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Groupe d'États contre la corruption

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FOURTH EVALUATION ROUND

Corruption prevention in respect of members of
parliament, judges and prosecutors

INTERIM COMPLIANCE REPORT

SLOVENIA

Adopted by GRECO at its 69th Plenary Meeting
(Strasbourg, 12-16 October 2015)

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I. INTRODUCTION

1. The Fourth Round Evaluation Report on Slovenia was adopted at GRECO's 57th Plenary Meeting (15-19 October 2012) and made public on 30 May 2013, following authorisation by Slovenia ([Greco Eval IV Rep \(2012\) 1E](#)). GRECO's Fourth Evaluation Round deals with "Corruption Prevention in respect of members of parliament, judges and prosecutors".
2. As required by GRECO's Rules of Procedure, the authorities of Slovenia submitted a Situation Report on measures taken to implement the recommendations. GRECO selected Belgium and Croatia to appoint rapporteurs for the compliance procedure. The Rapporteurs appointed were Mr Carl PIRON, Attaché at the Criminal Policy Department, Legislation, Freedoms and Fundamental Rights Directorate, Federal Department of Justice, on behalf of Belgium, and Mr Dražen JELENIĆ, Deputy State Attorney General, on behalf of Croatia. They were assisted by GRECO's Secretariat in drawing up the Compliance Report.
3. In the [Compliance Report](#), which was adopted by GRECO at its 66th Plenary Meeting (8-12 December 2014), it was concluded that Slovenia had implemented satisfactorily or dealt with in a satisfactory manner only two of the nineteen recommendations contained in the Fourth Round Evaluation Report. In view of this result, GRECO concluded that the very low level of compliance with the recommendations was "globally unsatisfactory" in the meaning of Rule 31, paragraph 8.3 of the Rules of Procedure. GRECO therefore decided to apply Rule 32, paragraph 2 (i) concerning members found not to be in compliance with the recommendations contained in the mutual evaluation report, and asked the Head of delegation of Slovenia to provide a report on the progress in implementing the pending recommendations (i.e. recommendations i to x and xiii to xix) by 30 June 2015, pursuant to paragraph 2(i) of that Rule. This report was received on 1 July 2015 and served as a basis for the Interim Compliance Report.
4. It is recalled that in the Compliance Report, recommendation xi was considered as dealt with in a satisfactory manner and recommendation xii as implemented satisfactorily. The current [Interim Compliance Report](#) assesses the further implementation of recommendations i to x and xiii to xix since the adoption of the Compliance Report, and provides an overall appraisal of the level of Slovenia's compliance with these recommendations.

II. ANALYSIS

Corruption prevention in respect of members of parliament

Recommendation i.

5. *GRECO recommended (i) that a code/standards of conduct for members of the National Assembly and the National Council is/are adopted (including guidance on e.g. conflicts of interest, gifts and other advantages, misuse of information and of public resources, contacts with third parties, including lobbyists, preservation of reputation) and (ii) that, in order to make these standards work, a credible mechanism of supervision and sanction be elaborated.*
6. GRECO recalls that in the Compliance Report, the authorities of Slovenia had already made reference to draft codes of conduct being discussed in the relevant commissions of the National Council and the National Assembly. It had welcomed the draft as a good first step and invited the authorities to foresee supplementing the draft codes with more detailed guidance, especially on several of the issues identified in the recommendation, such as conflicts of interest and contacts with

third parties. GRECO had also encouraged the authorities to finalise and adopt the codes of conduct and to elaborate adequate supervision and sanction mechanisms. GRECO had considered this recommendation as partly implemented.

7. The authorities of Slovenia now explain that, with regard to the National Assembly, consultations are underway with the parliamentary groups in order to agree on the content and the procedure of adoption of the code of conduct. Further progress is expected during the autumn regular session of the National Assembly. The authorities furthermore report that the Code of Conduct for members of the National Council of the Republic of Slovenia was adopted at the 27th session of the National Council on 18 March 2015.
8. GRECO takes note of the on-going consultations at the National Assembly on the draft code of conduct and hopes that work will be pursued with determination at the next session of the Assembly, in order to ensure a timely adoption of the code. Furthermore, GRECO welcomes the adoption of the Code of Conduct for members of the National Council. However, it notes that the Code contains a series of general principles (e.g. dignity, loyalty, protection of the reputation of the Republic of Slovenia), but it does not provide the more detailed provisions called for by GRECO in the recommendation (on conflicts of interest, gifts and other advantages, third party contacts including lobbyists etc.) with the aim of providing clear rules concerning the expected conduct from MPs. Moreover, it does not establish the necessary supervision and sanction mechanism in case of a breach of the rules.
9. GRECO concludes that recommendation i remains partly implemented.

Recommendations ii and iii.

10. *GRECO recommended:*
 - *that the implementation of the rules on contacts with lobbyists by members of the National Assembly and of the National Council be subject to a thorough assessment, with a view to improving them where necessary (recommendation ii);*
 - *both in respect of MPs and members of the National Council, (i) the establishment of a dedicated counsellor, with the mandate to provide parliamentarians with guidance and advice on the practical implications of their legal duties in specific situations and (ii) the provision of specific and periodic information and training on ethics and integrity (recommendation iii).*
11. GRECO recalls that these recommendations had been assessed as not implemented in the Compliance Report. In particular, GRECO had regretted that the implementation of the recommendations had not started in either of the two chambers and that the measures taken did not correspond to the objectives of the recommendations.
12. As regards both recommendations, the authorities stress that the National Assembly confirms its previously expressed position that no measures are currently planned regarding implementation. Regarding recommendation ii, it takes the view that the National Assembly is not in a position to assess whether the regulation on lobbying is appropriate or needs improvements and that this is rather a matter within the competence of the Commission for the Prevention of Corruption and the relevant ministry. As to recommendation iii, the possibility of carrying out a series of training courses for deputies and employees of the National Assembly is being considered. As far as the National Council is concerned, no action has apparently been taken regarding either recommendation.

13. GRECO regrets that still no measure has been taken to implement either of the recommendations, more than two years after the adoption of the Fourth Round Evaluation Report. GRECO recalls that recommendation ii is meant to address several deficiencies and implementation difficulties in the regulation of lobbying, as highlighted in the Evaluation Report (paragraphs 71-73). As to recommendation iii, GRECO has stressed in numerous evaluation reports that targeted training, as well as the establishment of a dedicated counsellor, form important parts of any mechanism aimed at further developing integrity within parliament.
14. GRECO concludes that recommendations ii and iii remain not implemented.

Corruption prevention in respect of judges

15. The Slovenian authorities indicate that two laws containing amendments to the Courts Act and the Judicial Service Act, referred to in the Compliance Report, were adopted by the National Assembly in February 2015 and entered into force on 28 March 2015.

Recommendation iv.

16. *GRECO recommended that the criteria of selection and evaluation of judges set out in the Judicial Service Act be further developed, by any appropriate instrument, including an act of the Judicial Council, with the aim of enhancing their uniformity, predictability and transparency.*
17. GRECO recalls that the Judicial Council had adopted, on 14 February 2013, criteria on the quality of judicial performance, providing detailed guidance towards a more uniform, transparent and predictable evaluation of judges' performance. Regarding criteria for the selection of judges, the above-mentioned draft amendments to the Courts Act were meant to give the Judicial Council explicit competence in this matter and the draft amendments to the Judicial Service Act were to set out in more detail the basic substantive criteria for the selection of judges, as well as the methods for their assessment. Consequently, GRECO concluded that recommendation iv had been partly implemented.
18. The authorities report that the above-mentioned amendments to the Judicial Service Act changed the criteria and the procedure for the selection of judges and gave the Judicial Council, among others, the power to define detailed criteria for the selection and evaluation of judges, in accordance with the recommendation. The selection procedure includes more stages, in order to gradually eliminate candidates who do not fulfill the required conditions. The possibility of carrying out appropriate tests, including psychological tests, aimed at assessing both the professional expertise and the other skills required for the exercise of judicial functions was introduced, as well as the possibility of an oral interview with candidates. The evaluation of the personal suitability for judicial functions is also to be part of a substantive assessment for the selection, evaluation and dismissal of judges, instead of merely being a formal condition as was the case under the previous regulation. According to the amendments, the Judicial Council has been given six months to develop the selection criteria in detail. The updated, more detailed selection criteria were accordingly adopted by the Judicial Council on 1 October 2015¹, after consultation with the Minister of Justice, and they entered into force on the same day. The criteria also define the selection procedure in a more detailed way as regards the documents necessary to prove qualifications, stages of the selection procedure and the content and course of the interview. The president of

¹ The criteria are available at:

http://www.sodni-svet.si/images/stories/datoteke/Merila_za_izbiro_kandidatov_na_sodisko_mesto.pdf

the court at which a vacant post is announced can participate in the selection interviews and explain which candidate(s) is/are the most suitable, but his/her opinion does not bind the Judicial Council. Meanwhile, the Judicial Council has already upgraded its internal procedure, introducing a multiphase selection procedure of judges as foreseen in the law, carrying out interviews with short-listed candidates and requiring additional opinions from the presidents of the courts when necessary. In order to increase the overall transparency of the process, reports of the selection procedure are part of the minutes of the meetings of the Judicial Council and notices given to unsuccessful candidates for judicial positions detail the reasons for not selecting them. The minutes of the meetings are published on the intranet of courts – without the detailed reports on selection – and are available to judges, but not to the general public. This strengthened procedure of selection of judges and presidents of courts has successfully undergone judicial review before the Administrative Court of the Republic of Slovenia.

19. GRECO welcomes the adoption of the amendments to the Judicial Service Act and the development of the procedure and criteria for the selection of judges. According to the amended law, the Judicial Council has been given a more prominent role in the selection process, which appears to provide guarantees for a greater uniformity and predictability of the selection criteria, as required by the recommendation. In particular, the Judicial Council, after receiving the applications and the opinion from the president of the court in which the judicial position was vacant, “determines whether candidates are qualified, have suitable personality traits, skills and abilities necessary for judicial service”. GRECO also welcomes the possibility given by the law to broaden the range of tests used, as well as the fact that the personal suitability for judicial functions is to be substantively assessed at all stages of a judge’s career. Finally, the measures taken by the Judicial Council to increase the transparency of its decisions on selection are also steps in the right direction.
20. GRECO concludes that recommendation iv has been implemented satisfactorily.

Recommendation v.

21. *GRECO recommended that the Slovenian authorities consider revisiting the procedure of appointment of judges to the Supreme Court, in order to minimise the possibilities of political influence.*
22. GRECO recalls that this recommendation was assessed as not implemented, as the authorities had not taken any steps to change the current procedure of election of judges to the Supreme Court by the National Assembly. The reasons provided had been those of timing and opportunity, so as not to delay the adoption of amendments to the Courts Act and the Judicial Service Act.
23. The authorities reiterate their willingness to include this issue in a future reform of the Slovenian judicial system. The Judicial Council also reiterates its support for this reform and its willingness to cooperate with the government on this matter.
24. While understanding the arguments of timing and opportunity given by the authorities and noting that the amendments to the Courts Act and the Judicial Service Act have been adopted since the Compliance Report, GRECO regrets that only a vague intention of future reform is expressed by the authorities. No proper consideration has been given to the substance of this issue.
25. GRECO concludes that recommendation v remains not implemented.

Recommendation vi.

26. *GRECO recommended that a set of clear standards/code of professional conduct, accompanied by explanatory comments and/or practical examples, be established which would cover in scope all judges.*
27. GRECO recalls that this recommendation was assessed as not implemented, as a general, renewed code of conduct covering all judges had not yet been prepared at the time of the Compliance Report.
28. The authorities report that the legislative amendments referred to in paragraph 15 gave the Judicial Council specific competence to adopt a Code of Judicial Ethics applicable to all judges, within six months after the adoption of the laws. In accordance with these legislative amendments, the Judicial Council adopted at its 55th session, on 11 June 2015, the Code of Judicial Ethics and Integrity, which was published on the intranet sites of the courts and of the Judicial Council². The Code is to be read in conjunction with opinions from the Judicial Council on various topics, such as the use of social networks, public support of judges to candidates for political functions, political activity of judges, public expression of judges' opinions, judges as attorneys, doubts about a judge's impartiality, etc.³ These opinions, decisions and recommendations of the Judicial Council in the field of ethics, integrity and conflicts of interest will continue to be developed over time, in order to increase judges' awareness on these issues.
29. GRECO welcomes the adoption of the Code of Judicial Ethics and Integrity, which covers in scope all judges, as requested by the recommendation. It also notes that decisions and opinions by the Judicial Council on various issues of ethics and integrity are being developed and published, in order to further flesh out the general principles contained in the Code.
30. GRECO concludes that recommendation vi has been implemented satisfactorily.

Recommendation vii.

31. *GRECO recommended (i) that the Judicial Council, in cooperation with other relevant institutions, including the Commission for the Prevention of Corruption, develops guidelines on conflicts of interest for judges with respect to conduct expected of them outside the court; (ii) and that these guidelines be accompanied with clear rules of enforcement and sanction and be made public.*
32. GRECO recalls that this recommendation was assessed as not implemented, as guidelines on conflicts of interest were not yet under preparation, although an online survey aimed at identifying ethical challenges faced by judges had been carried out.
33. The Slovenian authorities indicate that the legislative amendments which entered into force in March 2015 gave the Judicial Council the task to form a Commission for Ethics and Integrity, which will have among its responsibilities the establishment of guidelines on conflicts of interest for judges. The Judicial Council, at its 55th session on 11 June 2015, adopted amendments to its Rules of Procedure, in order to regulate the composition of the Commission for Ethics and Integrity, the procedure for appointing its member and its work method. The Commission, composed of five judges – including a judge from the European Court of Human Rights, a high court judge, a district court judge, a local court judge and a judge of

² http://www.sodni-svet.si/images/stories/datoteke/KodeKs_sodniske-etike.pdf.

³ These opinions are available at <http://www.sodni-svet.si/etika-in-integriteta/sodniska-etika/>

the Supreme Court – was appointed for a term of six years by the Judicial Council at its 57th session on 3 September 2015. Four members were appointed from among candidates proposed by the courts and one from among the members of the Judicial Council. The first session of the Commission is scheduled on 20 November 2015.

34. GRECO takes the view that the establishment of the Commission for Ethics and Integrity is a positive initiative towards the implementation of this recommendation and several of the other recommendations concerning judges. That said, the Commission has not started its activity and work towards the guidelines called for in the recommendation has yet to start.
35. GRECO concludes that recommendation vii remains not implemented.

Recommendation viii.

36. *GRECO recommended in order to avoid conflicts of interest, that clear rules/guidelines be introduced for situations where judges move to the private sector.*
37. GRECO recalls that the guidelines called for in the recommendation were to be developed by the future Commission for Ethics and Integrity within the Judicial Council. Consequently, this recommendation was assessed as not implemented.
38. The authorities indicate that the Commission for Ethics and Integrity has recently been appointed, but that the preparation of guidelines to avoid conflicts of interest in situations where judges move to the private sector has not yet begun.
39. GRECO takes note that little progress has occurred on this issue since the Compliance Report and concludes that recommendation viii remains not implemented.

Recommendation ix.

40. *GRECO recommended (i) that a policy for detecting and managing the risks and vulnerabilities of corruption in the judiciary be developed and made public and (ii) that the Judicial Council be given the core responsibility and the resources to manage this policy and cooperate with other relevant institutions, including the Commission for the Prevention of Corruption, in its oversight and implementation.*
41. GRECO recalls that this recommendation was assessed as not implemented, as the policy called for in the recommendation was not yet under development.
42. The authorities underline that, according to the above-mentioned legislative amendments, the President of the Supreme Court, in agreement with the Judicial Council, is competent to adopt a policy for detecting and controlling the risks of corruption in the judiciary. Work to this end is still underway, as the time-limit for its adoption, namely one year after the adoption of the amendments, has not yet expired. An exchange of views between representatives of the Supreme Court and the Commission for the Prevention of Corruption on the content of the future policy took place on 20 April 2015.
43. GRECO takes note of the information provided and of the fact that the development of the policy recommended still appears to be at a very preliminary stage. Consequently, the recommendation cannot be considered as even partly implemented.

44. GRECO concludes that recommendation ix remains not implemented.

Recommendation x.

45. *GRECO recommended that all judges are provided appropriate training and counselling services on ethics and integrity, in particular by giving a leading role to the Judicial Council in this respect.*

46. GRECO recalls that various training events on ethics had been organised in several courts throughout the country, but that no concrete measures had been taken in respect of the counselling services called for in the recommendation. GRECO had consequently assessed the recommendation as partly implemented.

47. The authorities indicate that the Commission on Ethics and Integrity within the Judicial Council is responsible for the adoption of guidelines and recommendations on ethics and integrity and, consequently, for the provision of advice to judges in this area. As to training, the Judicial Council continues its active cooperation with the Centre for Judicial Training at the Ministry of Justice. It provides suggestions on methods for training judges and the content of such training. The Council is also sometimes directly involved in the organisation of training events in the field of ethics and integrity.

48. As regards counselling, the Judicial Council has carried out procedures, in accordance with article 33 of its Rules of Procedure, to appoint a judge-counsellor for ethics and integrity who will be available for judges to consult regarding questions on professional ethics and incompatibilities of judicial office with outside activities. However, the procedure was unsuccessful, as none of the proposed candidates consented to perform this role. The Judicial Council is currently repeating the procedure and collecting courts' proposals for candidates.

49. Beyond this recommendation and on a more general note, the authorities also report that the government adopted, on 29 April 2015, a "Development Strategy of Public Administration from 2015 to 2020", which focuses on the quality, efficiency, transparency and accountability of public administration in Slovenia. Among the activities foreseen, training will be provided to judicial officers and public officials working in the judiciary. This training also forms part of the "Action Plan of the Government of the Republic of Slovenia for the Prevention of Corruption – zero tolerance to corruption", which was adopted by the government on 8 January 2015. The additional training foreseen will therefore have a special focus on activities and areas which entail an increased risk of corruption.

50. GRECO takes note of the information reported and welcomes the setting-up of the Commission for Ethics and Integrity, which will be competent to provide advice to judges. It notes, however, that the Commission has not yet started its activity. GRECO also welcomes the current recruitment of a judge-counsellor. Until both the Commission and the judge-counsellor are in operation, however, GRECO cannot consider this recommendation as fully implemented.

51. GRECO concludes that recommendation x remains partly implemented.

Corruption prevention in respect of prosecutors

52. The Slovenian authorities indicate that amendments to the State Prosecutor's Office Act that were referred to in the Compliance Report, were adopted by the National Assembly in February 2015 and entered into force on 4 April 2015. The amendments, among others, complemented rules regarding the selection process

for state prosecutors, giving the State Prosecutorial Council a more central role in the process.

Recommendation xiii.

53. *GRECO recommended that a set of clear standards/code of professional conduct, accompanied by explanatory comments and/or practical examples, is made applicable to all prosecutors.*
54. GRECO recalls that this recommendation was assessed as not implemented, as work regarding proposed standards of conduct, including practical examples, had not started.
55. The authorities point out that the legislative amendments referred to in paragraph 52 give the State Prosecutorial Council, among others, the competence to adopt a code of ethics for state prosecutors and to appoint a Commission for Ethics and Integrity within six months of the entry into force of the Act. The Commission, composed of three members – two chosen among the district state prosecutor’s offices and the specialised state prosecutor’s office and one from the State Prosecutorial Council – was appointed by the State Prosecutorial Council on 16 September 2015. The Commission is tasked with adopting opinions on acts which constitute an infringement of the code of ethics, setting up guidelines in the field of ethics and integrity and, in cooperation with the Centre of Judicial Training, providing training for prosecutors on ethics and integrity. A Code of State Prosecutorial Ethics was also adopted, on 22 September 2015, by the State Prosecutorial Council. It contains eight articles dealing with impartiality and independence, dignity and reputation, compatibility/incompatibility of functions, personal relationships and breaches of the code. The system is conceived as a living one, with the opinions and recommendations from the Commission providing examples and comments on rules of professional conduct.
56. GRECO welcomes the adoption of the amendments to the State Prosecutor’s Office Act, the adoption of the Code of Prosecutorial Ethics and the establishment of the Commission for Ethics and Integrity. It notes that the Code of Prosecutorial Ethics is a short text containing general principles and understands that a set of practical examples and comments on these principles will be developed by the Commission over time. However, this process has not yet started.
57. GRECO concludes that recommendation xiii has been partly implemented.

Recommendations xiv, xv and xvi.

58. *GRECO recommended:*
 - *(i) that the Prosecutorial Council, in cooperation with other relevant institutions, including the Commission for the Prevention of Corruption, develops guidelines on conflicts of interest for prosecutors with respect to conduct expected of them outside their office and (ii) that these guidelines be accompanied with clear rules of enforcement and sanction and be made public (recommendation xiv);*
 - *in order to avoid conflicts of interest, that clear rules/guidelines be introduced for situations where prosecutors move to the private sector (recommendation xv);*
 - *(i) that a policy for detecting and managing the risks and vulnerabilities of corruption in the prosecution service be developed and made public and (ii)*

that the State Prosecutor General and/or the State Prosecutorial Council be given the core responsibility and resources to manage this policy and cooperate with other relevant institutions, including the Commission for the Prevention of Corruption, in its oversight and implementation (recommendation xvi).

59. GRECO recalls that at the time of the adoption of the Compliance Report, the authorities had made reference to the planned amendments to the State Prosecutor's Office Act, which were to give the State Prosecutor General and the State Prosecutorial Council specific responsibilities for developing a policy to detect and manage the risks of corruption in the prosecution service. An online survey among prosecutors was also under preparation, in order to identify actual ethical challenges faced by prosecutors in their professional and personal lives. However, the process of preparation of the policy and of guidance on conflicts of interest and situations where prosecutors move to the private sector had not yet begun. These recommendations had thus been assessed as not implemented.
60. The authorities explain that, as indicated above, the Commission for Ethics and Integrity has recently been appointed. The Commission is competent to adopt opinions on acts which constitute an infringement to the Code of Ethics, set up guidelines in the field of ethics and integrity and, in cooperation with the Centre of Judicial Training, will provide training for state prosecutors on ethics and integrity. As far as a policy for detecting and managing the risks and vulnerabilities of corruption in the prosecution service is concerned, this is to be adopted within one year of the entry into force of the act. As regards recommendation xvi, the State Prosecutor General has started preparing a draft policy for detecting and managing corruption risks and vulnerabilities in state prosecutors' offices. This draft will be submitted to the State Prosecutorial Council for adoption by the prescribed deadline of March 2016.
61. GRECO welcomes, as already mentioned, the establishment of the Commission for Ethics and Integrity. However, as this establishment is recent, the Commission has not yet been able to draft the guidelines referred to in recommendations xiv and xv. As to recommendation xvi, GRECO notes that the development of a draft policy has begun. However, this activity is still at a very early stage and no further information appears to be available yet on the content of this policy.
62. GRECO concludes that recommendations xiv, xv and xvi remain not implemented.

Recommendation xvii.

63. *GRECO recommended that appropriate training and counselling services on ethics and integrity be made available to all prosecutors.*
64. GRECO recalls that this recommendation was considered partly implemented since training activities on ethics had been organised for both judges and prosecutors. However, no concrete measures had been reported regarding counselling services for prosecutors on ethics and integrity.
65. The authorities of Slovenia refer to the information already provided above on the amendments to the State Prosecutor's Office Act, which give the Commission for Ethics and Integrity competence to provide training for all prosecutors. In the meantime, the authorities point out that, in 2014, the State Prosecutor General and the Commission for the Prevention of Corruption discussed the organisation of periodic conferences for prosecutors. The State Prosecutor General also indicates that a special seminar on ethics and integrity was organised for newly appointed prosecutors on 29 September 2015. Another training event on this topic will be carried out on 1 December 2015 in the framework of the programme of in-service

training for prosecutors; training sessions on this topic are also conducted for leading staff at district state prosecutor's offices. Moreover, this theme is becoming a regular part of training conducted for heads of state prosecutor's offices.

66. GRECO welcomes the additional training activities organised and foreseen and is satisfied that the theme of ethics and integrity is featuring more in the training offered to prosecutors at all levels. However, beside the establishment of the Commission for Ethics and Integrity, no other measure has been reported that meets the need for more advice and guidance expressed by prosecutors in the Evaluation Report (paragraph 230).
67. GRECO concludes that recommendation xvii remains partly implemented.

Recommendation xviii.

68. *GRECO recommended (i) that a public communication strategy be adopted and (ii) that relevant training be provided as appropriate.*
69. GRECO recalls that this recommendation was assessed as partly implemented, as the heads and directors of prosecution offices had to undergo compulsory training on communication. However, no public communication strategy had been adopted.
70. The Slovenian authorities report that the Ministry of Justice published a vacancy for the appointment of a new state prosecutor within the Supreme State Prosecutor's Office in March 2015. The appointee will address the issue of the communication strategy and develop the public communication of the prosecutorial service. Furthermore, a training event on state prosecutors' performance in the public eye was organised in June 2015.
71. GRECO takes note of the additional training activity organised, but points out that the public communication strategy still has to be developed.
72. GRECO concludes that recommendation xviii remains partly implemented.

Corruption prevention regarding all categories under review

Recommendation xix.

73. *GRECO recommended in order to ensure that the Commission for the Prevention of Corruption is adequately equipped to perform its tasks with respect to MPs, judges and prosecutors effectively, that its financial and personnel resources in the areas of asset declarations, lobbying and conflicts of interest be increased as a matter of priority.*
74. GRECO recalls that this recommendation was considered not implemented, as the budget of the Commission for the Prevention of Corruption (CPC) had decreased rather than increased since 2012. GRECO underlined that the budget cuts would put an even greater strain on the CPC's ability to fulfil its tasks and to take proper action to prevent corruption of MPs, judges and prosecutors.
75. The authorities explain that the decrease in the CPC's budget was part of a general reduction in government expenditure, in order to reduce the state deficit and ensure long-term fiscal stability. Notwithstanding this decrease, the CPC was provided in 2014 with the financial conditions to hire additional staff, as well as to purchase and upgrade software and IT support.

76. The budget and staffing plan for 2016-2017 are currently under preparation and the CPC has requested the government to increase its staff by four additional employees in 2016 and four in 2017, which would enable it to carry out its missions in an adequate manner. The government has agreed to two additional employees in 2016 and included this proposal in its draft Act on the State Budget for 2016 and 2017. The draft Act was adopted by the government on 20 September 2015 and sent to the National Assembly for adoption.
77. GRECO reiterates that it has to be ensured that the CPC is adequately equipped to fulfil its missions as an instrumental step towards the implementation of the other recommendations contained in this report. The information received on the negotiations for the 2016-2017 budget and staffing offers a slightly more positive outlook, but the process of adoption of the budget is still on-going.
78. GRECO concludes that recommendation xix remains not implemented.

III. CONCLUSIONS

79. **In view of the above, GRECO concludes that Slovenia has made some tangible progress as regards the implementation of the recommendations found to be not implemented or partly implemented in the Fourth Round Compliance Report. In total, however, only four of the nineteen recommendations contained in the Fourth Round Evaluation Report have been implemented satisfactorily or dealt with in a satisfactory manner.** Of the remaining recommendations, five have now been partly implemented and ten remain not implemented.
80. More specifically, recommendations iv, vi, xi and xii have now been assessed as implemented satisfactorily or dealt with in a satisfactory manner. Recommendations i, x, xiii, xvii and xviii have now been partly implemented and recommendations ii, iii, v, vii, viii, ix, xiv, xv, xvi and xix remain not implemented.
81. As regards corruption prevention in respect of members of parliament, the only progress achieved is the adoption of a Code of Conduct by the National Council. However, the corresponding supervision and sanction mechanism still needs to be developed. As for the National Assembly, the situation described in the Compliance Report remains essentially unchanged. Still no adequate measures have been taken in either Chamber regarding parliamentarians' contacts with lobbyists and counselling services on issues of ethics and integrity.
82. Some positive developments have occurred with respect to judges. Amendments to the Courts Act and the Judicial Service Act have entered into force, giving the Judicial Council, among others, the power to define detailed criteria for the selection of judges and foreseeing the recently established Commission for Ethics and Integrity within the Council. A judge-counsellor, tasked with giving advice to judges on issues of ethics and integrity, is about to be appointed. The procedure and criteria for the selection of judges have been further developed and a Code of Judicial Ethics and Integrity has been adopted recently. Guidelines still need to be developed, however, on conflicts of interest and situations in which judges move to the private sector and counselling services on ethics need to be provided to judges. Finally, a policy for detecting and managing the risks of and vulnerabilities regarding corruption in the judiciary is to be initiated and managed.
83. The prosecution service is in a similar situation to the judiciary. Tangible achievements comprise the entry into force of amendments to the State Prosecutor's Office Act, the adoption of a Code of State Prosecutorial Ethics and the establishment of a Commission for Ethics and Integrity, which will be responsible

for developing the integrity measures and policies foreseen in the recommendations. Development of these instruments has yet to begin. Finally, it remains to be seen whether the Commission for the Prevention of Corruption will be adequately equipped to carry out its missions relating to the prevention of corruption among members of parliament, judges and prosecutors.

84. In view of the above, GRECO concludes that the current level of compliance with the recommendations remains "globally unsatisfactory" in the meaning of Rule 31, paragraph 8.3 of the Rules of Procedure.
85. Pursuant to paragraph 2(i) of Rule 32 of the Rules of Procedure, GRECO requests the Head of Delegation of Slovenia to provide a report regarding the action taken to implement the pending recommendations (i.e. recommendations i, ii, iii, v, vii to x and xiii to xix) by 31 July 2016.
86. Additionally, in accordance with Article 32, paragraph 2, sub-paragraph (ii.a), GRECO instructs its President to send a letter – with a copy to the President of the Statutory Committee – to the head of the Slovenian delegation, drawing her attention to the non-compliance with the relevant recommendations and the need to take determined action with a view to achieving tangible progress as soon as possible.
87. Finally, GRECO invites the authorities of Slovenia to translate the report into the national language and to make this translation public.