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FOURTH EVALUATION ROUND

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

SECOND INTERIM COMPLIANCE REPORT SLOVENIA

Adopted by GRECO at its 74th Plenary Meeting
(Strasbourg, 28 November-2 December 2016)

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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. In the Compliance Report ([Greco RC-IV \(2014\) 2E](#)), 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.
3. In the Interim Compliance Report ([Greco RC-IV \(2015\) 8E](#)), adopted at its 69th plenary meeting (16 October 2015), GRECO concluded that Slovenia had made some tangible progress, as recommendations iv, vi, xi and xii had been assessed as implemented satisfactorily or dealt with in a satisfactory manner. Recommendations i, x, xiii, xvii and xviii had also been partly implemented and recommendations ii, iii, v, vii, viii, ix, xiv, xv, xvi and xix remained not implemented. GRECO therefore reiterated its conclusion that the level of compliance with the recommendations was "globally unsatisfactory" in the meaning of Rule 31, paragraph 8.3 of the Rules of Procedure. In accordance with Article 32, paragraph 2, sub-paragraph (ii.a), GRECO had drawn the Head of the Slovenian delegation's attention to the non-compliance with the relevant recommendations and the need to take determined action with a view to achieving further progress as soon as possible. In addition, in accordance with Rule 31 para. 8.2, as revised, of its Rules of Procedure, GRECO asked the head of the Slovenian delegation to submit, by 31 July 2016, a report on the action taken to implement the pending recommendations. This information was submitted on 29 July and complemented on 17 August and 11 November 2016.
4. The current Second Interim Compliance Report evaluates the progress made in implementing the pending recommendations since the previous Interim Report (recommendations i to iii, v, vii to x and xiii to xix) and provides an overall appraisal of the level of Slovenian compliance with these recommendations.
5. GRECO selected Belgium and Croatia to appoint rapporteurs for the compliance procedure. The Rapporteurs appointed were M. Ricardo PARRONDO RAMOS, 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.

II. ANALYSIS

Corruption prevention in respect of members of parliament

Recommendation i.

6. *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.*
7. GRECO recalls that this recommendation was considered partly implemented in the Interim Compliance Report. The authorities of Slovenia had made reference, in the Compliance Report, 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 finalise and adopt the codes of conduct and to elaborate adequate supervision and sanction mechanisms. According to the Interim Compliance Report, consultations were still underway with the parliamentary groups in order to agree on the content and the procedure of adoption of the code of conduct. GRECO welcomed the National Council's adoption of a Code of Conduct for its members; however, this Code was not considered sufficiently detailed in respect of conflicts of interest, supervision and sanctions.
8. The authorities of Slovenia now report that a special working group, to be led by the Speaker of the National Assembly, is to be established to coordinate the negotiations on the draft amendments to the Rules of Procedure of the National Assembly. They state that many of these amendments will, if adopted, significantly influence the ethical standards.
9. GRECO takes note of the on-going developments to draft a code of ethics at the National Assembly. It regrets that the process is still at a very early stage, a working group has been established but the drafting of the text has not started yet. It calls on the authorities to pursue their work in this respect. It also regrets that no new information has been submitted about developments at the National Council regarding its Code of Conduct.
10. GRECO concludes that recommendation i remains partly implemented.

Recommendation ii.

11. *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.*
12. GRECO recalls that this recommendation was not implemented in the Interim Compliance Report.
13. The authorities of Slovenia now report that the National Assembly remains of the opinion that the legal provisions regulating the reporting of contacts with lobbyists are sufficient and that the deputies are aware of them. However, according to the National Assembly, it is necessary to strengthen the control over the implementation of the legal provisions. To this end, the National Assembly suggests that the Commission for the Prevention of Corruption is the pertinent authority to carry out an assessment in order to assess whether there is a need for amendments.

14. GRECO regrets that the rules on contacts with lobbyists have not been subject to an assessment regarding their efficiency as required by the Recommendation. This Recommendation was triggered by the observations made in the Evaluation Report, *inter alia*, that the MPs' obligations in respect of the rules were unclear (paragraph 72) and that the enforcement arrangements were insufficient (paragraph 73). What has been reported by the authorities does not change this assessment. GRECO is not in a position to tell the Slovenian authorities which state body should carry out the assessment; however, it would appear appropriate to opt for as broad an institutional involvement as possible (i.e. governmental bodies as well as the National Assembly itself).
15. GRECO concludes that recommendation ii remains not implemented.

Recommendation iii.

16. *GRECO recommended 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.*
17. It is recalled that this recommendation was not implemented in the Interim Compliance Report.
18. The authorities state that the National Assembly intends to start organising a series of lectures and debates for deputies and employees towards the end of 2016, including subjects such as lobbying, receiving gifts, corruption risks, transparency, ethics and morality. It also plans on re-examining and, if necessary, updating the content of the Handbook for Deputies which is provided to MPs at the beginning of their term and includes information on their obligations under the Integrity and Prevention of Corruption Act. The authorities also submit that a future code of ethics will regulate the appointment of a counsellor for the National Assembly and detail the method of appointment and definition of the counsellor's tasks and competences. As far as the National Council is concerned, the Council adopted a Decision on 16 March 2016 supplementing the Decision on tasks of its commissions. The mandate to provide counselling on ethics and integrity to members of the National Council has been given to the Commission for the Public Office and Immunity. Furthermore, the National Council requested the Commission for the Prevention of Corruption (CPC) to provide a training session on ethics, integrity and lobbying, with a particular focus on contacts with lobbyists. On 8 August 2016, the CPC provided the National Council with material on lobbying, integrity plans and corruption, as well as two systemic explanatory notes on lobbying, relevant for the members of the National Council. Furthermore, on 27 September 2016 representatives of the CPC met with the members of the Commission for Public Office and Immunity in order to exchange views on integrity and lobbying matters. At the meeting the need to clarify several issues regarding lobbying in relation to National Council members was identified. Therefore, it was agreed that the CPC will prepare an opinion on lobbying issues to be discussed with the members of the Commission at a future meeting.
19. GRECO takes note of the information provided. Regarding the National Council, GRECO welcomes the decision to designate the Commission for Public Office and Immunity to provide counselling on ethics and integrity to the members of the Council. However, it notes that no dedicated counsellor has been appointed in respect of MPs. Consequently, this part of the recommendation has only been partly implemented. The CPC dialogue and provision of material, training and opinions on ethics, lobbying and integrity to members of the National Council is a step in the

right direction; however, the second part of the recommendation calls for periodic information and training and also in respect of MPs. Until these practices become established on a regular basis, GRECO can only conclude that this part of the recommendation has also been partly implemented.

20. GRECO concludes that recommendation iii has been partly implemented.

Corruption prevention in respect of judges

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 not implemented according to the Interim Compliance Report. The Judicial Council had expressed its support for reform, but no measures had been taken to change the current procedure of election of judges to the Supreme Court by the National Assembly.
23. The authorities state that the Supreme Court has adopted a position, aiming at supplying the objective of this recommendation. Furthermore, they reiterate their previous position that changes in the procedure for appointing Supreme Court judges are to be discussed within the framework of reforms of the judicial system. They submit that the Government was to discuss proposals to amend the Courts Act and Judicial Service Act in late 2016 and then to submit them to the National Assembly for adoption.
24. GRECO takes note of the information provided. It regrets that the changes called for in the recommendation have not generated any tangible results, not even partly.
25. GRECO concludes that recommendation v remains not implemented.

Recommendation vii.

26. *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.*
27. GRECO recalls that this recommendation was not implemented in the Interim Compliance Report. The Slovenian authorities had informed GRECO of the establishment of the Commission for Ethics and Integrity within the Judicial Council and stated that it had been tasked with developing the guidelines called for in the recommendation. The Commission had however not started its work at the time of adoption of the Interim Compliance Report.
28. The Slovenian authorities now indicate that the Commission for Ethics and Integrity at the Judicial Council has started its work and has already adopted and published several general opinions on the actions of judges, including:

- Opinion of 11 January 2016 on the cooperation of members of the Judicial Committee that come from the group of judges in the formation of the opinion of candidates and their reactions to international judicial functions with regard to the principle of impartiality;

- Opinion of 11 February 2016 on the actions of a judge who personally expressed an opinion on an open court case to a friend who was a client in judicial proceedings, in which the judge was not or could not be included in the decision-making process;

- Opinion of 24 March 2016 on whether the participation of judges as arbiters in disputes of broader social importance is in compliance with the Code of Judicial Ethics.

29. A general opinion on potential conflicts of interest due to judges' additional out-of-court work (arbitration) has also been adopted by the Commission for Ethics and Integrity. Furthermore, the authorities report that the Commission has prepared and adopted the Commentary to the existing Code of Judicial Ethics, which includes guidelines on conflicts of interest related to actions that are expected of judges outside the court, as well as general guidelines on how to avoid situations leading to a conflict of interest, which are explained and presented through practical examples. Finally, the Commentary provides methods and advice for judges to deal with potential conflict of interest situations themselves. The Commentary is available on-line.
30. The authorities furthermore stress that a system of supervision and sanctions regarding the prohibition or restriction of certain activities, covering several levels and enforced by several bodies in the judiciary, exists in Slovenia. They enumerated these provisions, which had already been presented in the Evaluation Report (Paragraphs 141 to 148). In addition, Article 28.d of the Courts Act provides that in the event of actions, conduct or activities of judges in and outside the court, that are not considered additional professional work, such as membership or participation in an association, and that could present a conflict of interest, it is the duty of the Commission for Ethics and Integrity to supervise the respective positions by adopting general opinions on the concrete actions of judges. Furthermore, when the personal interest of a judge affects or has an influence on the impartiality and objectivity of his/her judicial tasks, supervision by disciplinary bodies is also required by Article 81 of the Judicial Service Act and disciplinary sanctions for these violations are foreseen in Article 82 of the JSA, ranging from a written warning to termination of the position. Finally, the authorities submit that supervision of potential conflicts of interest is also regulated in the Civil Procedure Act and the Criminal Procedure Act.
31. GRECO takes note of the information provided. It welcomes the fact that the Commission for Ethics and Integrity of the Judicial Council has started its work and produced several general opinions on the topics at stake in this recommendation. It also commends the authorities for the adoption of a Commentary to the existing Code of Judicial Ethics, which includes guidelines on conflicts of interest related to actions that are expected of judges outside the court, as well as methods and advice for judges to deal with potential conflict of interest situations. GRECO also acknowledges the existence, at different levels, of supervisory and enforcement mechanisms foreseen in legislation, most particularly in the Courts Act and in the Judicial Service Act.
32. GRECO concludes that recommendation vii has been dealt with in a satisfactory manner.

Recommendation viii.

33. *GRECO recommended in order to avoid conflicts of interest, that clear rules/guidelines be introduced for situations where judges move to the private sector.*

34. GRECO recalls that this recommendation was not implemented in the Interim Compliance Report, as the guidelines called for in the recommendation were to be developed by the Commission for Ethics and Integrity, which had not begun its work at the time of adoption of the Interim Compliance Report.
35. The authorities now indicate that the Evaluation Report on Slovenia, in which it is stated that an increasing number of judges are leaving the judiciary to be employed in private law offices, does not provide a clear and consistent basis for the issuance of this recommendation. They provide statistics from the Bar Association of Slovenia, noting that 16 former judges have been registered in the Register of Attorneys in the last 10 years (1 January 2006 to 11 April 2016), 5 of whom were registered in the last 5 years. The authorities also bring to the attention of GRECO the fact that Article 5 of the Lawyers' Act prohibits lawyers from representing specific clients, such as those in cases where they have acted as a judge.
36. GRECO takes note of the new information provided. It appears that the number of judges who leave their office to work for private law firms is not very high and that this phenomenon is not increasing, contrary to earlier information provided. Moreover, GRECO takes note of the fact that Article 5 of the Lawyers' Act prohibits lawyers from representing specific clients, such as those in cases where they have previously acted as a judge, which was not taken into consideration at the time of adoption of the Evaluation Report. GRECO is satisfied that these clarifications meet the concern of the current recommendation.
37. GRECO concludes that recommendation viii has been dealt with in a satisfactory manner.

Recommendation ix.

38. *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.*
39. GRECO recalls that this recommendation was not implemented in the Interim Compliance Report, as the development of the policy called for in the recommendation was at a very preliminary stage.
40. The authorities now report that on 4 April 2016, the President of the Supreme Court, with the approval of the Judicial Council, adopted the "*Policy on the detection and management of corruption risks and exposure of courts*", which encompasses rules on the conduct of judges and judicial staff, risk management, the procedure for reporting unethical or illegal conduct, rules on lobbying and accepting gifts, education on integrity and prevention of corruption, the collection and monitoring of data on the observed judicial field, and the transparency of operations. The Policy has been published on-line by the Supreme Court under the Section "Strategic documents" and on the web-sites of all courts¹. The authorities also submit that the managing role of the Policy has been given to the Judicial Council, as stipulated in Articles 28 and 60.č of the Courts Act (i.e. in terms of its adoption and implementation as well as to amend the Policy). In brief, the Policy contains definitions of integrity and corruption and reminds judges of the ethical principles they are to follow and gives references to the Code of Judicial Ethics as well as to guidelines adopted by the Commission for Ethics and Integrity at the Judicial Council. Furthermore, the Policy deals with issues, such as the provision of

¹ http://www.sodisce.si/mma_bin.php?static_id=20160405133725

timely, efficient and publicly accessible judicial proceedings, management of corruption risks, conflicts of interest, asset declarations, ethical principles and transparency of the judiciary. The Policy makes references also to the Integrity and Corruption Prevention Act as well as to the work of the Commission for the Prevention of Corruption.

41. GRECO takes note of the information provided. It commends the Slovenian authorities for having adopted a policy on risks of corruption in the judiciary as required by this recommendation. GRECO also notes that the implementation of the Policy is to be supervised by the Judicial Council, which may also propose amendments to it. Furthermore, the Policy document is widely distributed as available on-line.
42. GRECO concludes that recommendation ix has been implemented satisfactorily.

Recommendation x.

43. *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.*
44. GRECO recalls that this recommendation was partly implemented in the Interim Compliance Report. GRECO welcomed the organisation of training sessions as well as the setting-up of the Commission for Ethics and Integrity, which is competent to provide advice to judges but had not started its activity at the time. The recruitment of a judge-counsellor was also underway at the time of adoption of the Interim Compliance Report.
45. The authorities now indicate that the Judicial Training Centre within the Ministry of Justice includes topics related to ethics and integrity in the judicial field (e.g. integrity and risk factors in courts; personal, ethical and legal presumptions of the independence of judges and state prosecutors; ethical standards and judicial decision-making) in its education programmes. These topics were dealt with in 12 educational periods in 2015, and in 14 educational periods in 2016. Other topics aimed at training judges on how to maintain an ethical position and attitude. The authorities also mention the organisation in 2014 and 2015 of one-day individual seminars on the topic of judicial ethics and integrity, with the participation of Slovenian judges, legal experts and other professionals outside the judicial field. The training had also been presented by domestic and foreign lecturers. A one-day workshop on ethics and integrity was also carried out 4 times in June and September 2016. The Commission for Ethics and Integrity at the Judicial Council establishes guidelines for judges and is also competent to provide counselling in this respect. Concerning the appointment of a judge-counsellor, the authorities state that no candidate has been appointed to date.
46. GRECO takes note of the information reported. It welcomes the organisation of a vast number of training sessions for judges on ethics and integrity. It also welcomes that the Commission for Ethics and Integrity, at the Judicial Council, establishes guidelines for judges in addition to those already established in the Code of Judicial Ethics and noted that this Commission is also competent to provide advice to judges. Consequently, GRECO considers that the objectives of this recommendation, i.e. to provide training and counselling services, have been achieved. That said, it encourages the authorities to further consider the appointment of a specific counsellor within the Commission for Ethics and Integrity.
47. GRECO concludes that recommendation x has been implemented satisfactorily.

Corruption prevention in respect of prosecutors

Recommendation xiii.

48. *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.*
49. GRECO recalls that this recommendation was partly implemented in the Interim Compliance Report, as a Code of State Prosecutorial Ethics had been adopted as a new principle instrument but that practical examples and comments on the general principles contained in the Code had not been developed by the Commission for Ethics and Integrity of the Prosecutorial Council at the time of adoption of the Interim Compliance Report.
50. The authorities now state that the Commission for Ethics and Integrity within the Prosecutorial Council has officially started its work of developing concrete comments to some of the principles featured in the Code of Prosecutorial Ethics, by delivering one principled opinion and adopting one recommendation. The Commission has also held four regular sessions as well as one correspondence session, and is expected, to develop a further set of practical examples and comments on the principles of the Code.
51. GRECO notes that the Commission for Ethics and Integrity of the Prosecutorial Council has started its work, notably regarding the general principles contained in the Code of Prosecutorial Ethics. That said, it has yet to develop explanatory comments and/or practical examples to the principles contained in the Code, as the recommendation requests.
52. GRECO concludes that recommendation xiii remains partly implemented.

Recommendation xiv.

53. *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.*
54. GRECO recalls that at the time of adoption of the Interim Compliance Report, this recommendation had not been implemented. It welcomed, as already mentioned above, the establishment of the Commission for Ethics and Integrity but regretted that it had not started its work.
55. The authorities now submit that, on 25 June 2016, the Commission for Ethics and Integrity of the Prosecutorial Council adopted "Recommendations for prosecutors on conflicts of interest with respect to the conduct expected of them in their private life and in cases when prosecutors move to the private sector" (hereafter: the "Recommendations"). The "Recommendations" are based on the Code of Prosecutorial Ethics, and describe the appropriate way for prosecutors to act in order to preserve a high level of integrity, ethics and morals. They were drafted by the Office of the State Prosecutor General in cooperation with the Commission for the Prevention of Corruption (CPC), on the basis of the answers to an online survey on moral and ethical dilemmas which was sent out to prosecutors from all state prosecutors' offices in April 2016. The survey itself had been set up by the Office of the State Prosecutor General, the Prosecutorial Council, the CPC, the Commission, the Slovenian association of Public Prosecutors and the District State Prosecutor

Office in Celje. The information gathered will also be used for future training sessions. The authorities state that the Commission's opinions of a general nature and recommendations will be published on its website and in its internal newsletter. Violation of the "Recommendations" will result in a disciplinary procedure which is regulated by Articles 80-82 of the State Prosecutor's Office Act (SPOA).

56. GRECO welcomes the adoption by the Commission for Ethics and Integrity within the Judicial Council of the Recommendations for prosecutors on conflicts of interest which is the result of thorough preparations, involving the State Prosecutor General and all prosecution offices as well as the Commission for the Prevention of Corruption. The guidelines have been made public and are available on-line. Moreover, these guidelines are subject to disciplinary sanctions.
57. GRECO concludes that recommendation xiv has been implemented satisfactorily.

Recommendation xv.

58. *GRECO recommended that in order to avoid conflicts of interest, that clear rules/guidelines be introduced for situations where prosecutors move to the private sector.*
59. GRECO recalls that the recommendation was not implemented according to the Interim Compliance Report.
60. The authorities now reiterate the information provided for recommendation xiv regarding the adoption by the Commission for Ethics and Integrity of the "Recommendations". As previously mentioned, these "Recommendations" also contain guidelines for situations where prosecutors move to the private sector. They aim at raising awareness about prosecutors' moral duties and what is expected from them after they move to the private sector.
61. GRECO welcomes once again the adoption of the "Recommendations" which provide guidance to former prosecutors moving to the private sector in order to avoid conflicts of interest.
62. GRECO concludes that recommendation xiv has been implemented satisfactorily.

Recommendation xvi.

63. *GRECO recommended (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.*
64. GRECO recalls that the recommendation was not implemented in the Interim Compliance Report. Although the development of a draft policy had begun, this activity was still at a very early stage at the time of adoption of the Interim Compliance Report.
65. The authorities now report that pursuant to the State Prosecutor Act and in agreement with the State Prosecutorial Council, the State Prosecutor General adopted the Policy on the discovery and management of corruption risk and of the exposure of state prosecution services (hereafter: the Integrity Policy) in March 2016. The Integrity Policy defines systemic and specific risks of corruption and intends to provide guidance to all employees at the State Prosecution Service and

increase their role in ensuring a high level of integrity of the State Prosecution Service. Furthermore, the Policy establishes a Working Group for Integrity and sets up a plan to discover and manage corruption risks. The Working Group for Integrity is composed of a group leader, who is the custodian of the integrity plan and at least a senior state prosecutor and two members of the State Prosecutor's Office. At least one member of the working group is to be replaced on an annual basis. The Working Group is appointed by the State Prosecutor General. Article 5 of the Integrity Policy document stipulates that the Working Group is to cooperate with the Commission for Ethics and Integrity and other state prosecution services. The Policy is publicly available on the website of the Office of the State Prosecutor General.

66. GRECO takes note of the information provided. It welcomes the adoption of the Policy on the discovery and management of corruption risk and of the exposure of state prosecution services. The Policy deals with systemic and special risks of corruption. GRECO also welcomes the establishment of the Working Group for Integrity, which is to manage and develop the Policy and to be a co-ordinating mechanism between various interlocutors, such as the Commission for Ethics and Integrity and the prosecution service at large. The Policy is made public at the website of the Office of the State Prosecutor General.

67. GRECO concludes that recommendation xvi has been implemented satisfactorily.

Recommendation xvii.

68. *GRECO recommended that appropriate training and counselling services on ethics and integrity be made available to all prosecutors.*

69. GRECO recalls that this recommendation was partly implemented at the time of adoption of the Interim Compliance Report since training activities on ethics had been organised for both judges and prosecutors. However, no concrete measures had been taken to offer prosecutors appropriate advice and guidance on these themes.

70. The authorities of Slovenia now report that following the adoption of the aforementioned Integrity Policy, the counselling services available to prosecutors are now divided between the Commission for Ethics and Integrity and the Working Group for Integrity. According to Article 5 of the Policy document, the Working Group "shall provide other state prosecution services with assistance and advice in the field of integrity and monitor the implementation of their integrity plans". The authorities furthermore submit that all state prosecutors have been informed about the existence of both entities and their duties. They also refer to 10 additional training events, workshops, seminars and education programmes set up by the Centre for Judicial Training in 2015 and 2016 for judges and prosecutors, and on topics such as "Integrity and risk factors in courts" and "Personal, ethical and legal presumptions of the independence of judges and state prosecutors".

71. GRECO notes that with the adoption of the Integrity Policy and the establishment of the Working Group for Integrity, prosecutors can now receive counselling from either the Commission for Ethics and Integrity, the Working Group for Integrity or from both. In addition to what was stated on training in the Interim Compliance Report, GRECO is satisfied with the additional training activities on ethics and integrity that have been organised by the Centre for Judicial Training for prosecutors at all levels.

72. GRECO concludes that recommendation xvii has been implemented satisfactorily.

Recommendation xviii.

73. *GRECO recommended (i) that a public communication strategy be adopted and (ii) that relevant training be provided as appropriate.*
74. GRECO recalls that this recommendation was assessed as partly implemented in the interim Compliance Report, as training activities on communication had been organised, but a public communication strategy had yet to be adopted.
75. The Slovenian authorities now report that information on the work of the State Prosecutor's Office is provided to the public in accordance with the State Prosecutor's Office Act and the State Prosecutorial Rules. The State Prosecutor General also authorised the heads of State Prosecutor's Offices to forward information on their work to the media. The authorities furthermore submit that according to available data, state prosecutors appear more often in the media now than in the past, which they attribute to the increasing number of training sessions on public appearance. However, the process of recruiting a communication expert, which had already started at the time of adoption of the Interim Compliance Report, has been further delayed. The Commission on Ethics and Integrity is expected to appoint in 2016 a communication expert who is to draft the public communication strategy of the prosecution service.
76. GRECO takes note of the measures taken by the State Prosecution Office to increase the submission of information to the public, including more frequent public appearances by prosecutors. It understands that unforeseen circumstances have delayed the appointment of a person in charge of public communication on behalf of the prosecution services and, therefore, that the adoption of a public communication strategy has not as yet been adopted.
77. GRECO concludes that recommendation xviii remains partly implemented.

Corruption prevention regarding all categories under review

Recommendation xix.

78. *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.*
79. GRECO recalls that this recommendation was considered not implemented in previous compliance reports, as the budget of the Commission for the Prevention of Corruption (CPC) had decreased rather than increased since 2012. At the time of the adoption of the Interim Compliance Report, the authorities mentioned that negotiations were being carried out for the Government to allocate more budget and staff to the CPC in 2016-2017, but the budget had not yet been adopted at the time.
80. The authorities now report, on the one hand, that the situation of the CPC in terms of budget and staffing remains rather stable; no particular increases have appeared. On the other hand, in a situation of budgetary restraints where several state institutions have been faced with budgetary cuts, the CPC has been able to maintain its resources and even to increase its staff to some extent. In these circumstances, the CPC, considering significant budget cuts in other areas, takes the view that it is sufficiently resourced to carry out its duties, among them those described in the recommendation.

81. GRECO takes note of the information provided by the authorities of Slovenia, which indicate that no substantial changes have occurred since the adoption of this recommendation. Having said that, GRECO also notes that the recommendation, which is entirely about the provision of adequate resources (budget and staffing) to the CPC, as explained in the Evaluation Report (paragraph 232), was also about preventing further cuts in the budget of the CPC, which appears to have been achieved.
82. GRECO concludes that recommendation xix has been partly implemented.

III. CONCLUSIONS

83. **In view of the above, GRECO concludes that Slovenia has made substantial progress as regards the implementation of the recommendations found to be not implemented or partly implemented in the Fourth Round Interim Compliance Report. In total, twelve of the nineteen recommendations contained in the Fourth Round Evaluation Report have now been implemented satisfactorily or dealt with in a satisfactory manner.** Of the remaining recommendations, five have been partly implemented and two remain not implemented.
84. More specifically, recommendations iv, vi-xii and xiv-xvii have been implemented satisfactorily or dealt with in a satisfactory manner. Recommendations i, iii, xiii and xviii have been partly implemented and recommendations ii, v, xix remain not implemented.
85. As regards corruption prevention in respect of members of parliament, the situation remains to a large extent the same now as it was at the time of adoption of the Interim Compliance report. That said, it would appear that some progress is underway and that some progress has been achieved with the decision to designate the National Council's Commission for Public Office and Immunity to provide counselling on ethics and integrity to its members.
86. More positive developments have occurred with respect to judges. The Commission for Ethics and Integrity at the Judicial Council has adopted several general opinions and guidelines on conflicts of interest for judges. GRECO furthermore notes the elaboration of the Commentary to the Code of Judicial Ethics, which includes guidelines on the conduct expected of judges and advice for them to deal with conflict of interest situations. Moreover, a policy on the detection and management of corruption risks and exposure to courts has been adopted and training sessions for judges on ethics and integrity have been organised as recommended. However, importantly, the procedure of appointment of judges to the Supreme Court has yet to be re-considered in order to minimise political influence in this respect.
87. Positive developments have also taken place as far as prosecutors are concerned. The achievements comprise the adoption by the Commission for Ethics and Integrity within the Prosecutorial Council of guidelines for various situations of conflicts of interest. Furthermore, prosecutors may now receive counselling from within the organisation and training on ethics has been carried out. However, a communication strategy remains to be adopted.
88. In view of the above, GRECO concludes that the current level of compliance with the recommendations is no longer "globally unsatisfactory" in the meaning of Rule 31, paragraph 8.3 of the Rules of Procedure. GRECO therefore decides not to continue applying Rule 32 concerning members found not to be in compliance with the recommendations contained in the Evaluation Report.

89. Pursuant to paragraph 8.2 of Rule 31 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, xiii, xviii and xix) by 30 September 2017.
90. Finally, GRECO invites the authorities of Slovenia to translate the report into the national language and to make this translation public.