

Open
Government
Score: 9

The Slovenian government launched a new and unified open data government portal, OPSI (Odprti podatki Slovenije), in late 2016. Further upgraded in 2019 and 2021, the portal provides a central catalogue of all the records and databases of Slovenian public bodies, and an extensive 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. During the current 2018–2022, term all members of parliament are 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, both the current Janša and former Šarec governments, similar to their predecessors, have 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.

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 2020, members of parliament submitted a total of 1,857 questions to the government generally or to individual ministers specifically (1,425 more than in 2018 and 251 less than in 2019), with 71.5% of questions submitted by opposition parties. None of the questions remained unanswered.

Citation:

National Assembly (2021): Report on the Work of the National Assembly in 2020. Ljubljana (https://fotogalerija.dz-rs.si/datoteke/Publikacije/PorocilaDZ/Mandat_2018%E2%80%932022/Porocilo_o_delu_Drzavnega_zbora_v_letu_2020.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 Šarec government, the number of experts invited has decreased as a result primarily of a much smaller volume of legislative proposals being prepared and adopted in 2018–19. However, under the Janša government, when the number of legislative proposals substantially increased, the number of invited experts returned to previous levels. Parliamentary committees have launched several public expert discussions on important pieces of legislation and invited experts to the sessions of investigation committees. On the initiative of the National Council, a large expert group has been involved in preparing legislation for the introduction of regions.

Task Area
Congruence
Score: 8

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

Citation:

Slovenian National Assembly 2021: Working Bodies. Ljubljana (https://www.dz-rs.si/wps/portal/en/Home/pos/WorkingBodies/lut/p/z1/04_Sj9CPykssy0xPLMnMz0vMAfj08zivSy9Hb283QON3I2CTA0CXYyeflMNjA2cfQ31w8EKnPyCTD3BCrycTAwCjf19nYLMgwwNA030o4jRj0cBSL8BDuBooF-QGxoKACLpVWs!/dz/d5/L2dBISEvZ0FBIS9nQSEh/).

Media

Media Reporting
Score: 5

By facilitating a replacement of in-depth analysis by a preoccupation with scandals, whether real or alleged, the growing polarization of the media in Slovenia has infringed upon the quality of media reporting. The public media – especially television and radio broadcasters, which have traditionally provided high-quality information about government decisions – have under the influence of political and even societal polarization become more biased and selective, especially since the Janša government took office. It must be critically noted that under the Janša government, media freedoms and pluralism are increasingly considered to be at risk due to increasing news media penetration and commercial or owner influence over editorial content. The media was often criticized by academia, the non-governmental sector and political parties from both ends of the spectrum for not providing enough expert and high-quality information during the COVID-19 pandemic, and for giving too much media attention to anti-COVID-19 and anti-vaccine movements. Moreover, the government plays an important role in silencing critics, denying journalists access to accurate and relevant information, and proposed changes to media laws.

Citation:

MILOSAVLJEVIC, Marko, BILJAK GERJEVIC, Romana, 2021. Monitoring media pluralism in the digital era : application of the Media Pluralism Monitor in the European Union, AALBANIA, MONTENEGRO, THE REPUBLIC OF NORTH MACEDONIA, SERBIA & TURKEY IN THE YEAR 2020. Country report : Slovenia, Centre for Media Pluralism and Media Freedom (CMPF), Retrieved from Cadmus, European University Institute Research Repository, at: <https://cadmus.eui.eu/handle/1814/67818>

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: 6

In Slovenia, with its strong corporatist tradition, economic-interest associations are very well organized, and possess relatively strong analytical capacities to propose and assess policies. 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. In the period under review, however, there were some setbacks for the Economic and Social Council, despite an increase in meetings, as employee representatives pulled out of the council in May 2021, accusing the government of breaking the rules of social dialogue.

Association
Competence
(Others)
Score: 7

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. During the period under review, interest associations have been heavily involved in three major political issues: the environmental impact of frequent fires that have taken place at waste-management plants, the new legislation on waterside areas and various infrastructure projects (e.g., the second railway to the port of Koper and the Karavanke tunnel). Within the growing political polarization in Slovenia, political pressure from the government on NGOs has increased, and NGOs have become less independent and have in some cases become very political in their activities.

Independent Supervisory Bodies

Audit Office
Score: 7

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 still enjoys some reputation and public trust. However, after the Janša government took over, there was a lot of pressure on the court from both the coalition government and opposition to deliver their reports about COVID-19 protective equipment procurement in a way that would favor one or the other side. In addition, a number of political comments made by the chairman of the court during the period under review did not help the independence of the court.

The position of the court is somewhat limited by a lack of both financial and human resources, and by political pressures, which were evident during last term of office. 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. Like his predecessor, Vlasta Nussdorfer, who served from 2013 to 2019, current ombudsman Peter Svetina enjoys a good reputation and is quite effective in settling issues. As with previous ombudspersons, however, Svetina's role has been occasionally constrained by the lack of interest among members of parliament and ministerial inactivity.

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, who was reelected for a second term in June 2019. 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 reuse 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. The ruling coalition criticized and applied some political pressure to the commissioner during the pandemic, regarding her rigid position on the protection of personal data.

There is also a government Office for the Protection of Classified Information. The office monitors the classification and protection of information, and it 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.

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