

# Slovenia

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*Capital:* Ljubljana  
*Population:* 2.0 million  
*GNI/capita:* US\$23,970

The social data above was taken from the European Bank for Reconstruction and Development's *Transition Report 2007: People in Transition*, and the economic data from the World Bank's *World Development Indicators 2008*.

## Nations in Transit Ratings and Averaged Scores

	1999	2001	2002	2003	2004	2005	2006	2007	2008
Electoral Process	2.00	1.75	1.75	1.50	1.50	1.50	1.50	1.50	1.50
Civil Society	1.75	1.75	1.50	1.50	1.50	1.75	1.75	2.00	2.00
Independent Media	1.75	1.75	1.75	1.75	1.75	1.50	1.75	2.00	2.25
Governance*	2.25	2.50	2.25	2.25	2.00	n/a	n/a	n/a	n/a
National Democratic Governance	n/a	n/a	n/a	n/a	n/a	2.00	2.00	2.00	2.00
Local Democratic Governance	n/a	n/a	n/a	n/a	n/a	1.50	1.50	1.50	1.50
Judicial Framework and Independence	1.50	1.50	1.75	1.75	1.75	1.50	1.50	1.50	1.50
Corruption	2.00	2.00	2.00	2.00	2.00	2.00	2.25	2.25	2.25
Democracy Score	1.88	1.88	1.83	1.79	1.75	1.68	1.75	1.82	1.86

\* With the 2005 edition, Freedom House introduced separate analysis and ratings for national democratic governance and local democratic governance to provide readers with more detailed and nuanced analysis of these two important subjects.

NOTE: The ratings reflect the consensus of Freedom House, its academic advisers, and the author(s) of this report. The opinions expressed in this report are those of the author(s). The ratings are based on a scale of 1 to 7, with 1 representing the highest level of democratic progress and 7 the lowest. The Democracy Score is an average of ratings for the categories tracked in a given year.

## EXECUTIVE SUMMARY

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Slovenia joined the United Nations in 1992, the Council of Europe in 1993, and the European Union (EU) and NATO in 2004. It continued the momentum in January 2007 by joining the euro currency zone (replacing the Slovenian tolar) and in December entering the Schengen Agreement association of countries in Europe that have abolished passport controls at common internal borders. Slovenia launched the destruction of control points along its Italian border and planned tougher controls along its border with Croatia. At the close of the year, Slovenia was slated (on January 1, 2008) to become the first new member state to hold the presidency of the Council of the European Union.

In general, Slovenia's democratic institutions are consolidated. The state and ruling coalitions retain direct as well as indirect influence on the economy, while foreign investments in the country remain relatively low. Slovenia recorded the highest inflation in the euro zone in 2007, with an annual rate of 5.8 percent in November, up from 2.4 percent the previous year, a jump attributed to oil and food price increases, among other things.<sup>1</sup> At the same time, unemployment dropped from 8.6 percent in November 2006 to 7.3 percent in November 2007, and in December, for the first time in its 17 years of independence, Slovenia ended its budget year with a surplus.<sup>2</sup> This mixed result prompted the European Central Bank to warn Slovenian authorities of the risk of a "boom-and-bust cycle" and to suggest that wages in Slovenia were rising faster than productivity.

Minority rights discussions in 2007 focused on the "erased," the Roma, and gays and lesbians. Other issues discussed in Slovenia in 2007 included domestic violence, human trafficking, and gender inequality. Media independence remained a subject of controversy between the center-right government of Prime Minister Janez Janša and the center-left opposition.

**National Democratic Governance.** The Constitution of Slovenia guarantees rights and liberties without regard to nationality, race, sex, language, religion, political or other convictions, material state, birth, and social status. The system is highly stable, as demonstrated in 2007 in the wake of presidential elections conducted in October (first round) and November (second round), in which the prime minister's preferred candidate was defeated. The National Assembly subsequently held a vote of confidence, which the prime minister and his government survived. *Slovenia's rating for national democratic governance remains unchanged at 2.00.*

**Electoral Process.** In October 2007, a new political party, Zares, developed from the restructured political Left in Slovenia. In November, the National Assembly

voted on a motion of confidence in the government at the request of the prime minister. Although the prime minister won the vote of confidence, he voiced disappointment with the opposition's lack of support in light of Slovenia's imminent assumption of the EU presidency. In the second round of presidential elections held at the end of 2007, Danilo Türk defeated Lojze Peterle with 68.03 percent of the vote. *Slovenia's rating for electoral process remains unchanged at 1.50.*

**Civil Society.** Discussions regarding the rights of gays and lesbians, Roma, and 30,000 persons erased from the registry of permanent residents in 1992 (who lost access to comprehensive health care, employment, and unemployment benefits) continued in 2007. Wages did not keep pace with inflation, and in mid-November, trade unions organized mass demonstrations of Slovenian workers to gain better living standards. *Slovenia's rating for civil society remains at 2.00.*

**Independent Media.** Controversy over press freedom escalated in 2007. The dismissal of editors and journalists of various newspapers led to accusations of government attempts to limit the freedom of the Slovenian press. In October 2007, 571 journalists signed and submitted to Speaker of Parliament France Cukjati a petition alleging that authorities were censoring and exerting pressure on the media to toe the government line. The European Federation of Journalists and the International Press Institute both expressed concern over developments in the Slovenian media. *Owing to these reasons, Slovenia's rating for independent media worsens from 2.00 to 2.25.*

**Local Democratic Governance.** In November 2007, the government passed the Act Establishing Provinces. Many experts, including coalition political parties, disagree with the bill's proposed division of Slovenia into 14 provinces. The bill also proposes regulation of the powers, structure, and financing of the provinces. By year's end, a group of 14 deputies had called for a public debate on the controversial bill. *Slovenia's rating for local democratic governance remains unchanged at 1.50.*

**Judicial Framework and Independence.** In May 2007, Slovenia joined the Academy of European Law. In October, outgoing president Janez Drnovšek proposed five new justices to the Constitutional Court, but the National Assembly approved only two of his five nominees. It will fall to President-elect Danilo Türk to nominate replacements for the unfilled positions. *As the judicial system remains overburdened and the issue of long delays in trials has yet to be resolved, Slovenia's rating for judicial framework and independence remains unchanged at 1.50.*

**Corruption.** In 2007, Slovenia adopted a series of measures to combat corruption, including a bill to monitor officials suspected of corruption. Slovenia also expanded its network of bilateral agreements for cooperation in combating corrupt practices. In July, the Working Group on Bribery of the Organisation for Economic Cooperation and Development warned that low public awareness about foreign

bribery presented a problem in Slovenia and expressed concern over reports that Slovenia's Commission for the Prevention of Corruption faced abolishment. *Slovenia's rating for corruption remains unchanged at 2.25.*

**Outlook for 2008.** During 2008, Slovenia will continue to face pressure to resolve the controversies of the "erased," the treatment of the Roma population, and freedom of the press. The newly established political party Zares is expected to play an important role in the next regular parliamentary elections at the end of 2008. Slovenia will also assume new responsibilities during its six months presiding over the EU.

# MAIN REPORT

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## National Democratic Governance

1999	2001	2002	2003	2004	2005	2006	2007	2008
n/a	n/a	n/a	n/a	n/a	2.00	2.00	2.00	2.00

The Constitution defines Slovenia as a democratic republic based on the rule of law. The separation of powers is provided through checks and balances among the legislative, executive, and judicial branches. (Although the executive is by law subordinated to the legislative, its *de facto* power is greater.) The country's system of government has achieved stability without coercion, violence, or other abuse of basic rights and civil liberties. Citizens may participate in decision-making processes, and referendums have become a stable feature in Slovenian politics. In 2007, for instance, the National Council (the upper house of Parliament) required a referendum on the amended Law on Ownership Transformation of Insurance Companies.

The Slovenian Parliament consists of the National Assembly and National Council. Owing to the limited powers of the National Council, however, the Parliament is sometimes referred to as a "one-and-a-half-chamber system." The National Assembly has 90 members, with a single representative each from the Italian and Hungarian national minorities. In general, the National Assembly is effective but overburdened, and there have been proposals to increase the number of members to 120.

Parliamentary documents and sessions are available to the public via the National Assembly's Web site, which also posts transcripts of parliamentary debates (a practice observed since the end of 1996). The public may attend all parliamentary sessions except those of the Commission for Supervision of the Intelligence and Security Services. Access to government information is ensured by Article 39 of the Constitution and by the Law on Access to Public Information and is overseen by the Office of the Information Commissioner, which was established in 2005. Implementation of this right, however, has occasionally proven difficult.

In Slovenia, the president's role is largely ceremonial, while the prime minister steers the ship of state. Yet during the presidency of Janez Drnovšek, the division of labor has not been entirely clear. Several soloist actions by President Drnovšek have triggered debates among experts about the *de facto* role of the president and the extent of his responsibilities, particularly regarding foreign policy issues. In some cases, the president's actions have contradicted the position of the Foreign Ministry as well as led to controversy in the appointment of judges.

A so-called constructive vote of no confidence ensures government stability. Accordingly, the prime minister may be removed from office only when the National

Assembly can simultaneously put forth a new prime ministerial candidate with a majority of votes. At the same time, the prime minister may require the National Assembly to vote on a motion of confidence in the government. On November 19, 2007, Prime Minister Janez Janša invoked this instrument, criticizing the opposition for “exhausting” the government coalition in the period just before Slovenia assumed the presidency of the Council of the European Union (EU). Janša claimed that some opposition parties broke the “agreement on the co-operation of political parties, the group of unconnected deputies and representatives of national minorities in the National Assembly of the Republic of Slovenia for the successful implementation of the preparation and presidency of the EU.”<sup>3</sup>

After the second round of the presidential elections in November 2007, Prime Minister Janša reportedly considered submitting his resignation; instead, he called for a vote of confidence in what was interpreted as a move to shore up public and political support for his four-party coalition government.<sup>4</sup> Although Janša won the vote of confidence in the National Assembly with the support of his coalition partners, he expressed disappointment that the opposition had not supported him, especially in light of Slovenia’s imminent assumption of the EU presidency. The government won the vote handily, with 51 deputies supporting the government and 33 opposing it.

In October 2007, a new leftist political party, Zares—Nova Politika (For Real—New Politics), was established. Former members of the Liberal Democracy of Slovenia, the major political force in Slovenia from 1992 to 2004, make up the core of Zares’s membership. In the first half of December 2007, Zares merged with the non-parliamentary party Active Slovenia.

#### Electoral Process

1999	2001	2002	2003	2004	2005	2006	2007	2008
2.00	1.75	1.75	1.50	1.50	1.50	1.50	1.50	1.50

The Slovenian government gains its authority through universal and equal suffrage, and the will of the people is expressed by regular, free, and fair elections conducted by secret ballot. The electoral system is multiparty-based; political parties have equal campaigning opportunities, and the public’s choices are free from domination by any specific interest groups. In 2007, there were two rounds of presidential elections (October and November), as well as elections to the National Council in November and a vote of confidence in the government.

Deputies to the National Assembly are elected on the basis of proportional representation with a 4 percent threshold. Only 200 signatures are required to establish a party, and there are few barriers to political organization, registration, and participation in elections. In practice, it is much easier for parliamentary parties to participate in elections, while non-parliamentary parties and independent

candidates must obtain 50 signatures from eight electoral districts. According to the Constitution, professionals in the defense forces and the police may not be members of political parties. Similarly, members of the Office of the State Prosecutor and the judiciary may not hold office in a political party, as the Constitutional Court supervises political parties.

The Slovenian party system has achieved a high level of consolidation and stability through party competition without major electoral engineering.<sup>5</sup> By the end of 2007, eight deputy groups sat in the National Assembly. Continually declining voter turnout indicates that the public has been less engaged politically in recent years than it was during the late 1980s. In National Assembly elections, voter turnout declined from 85.8 percent in 1992 to 60.6 percent in 2004.<sup>6</sup> Turnout for presidential elections in 2007 was the lowest to date: 57.67 percent in the first round and 58.46 percent in the second round.

Italian and Hungarian national minorities have the right to an upbringing and education in their own language. Bilingual upbringing and education are assured in regions that are home to national minorities as defined by law. Both minorities have a seat guaranteed in the National Assembly independent of population size and the right to vote for other representatives. They are likewise directly represented in local self-government. Representation rights of minorities include the Roma community in Slovenia, but Roma are guaranteed specific seats only at the local level.

In 2007, seven candidates entered the presidential race. Incumbent president Janez Drnovšek decided not to seek reelection, citing personal reasons. In the first round of elections, Lojze Peterle, a member of the European Parliament, received the majority of votes (28.73 percent). His 4 percent victory over the second-place candidate was a considerably smaller margin than had been expected. Danilo Türk (24.47 percent), professor at the Faculty of Law of the University of Ljubljana who served as UN assistant secretary general for political affairs from 2000 to 2005, edged out Mitja Gaspari (24.09 percent), a respected economist and former governor of the Bank of Slovenia, to capture second place and a spot in the runoff election. All three candidates declared themselves independent during the campaign, but in general, the center-right (governmental) parties supported Peterle while center-left (oppositional) parties supported either Türk or Gaspari. Peterle's lead did not meet the minimum threshold to declare him the winner, since he did not receive an absolute majority. In the second round, Türk defeated Peterle with 68.03 percent of votes to become the new president of the Republic of Slovenia.

Overall, domestic observers have declared Slovenian elections free and fair and have not called for international election monitoring. However, during the 2007 presidential elections, controversy arose over mailing electoral material to voters who permanently reside abroad. Previously, only voters requesting to do so could vote by mail (fewer than 5,000 votes). In 2007, however, 40,000 ballots were sent to voters permanently residing abroad. Additionally, Zmago Jelinčič, another candidate who did not survive the first round, expressed dissatisfaction with access to television media, complaining that mass media favored Lojze Peterle, Danilo Türk, and Mitja Gaspari.<sup>7</sup>

During the second round of the presidential elections, a referendum was held regarding the amended Law on Ownership Transformation of Insurance Companies. The amended law suggested that in the course of privatizing the Triglav Insurance Company, about 750,000 persons previously insured by that company in 1990 would lose entitlement to 35.25 percent of the company's capital in the form of shares. The majority (71.12 percent) voted against the amended law. Unlike most other referendums in Slovenia, this one had a relatively high turnout (57.98 percent)—a result, it is believed, of having been held during the presidential election.

Elections to the National Council were held at the end of 2007. The National Council has 40 members, with fixed seats representing different local and functional interests elected indirectly by representatives of these interests. These elections again triggered the question of the status of the National Council in the legislative sphere. Some observers have called for it to be restructured, while others have simply suggested abolishing it.<sup>8</sup> The National Council may propose bills to the National Assembly, inform the assembly of its views concerning legislative matters, require that the assembly reconsider an adopted law prior to its promulgation, require the calling of a popular referendum, and initiate inquiries on matters of public importance, as specified in Article 93 of the Constitution.

#### Civil Society

1999	2001	2002	2003	2004	2005	2006	2007	2008
1.75	1.75	1.50	1.50	1.50	1.75	1.75	2.00	2.00

Thousands of associations exist in Slovenia, but most nongovernmental organizations (NGOs) are not involved in public affairs. The Center for Information Service, Cooperation, and Development of NGOs (CNVOS) was established in 2001 to empower NGOs to participate in public affairs through publications and an informational Web site. Demonstrating that it is receptive to input from civil society, in 2005 the government established an interministerial working body to facilitate cooperation with NGOs. However, cooperation remains poor, and the expectation that NGOs would become more engaged in public affairs following Slovenia's membership in the EU remains unmet. In September 2007, CNVOS and the Office of Government Communication signed an agreement defining relations between the two offices, which experts hope will stimulate better relations between the government and NGOs in the future.

In the Constitution, numerous rights and basic liberties are guaranteed without regard to nationality, race, sex, language, religion, political or other convictions, material state, birth, and social status. There was much national attention on human rights during 2007, particularly concerning the "erased," the Roma, and gays and lesbians.

The case of the “erased” involves roughly 30,000 natives of other Yugoslav republics who had been permanent residents of Slovenia but failed to file applications for Slovenian citizenship within the short period of time permitted. Subsequently, these individuals were erased from the registry of permanent residents in 1992 and lost access to comprehensive health care, employment rights, and unemployment benefits. Some 11,000 left the country, but 18,305 remained in Slovenia, where they have slid ever deeper into poverty.<sup>9</sup> While the number of the “erased” is not disputed, there is debate over (1) whether the government violated their human rights in erasing them; (2) whether their rights of citizenship should be restored by fiat or by instituting new procedures or not at all; and (3) whether those who failed to meet the deadline to register are somehow to blame for their situation. In 1999 and 2003, the Constitutional Court ruled the erasure unconstitutional. In its 2007 annual report, the Office of the Ombudsman noted that the Constitutional Court ruling had yet to be enforced.

On February 27, 2007, the Association of the Erased presented a draft compensation claim to the government that discussed the possibility of amending the Constitution to allow a case-by-case reinstatement of rights. Liberal Democrats and Social Democrats objected to the proposal and insisted on retroactively reinstating the rights of all 30,000 erased (upholding the Constitutional Court decision). On October 30, 2007, the government presented its proposed amendment under which erased persons would be eligible for restoration of permanent residence rights “only if they had asked for permanent residence before but [had been] denied the request”—hence on a case-by-case basis.<sup>10</sup>

Matevž Krivic, a former Constitutional Court justice acting as legal counsel for the Association of the Erased, declared the proposed law unconstitutional,<sup>11</sup> while Amnesty International issued a bulletin declaring that “in its present form the draft law continues to violate the human rights of the ‘erased’ and further aggravates their disadvantaged position. It maintains discriminatory treatment of the ‘erased,’ provides new legal grounds for more discriminatory actions by the authorities...and fails to retroactively restore the status of permanent residents of all the ‘erased.’”<sup>12</sup>

Roma living in Slovenia face numerous problems, including high unemployment (more than 90 percent in some areas), lack of running water, poor sanitation, lack of electricity, and lack of sewers or waste removal services. Of the 105 Roma settlements in Slovenia, only 34 are legal.<sup>13</sup> Many Roma lost their status and rights in the 1992 erasure. The most up-to-date and available census data (from the 2002 census) report the number of persons living in Slovenia and declaring themselves Roma at 3,000, but Amnesty International estimates the real number to be between 7,000 and 12,000.

School attendance by Roma children varies from about 70 percent in the Prekmurje region to 39 percent in the Dolenjska region. Where Roma children are enrolled in schools, they are often placed in classes for the developmentally delayed and taught a reduced curriculum. There continued to be obstacles in 2007 to the inclusion of Roma children in school, and according to Amnesty International, only about 10 percent of Roma in Slovenia are literate. The government has resisted

introducing bilingual education for Roma children on the argument that there is no standardized Romany language, and some Roma children who attend school are segregated from Slovene children.

Since 2001, gay and lesbian organizations in Slovenia have staged an annual Gay Pride Parade and homophobia has lessened somewhat. The seventh annual Gay Pride Parade took place in June 2007, with the support of local government authorities. There was sufficient police protection for the parade, but some bystanders shouted homophobic slurs, and there were instances of anti-gay graffiti on public walls. At a separate gay pride event, four men attacked a gay man, who had to be hospitalized. The Slovenian Press Agency did not report the attack, even though local gay activists brought it to their attention. While the annual report on human rights issued by the ombudsman in July 2007 addressed concerns of the “erased” and the Roma, it made no mention of homosexuality or of any intolerance toward homosexuals in Slovenia. This indicates the general invisibility of gays and lesbians in Slovenia. Same-sex couples are granted limited rights, including the right to register their partnership. There is no discrimination against gays in the Slovenian armed forces.

Other human rights issues were advanced throughout the year. In September, the government adopted a bill identifying five forms of domestic violence, including psychological and economic violence, human trafficking, and gender inequality in workplace compensation. In early October, the Foreign Ministry of the Republic of Slovenia joined the EU (with the exception of Poland) in calling for the abolition of the death penalty for all criminal acts. Later that month, the Slovenian government rejected an opposition demand for tougher penalties for hate speech and prison sentences for Holocaust denial.

As of 2007, there were 43 religious communities registered in Slovenia, according to the Office of Religious Communities. The Islamic community’s multiyear endeavor to build a religious and cultural center in Ljubljana for Slovenia’s approximately 47,000 Muslims came to a head in May. The new mayor of Ljubljana, Zoran Janković, said that the local community would not contribute any money to construct the center—with the sale of the building site and the grant of a construction permit, the municipality of Ljubljana would play no further role in the matter. This statement was not unusual, since the municipality does not give contributions to other religious communities.

The state respects the right to form and join free trade unions. In mid-November, trade unions (led by Association of Free Trade Unions of Slovenia) organized mass demonstrations of tens of thousands of Slovenian workers prompted by the country’s high inflation and low wages (nearly 300,000 workers earn less than €500 [US\$771] per month). Negotiations were not concluded by the end of the year. The demonstrations challenged the regulative capacity of the new social agreement for 2007–2009 signed in October 2007.<sup>14</sup>

## Independent Media

1999	2001	2002	2003	2004	2005	2006	2007	2008
1.75	1.75	1.75	1.75	1.75	1.50	1.75	2.00	2.25

Media independence remained a point of controversy during 2007 between the center-right government of Janez Janša and the center-left opposition, reaching a peak in October with 571 journalists signing a petition of protest. The trend began after the October 2004 elections, when the center-right government passed a law enhancing government influence in the supervisory council of Radio-Television Slovenia (RTS). In 2005, the government fired the entire editorial council of RTS, its programming directors, and an editor at the daily newspaper *Delo*. In subsequent months, several journalists were either dismissed or reassigned under unclear circumstances. In late August 2005, Prime Minister Janša allowed the takeover of Mercator, a primary investor in *Delo*, which subsequently became very supportive of the Janša government, reversing its earlier more critical stance. By 2007, the takeover had become a matter of public scandal, with complex maneuverings on several sides.

In March 2007, the Slovenian Union of Journalists and the Slovenian Association of Journalists expressed their concern about developments at the regional newspaper *Primorske novice*, pointing to the dismissal of editors and journalists and to the appointment of Vesna Humar as acting editor in chief without the approval and consultation of the editorial board, as required by law. There were also concerns that some journalists were required to register as freelancers.<sup>15</sup> The following month, journalists at *Delo* accused Danilo Slivnik, director of the Delo publishing house, and Peter Jančič, editor in chief of *Delo*, of using pressure and disciplinary measures to constrict journalists' freedom.<sup>16</sup> About the same time, the European Federation of Journalists joined the Slovenian Union of Journalists, the Slovenian Association of Journalists, and other bodies in protesting the premature recall of two *Delo* foreign correspondents, Matija Grah and Rok Kajzer (Kajzer was later reinstated).

Several protests followed, including a statement co-signed by the Slovenian Union of Journalists and Slovenian Association of Journalists against alleged encroachments on the ability of TV Slovenia journalist Vida Petrovič to perform her duties for the station; a protest by members of the Slovenian Writers Association alleging that Peter Kolšek, chair of the journalists' working group at *Delo*, and Mija Repovž, president of the *Delo* branch of the Slovenian Union of Journalists, had been subjected to intimidation and unwarranted sanctions; and a protest from the Slovenian journalists' associations against the dismissal of Nataša Štefe from Radio Slovenia.<sup>17</sup>

These currents intensified in October 2007 when a petition signed by 571 journalists was submitted to Speaker of the Parliament France Cukjati. Initiated by radio journalist Matej Šurc and Blaž Zgaga of the daily *Večer*, the petition, which alleged that the authorities were censoring the media and exerting pressure on

newspapers and public broadcasters, quickly gained public attention. Among various allegations, the petition claimed that “the government has established an informal and influential decision-making pyramid” exerting undue influence in the media sector and asserted that the authorities did not “respect the autonomy of journalists” and actually censored journalists’ texts.<sup>18</sup> The International Press Institute expressed concern about the situation and called for an impartial investigation; the European Federation of Journalists also expressed its concern and backed the journalists who signed the petition.

The government denied the charges and, in a statement posted on the prime minister’s Web site, asserted that “the Government does not control the media, does not have ownership shares in media companies and does not impose censorship.” It also noted that Reporters Without Borders, in its 2006 report, had ranked Slovenian media freer than U.S. media.<sup>19</sup> Although in its 2007 report the Paris-based NGO downgraded Slovenia from 10th to 21st place, Slovenia still remains well ahead of the United States, which ranked 48th out of 169 countries evaluated.

In response to the government, the Slovenian Association of Journalists and Slovenian Union of Journalists issued a joint statement repudiating the government’s statement as “unacceptable” and highlighting “many protests by journalists in individual cases of being transferred, pettifoggery, interventions in journalists’ articles, threats of being made redundant or having a contract of collaboration terminated, [and] editors’ staff placements despite the clearly stated opposition of editorial boards, which we have witnessed in the last three years.”<sup>20</sup> The two associations demanded the reinstatement of journalists who had been fired, the initiation of a serious dialogue about the situation of the media in Slovenia (which they described as a “crisis”) as a first step toward changing existing legislation, and negotiation of a collective contract that would set down minimum rules and procedures for the resolution of conflicts between the editorial board and the publisher.<sup>21</sup>

The Office of the Prime Minister announced in late November that several journalists who had signed the petition claimed that the text they had signed was not the same that was later published and that they did not realize the petition would be used as part of an anti-government campaign.<sup>22</sup> Amid the controversy, several things became clear: First, the press could continue to report objectively about the petition and the ensuing controversy; second, the journalists who signed the petition retained their jobs; and third, the controversy reflected the left-right polarization in Slovenian politics. On the other hand, six citizens brought charges against the 571 journalists who had signed the petition, and by year’s end these charges had not been dismissed.

Finally, in late December 2007, after the magazine *Mag* was purchased by the Salomon 2000 publishing house, the publication’s editor was dismissed and replaced. The journalists of *Mag* issued a public protest, describing the turnover as a “deliberate political takeover,” and criticized the incoming editor for allegedly opposing Slovenian membership in NATO.<sup>23</sup>

## Local Democratic Governance

1999	2001	2002	2003	2004	2005	2006	2007	2008
n/a	n/a	n/a	n/a	n/a	1.50	1.50	1.50	1.50

In 2007, Slovenia consisted of 210 municipalities (*obcine*). The majority of central bodies at the national level were created in 1992; others—including institutional design at the local level—remained a part of the so-called communal system from the earlier Socialist era. The main institution of the communal system was the municipality, designated as a commune. In terms of status, it was an independent public entity with a directly elected, representative body that functioned relatively autonomously. These communes undertook the bulk of state administrative tasks. Thus, most of the territorial, functional, and organizational structure of the commune reflected the needs of the central administration.<sup>24</sup>

However, this old municipal system could not be taken apart by decree overnight; communes gained an extension until new municipalities became operative in 1995. The Law on Local Self-Government and the referendum on the establishment of municipalities led to the formation of these new municipalities. Although municipalities must, by law, contain 5,000 inhabitants, some have as few as 1,200, while the largest, Ljubljana, contains about 270,000. This inefficient and expensive system makes regional planning difficult. Furthermore, municipalities are incorporated into 12 overarching regions, which the EU would like to reduce to perhaps 3.<sup>25</sup>

In November 2007, the government passed the Act Establishing Provinces, which suggests dividing Slovenia into 14 provinces—a number that experts and coalition political parties argue is too large. The act had not passed in the National Assembly by the end of 2007. Fueling the controversy, a group of 14 deputies demanded a public debate on the proposed act, which also outlined the borders of provinces and regulation of their powers, structure, and financing. Municipalities are supposed to finance their operations from their own resources, but in less developed parts of Slovenia, local municipalities frequently rely on subventions from the central government.

In 1996, Slovenia adopted the European Charter of Local Self-Government and ratified it a year later. Under the Constitution, municipalities are responsible for the management of the economic sector and provision of social services in the territories within their jurisdiction. Elections are held at the local level every four years. Municipal councils range from 7 to 45 members, depending on the size of the population. Hungarian and Italian minorities are guaranteed the right to elect at least 1 member each into local councils in municipalities where they are represented among the local population. Members of these communities enjoy cultural, athletic, and other associations funded through their respective minority communities. In the Prekmurje region, bilingual education (in Slovenian and Hungarian) is available in primary and secondary schools; in the coastal region, bilingual education (in

Slovenian and Italian) is available in the corresponding institutions. The Roma community also has representatives on municipal councils.

#### Judicial Framework and Independence

1999	2001	2002	2003	2004	2005	2006	2007	2008
1.50	1.50	1.75	1.75	1.75	1.50	1.50	1.50	1.50

The Slovenian judicial system includes 44 local courts, 11 district courts, 4 courts of appeal, a Supreme Court, and a Constitutional Court. Judges are independent and may not belong to any political party. They are elected by Parliament from among nominees selected by the Judicial Council, a body of six judges chosen by their peers and five persons selected by the Parliament. Members of the Constitutional Court serve for nine years. Despite reform efforts, the judicial system remains overburdened with long delays in trials. Inexperienced judges also pose a problem. On May 25, 2007, Justice Minister Lovro Šturm and Wolfgang Heusel, director of the Academy of European Law (ERA), signed an agreement making Slovenia the 19th EU member state to join the ERA. The academy serves as a forum for discussions on European legal policy, and membership entails eligibility for the training of legal practitioners.

In 2007, conflicts continued to plague the appointment of the chair of the Ljubljana District Court, a position vacant since 2005. During this period, Justice Minister Lovro Šturm twice rejected the Judicial Council's nominee, Judge Andrej Žalar. On the third occasion, the council proposed two candidates, Andrej Žalar and Andrej Baraga. In the end, Baraga received the nod for the chair of the Ljubljana District Court, and Justice Minister Šturm was confronted with accusations of political motivation; even the administrative court called his treatment of Žalar's application discriminatory. In response, the minister lodged a complaint that had not been resolved by the end of 2007. At the end of March 2007, the Law on Criminal Procedure was adopted in the National Assembly, supported by 62 deputies. The end of the year saw the introduction of a new salary scale for judges that put them on the verge of organizing a strike; however, none had occurred by year's end.

Additionally in 2007, Slovenia faced problems in the election of Constitutional Court justices. The Court is composed of nine justices elected for onetime nine-year terms by the National Assembly on the proposal of the president. The Constitution declares that when their terms expire, justices may continue to perform their duties until the election of a new justice. In 2007, the terms of five justices expired between October and November, and President Drnovšek proposed new justices to the National Assembly on October 12. Although the Commission for Mandates and Elections of the National Assembly approved all five candidates, the National Assembly supported only two. Hence, three new justices must be elected to the

Constitutional Court in 2008. However, newly elected president Danilo Türk may propose as many as four new candidates since Justice Franci Grad indicated in mid-December that he would leave the Court before the expiration of his term.

### Corruption

1999	2001	2002	2003	2004	2005	2006	2007	2008
2.00	2.00	2.00	2.00	2.00	2.00	2.25	2.25	2.25

In 2007, Slovenia adopted a series of bills to combat corruption, including the following: in March, a bill specifying 22 examples of deceptive business practices; in June, a bill on cooperation with the EU in criminal matters; and in November, a bill to monitor officials suspected of corruption. Slovenia also signed an agreement with Macedonia to train Slovenian experts to detect documents forged in Macedonia. The most typical forgeries involve passports and visas for women being trafficked into prostitution.

In October, Canadian authorities extradited to Slovenia former deputy minister of the economy Boris Šuštar. Šuštar had fled to Canada before being convicted of corruption and given a six-year sentence for receiving kickbacks from companies he assisted in obtaining state funding and loans during his time in office (1997–2000). In August 2005, the United States extradited Davorin Sadar, who had defrauded some 3,000 fellow Slovenes out of a total of US\$116 million. He was arrested in Laredo, Texas, in October 2004 and returned to Slovenia in August 2005 to stand trial.

These developments notwithstanding, the Working Group on Bribery of the Organization for Economic Cooperation and Development (OECD) issued a report in June 2007 warning that the low level of public awareness about foreign bribery “could be a signal that the priority and commitment given to fighting corruption are declining in Slovenia.” The Working Group on Bribery also expressed its concern that Slovenia’s Commission for the Prevention of Corruption might be abolished.

Slovenian authorities rejected this criticism, stating that the anticorruption commission needed overhauling because it differed from similar commissions in other EU member states. According to the government, amendments to existing legislation were needed to bring the Slovenian Commission for the Prevention of Corruption in line with EU standards and introduce tougher controls on corruption. At issue have been EU standards in privatization and the financial sector. The authorities’ rejection of the OECD criticism was not merely an excuse but reflected the serious commitment of the Slovenian government to combat corruption. For example, in January 2007 the Slovenian National Assembly adopted legislation establishing a new judicial police branch authorized to investigate allegations of misconduct on the part of judges, prosecutors, and police. The new system went into effect in November.

In March, the Constitutional Court declared parts of a Law on Anticorruption adopted in 2006 inconsistent with the Constitution. In April 2006, the Court had temporarily withheld the law by order. Elaborating the Court's decision in March 2007, discussion focused on the institutions responsible for implementing the law—namely, the Judicial Council (for judicial officials) and the National Assembly's commission (for all other officials). The Court said that the law's concentration of responsibility in the National Assembly for control over all branches of government except the judiciary did not comply with the principle of the division of power.

Consequently, on November 29, 2007, the government forwarded to the National Assembly a new anticorruption bill (the Law on Restrictions and Interdictions for Barriers of Public Functions). The 2007 law vested responsibility for control over public functions in different branches of the government. The bill also proposed extending the mandate of the Commission for the Prevention of Corruption to early 2009, after which it would be abolished. The bill also imposed restrictions on the participation of government officials in for-profit activities and makes their acceptance of gifts subject to public review. As of the end of 2007, the bill had not yet been adopted.

Transparency International's 2007 Corruption Perceptions Index ranked Slovenia 27 out of 179 countries surveyed. The index gives Slovenia a score of 6.6 on the 0–10 scale, where 10 is the best possible score (perceived as least corrupt), classifying it as comparatively less corrupt than Hungary, Czech Republic, Slovakia, Greece, Poland, and Croatia.

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<sup>1</sup> "High Slovenian Inflation Due to Oil, Food, Lack of Competition: Finance Minister," *EU Business*, at [www.eubusiness.com/news-eu/1196738222.7](http://www.eubusiness.com/news-eu/1196738222.7), accessed December 14, 2007.

<sup>2</sup> Official statistics of the Slovenian Statistics Office, as reported in Agence France-Presse, December 27, 2007, and January 16, 2008, [topic@afp.com](mailto:topic@afp.com). The *Financial Times* offered a lower estimate of unemployment, reporting that the unemployment rate in December 2007 was just 4.9 percent. *Financial Times*, December 18, 2007, [www.ft.com](http://www.ft.com), accessed February 9, 2008.

- <sup>3</sup> This agreement, based on the earlier Agreement on Cooperation in the Accession Process with the EU signed in 1997, was prepared on the initiative of the Slovenian prime minister with the intention that in the period of the Slovenian EU presidency, all signatories would consider more demanding obligations of the government. As a result, the agreement was informally known as an “agreement on ‘non-attacking’ the government in the period of holding the EU Presidency.” A decision concerning the agreement met with a relatively positive response from the majority of parties. With the exception of the oppositional Liberal Democracy of Slovenia and the Slovenian National Party, all parliamentary parties signed the agreement.
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