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FIFTH EVALUATION ROUND

Preventing corruption and promoting integrity in
central governments (top executive functions) and
law enforcement agencies

COMPLIANCE REPORT

SLOVENIA



Adopted by GRECO
at its 86th Plenary Meeting (Strasbourg, 26-29 October 2020)



Group of States against Corruption
Groupe d'États contre la corruption

COUNCIL OF EUROPE



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I. INTRODUCTION

1. GRECO's Fifth Evaluation Round deals with "Preventing corruption and promoting integrity in central governments (top executive functions, PTEF) and law enforcement agencies (LEA)".

2. This Compliance Report assesses the measures taken by the Slovenian authorities to implement the recommendations issued in the Fifth Round Evaluation Report on Slovenia, which was adopted at GRECO's 78th Plenary Meeting (8 December 2017) and made public on 8 March 2018, following authorisation by Slovenia ([GrecoEval5Rep\(2017\)2](#)).

3. As required by GRECO's Rules of Procedure¹, the Slovenian authorities submitted a Situation Report on measures taken to implement the recommendations contained in the Evaluation Report. This report was received on 1 October 2019 and served, together with information submitted subsequently, as a basis for the Compliance Report.

4. GRECO selected Spain (with respect to top executive functions in central governments) and Croatia (with respect to law enforcement agencies) to appoint Rapporteurs for the compliance procedure. The Rapporteurs appointed were Mr Rafael Vaillo Ramos, on behalf of Spain, and Mr Dražen Jelenić on behalf of Croatia. They were assisted by GRECO's Secretariat in drawing up the Compliance Report.

5. The Compliance Report examines the implementation of each individual recommendation contained in the Evaluation Report and establishes an overall appraisal of the level of the member's compliance with these recommendations. The implementation of any pending recommendation (partially or not implemented) will be assessed on the basis of a further Situation Report to be submitted by the authorities 18 months after the adoption of the present Compliance Report.

II. ANALYSIS

6. GRECO addressed 15 recommendations to Slovenia in its Evaluation Report. Compliance with these recommendations is dealt with below.

Corruption prevention and promotion of integrity in respect of central governments (top executive functions)

Recommendation i.

7. *GRECO recommended that the Commission for the Prevention of Corruption be provided with adequate financial and personnel resources to effectively perform its tasks with respect to persons entrusted with top executive functions, in particular in the areas of asset declarations, conflicts of interest, lobbying and integrity plans.*

8. The Slovenian authorities refer to reflecting annual budgets allocated to the Commission for the Prevention of Corruption (hereafter "CPC") for 2015-2019 and staff for 2013-2019. In particular, the budget equalled €1,626,500 for 2015, €1,703,169 for 2016,

¹ The Compliance procedure of GRECO's Fifth Evaluation Round is governed by its Rules of Procedure, as amended: Rule 31 revised bis and Rule 32 revised bis.

€1,716,340 for 2017, €1,811,848 for 2018 and €1,773,602 for 2019. The budgets proposed for 2020 and 2021 were €1,932,864 and €2,001,529 respectively. According to the CPC, the number of its staff was 40 in 2013 and 37 in 2019. Six staff members are responsible for overseeing and raising awareness of integrity plans, three are tasked with verifying conflict of interest situations, two are in charge of verifying asset declarations and one is responsible for supervision as regards the rules on lobbying. Further, on 5 July 2020, an inter-ministerial meeting took place at the initiative of the Ministry of Justice, where representatives of the latter supported that the budget and staff of the CPC be increased in the light of the implementation of foreseen amendments to the Integrity and Prevention of Corruption Act.

9. GRECO takes note of the information provided by the CPC. It would appear that the human and financial resources continue to be routinely allocated to the CPC in a similar manner, as it was the case prior to GRECO's recommendation. GRECO notes an increase in the number of staff allocated to oversee conflict of interest situations; however, the number of personnel in charge of other tasks remains very similar to what it was at the time of the adoption of the Evaluation Report. While the alleged support of the Ministry of Justice to increase the resources of the CPC is a positive signal, this has not materialised. As a result, GRECO cannot consider the recommendation to be implemented even partly.

10. GRECO concludes that recommendation i has not been implemented.

Recommendation ii.

11. *GRECO recommended that the shortcomings identified in the Integrity and Prevention of Corruption Act as regards the "sui generis" procedure before the Commission for the Prevention of Corruption, post-employment restriction rules, rules on lobbying and the extension of oversight to family members in case of a disproportionate increase of assets be remedied through the adoption of new or amended legislation.*

12. The Slovenian authorities report that the process of amending the Integrity and Prevention of Corruption Act (hereafter "IPCA"), has resulted in a draft text approved by the Government, which had been transmitted to Parliament. On 25 September 2019, the Parliamentary Commission on State Regulation examined the draft, but provided a negative opinion on it. The continuation of the discussion regarding the draft has been postponed to October 2020.

13. According to the authorities, the draft amendments would, *inter alia*, provide that the procedure before the CPC shall be regulated *mutatis mutandis* by general administrative procedures, the CPC's preventive function and guidance on integrity matters are emphasised and the distinction between such functions of the CPC and the powers of the Police and State Prosecutors Office regarding the investigation of corruption offences is clarified. The amendments intend to broaden post-employment restrictions applicable under the IPCA on lobbying and business operations and introduce reporting to the CPC by interest groups on lobbying contacts. Further, it is also intended to introduce a new procedure for monitoring and establishing a disproportionate increase in property, and to extend supervision of high officials' property to members of their family. The CPC expresses the view that some of the loopholes identified in the course of the implementation of the law are not fully addressed in the draft, such the need to distinguish lobbying from activities of NGOs advocating human

rights, the need to clarify the definition of lobbying, and the exemption of legal and authorised representatives of companies or interest groups from registering as lobbyists.

14. GRECO takes note of the information provided by the authorities. It recalls that work on amending the IPCA was initiated already in 2014 and went through several stages of consultation with relevant stakeholders and the public. While the Government has submitted draft amendments to Parliament in July 2019, it is still pending before Parliament.

15. GRECO concludes that recommendation ii has not been implemented.

Recommendation iii.

16. *GRECO recommended that an integrity plan be established in respect of the government, as an overarching structure to the plans existing in each ministry.*

17. The Slovenian authorities reiterate their position expressed in the course of the adoption of the Evaluation Report, suggesting that an integrity plan for the Government would not be feasible. According to the authorities, this is due to the fact that the Government is not a state body which, in line with the provisions of the IPCA, would be under an obligation to set up a separate integrity plan, unlike separate ministries, which have their respective integrity plans in place. The authorities add that a Government integrity plan would not be compatible with the existing ministries' plans, as the risks and their management differ considerably from one ministry to the other. While recognising the importance of integrity plans for preventing and eliminating corruption, the authorities take the view that transparent functioning and decision-making of the Government is already sufficiently regulated (e.g. through the Rules of Procedure of the Government) and is subject to public scrutiny by civil society and the general public.

18. Further, the authorities maintain that safeguards against risks of unethical or corrupt behaviour of the Government as a whole, as well as of its individual members, are provided in the provisions of the IPCA (e.g. on the conduct regarding a potential conflict of interest, restriction of carrying out additional activities, declaring and managing of gifts received in connection with the exercise of official duties, declaration of assets, lobbying etc.). Standards of conduct of high officials are also defined in the Code of Ethics for High Officials of the Government and the Ministries, adopted in 2015. The authorities argue that the responsibility of the Government officials is primarily political, and in case of breach of integrity rules, the CPC has the powers to take action. It is the authorities' position that consequences of violations of such rules cannot be defined in the integrity plan, or the code of ethics, but can only be subject to political responsibility.

19. In contrast to the Government position, the CPC has provided separate comments on this issue (submitted to GRECO) that a dedicated integrity plan of the Government would in fact be beneficial for strengthening of ethical conduct of members of the Government and better management of risks. The CPC refers to the lack of implementation of the existing provisions in practice, and stresses that ministers when acting as members of the Government, differ significantly from when they act as individual ministers, in terms of proceedings and representation.

20. GRECO takes note of the divergent information provided by the Slovenian authorities. It regrets that this recommendation has not been implemented and reiterates the findings of the Evaluation Report according to which a dedicated integrity plan of the Government (as a collective body) would certainly have an added value. An integrity plan would also have merit in educating (new) members of government and of their cabinets on integrity challenges. GRECO notes that the CPC takes the same view as GRECO in this respect and urges the Slovenian authorities to implement the present recommendation.

21. GRECO concludes that recommendation iii has not been implemented.

Recommendation iv.

22. *GRECO recommended developing efficient internal mechanisms to promote and raise awareness of integrity matters in the government, including confidential counselling and training at regular intervals of persons entrusted with top executive functions.*

23. The Slovenian authorities report that the Ministry of Public Administration organised joint meetings with the General Secretariat of the Government, the Office of the Prime Minister and the Government Office for Legislation in 2018-2019, and has had consultations with the CPC. To raise government high officials' awareness of integrity and anti-corruption, information on these topics has been posted on the official website of the Government.² According to the authorities, the Guide to Conduct for High Officials in the Event of Lobbying has been disseminated to all ministers in September 2018. More detailed information on integrity of the Government high officials, as well as opinions of the CPC and a link to its website, are also available on the Government Intranet. In addition, the authorities specify that expert advice and guidance regarding the conduct of high officials facing possible ethical dilemma may be requested from the employees responsible for integrity issues in their respective ministries, as well as from the CPC, as envisaged under Article 12 of the IPCA. The CPC also publishes on its website principled opinions relating to such matters, which serve as guidance.

24. Furthermore, the authorities report that in May 2019 the Ministry of Public Administration organised two training sessions for high officials (ministers and state secretaries) and public servants employed in their offices, on the topic "Integrity in the Public Sector". The training focussed on integrity and corruption prevention, based on real cases.

25. In addition, the CPC submits that no increase was observed in confidential counselling or guidance requests, addressed to it from the PTEFs during the reporting period. The CPC provided information packages related to integrity, ethics and conduct issues to all newly appointed office-holders of the current Government in April 2020.

26. GRECO takes note of the information provided by the authorities. It would appear that several efforts have been made to raise the awareness of integrity matters, including through information sessions, dissemination of materials and making relevant rules and guidelines

² This information appears under the tab "INTEGRITETA" ("INTEGRITY"), which includes the following sections: "Integrity in the Public Sector", "Code of Ethics for High Officials of the Government", Integrity in Public Procurement, When Lobbying is Allowed and When Not. The Government website also contains the full text of the Code of Ethics for High Officials of the Government and the Ministries and a Guide to Conduct for High Officials in the Event of Lobbying.

public via the Internet/Intranet. However, the participation of the PTEFs in information meetings on integrity matters remains rather low and GRECO sees no real measures aiming at developing an efficient internal mechanism to promote and raise awareness of integrity matters in the government. Further, no training at regular interval has been established and it would appear that no new measures in respect of promoting confidential counselling have been reported.

27. GRECO concludes that recommendation iv has been partly implemented.

Recommendation v.

28. *GRECO recommended ensuring that all contacts of persons entrusted with top executive functions with lobbyists and other third parties who seek to influence government decision-making are duly reported, including those from legal and authorised representatives of companies and interest groups.*

29. The Slovenian authorities inform GRECO that regular reporting of high officials on their contacts with lobbyists is among the objectives of awareness-raising activities referred to in relation to recommendation iv. As to the transparency of relations of governmental high officials with lobbyists, the authorities state that verifications are carried out by the CPC on the basis of comparison of reported contacts with lobbyists, their content and purpose, with the annual reports submitted by registered lobbyists. Further, the authorities state that draft amendments to the IPCA envisage introducing an obligation of interest groups employing lobbyist to report their lobbying activities. This new obligation aims at providing the CPC with a new tool for transparency of lobbying activities. In addition, the authorities refer to activities involving state authorities and local community administrations carried out by the Ministry of Public Administration in the context of ensuring a faster transmission of records of lobbying contacts.

30. Moreover, the CPC informs GRECO that in the course of 2019, four information meetings were conducted by the CPC for government officials on the topic of lobbying, one of which was attended by ministers and state secretaries, while others were attended mostly by civil servants.

31. GRECO takes note of the information provided by the authorities and takes the view that the reasons underlying this recommendation have not been comprehensively addressed so far. No information has been provided as to any developments regarding the registration of lobbyists (71 were registered at the time of the on-site visit, while there were between 100 and 300 active lobbyists *de facto* in Slovenia). Apart from the information meetings conducted by the CPC in 2019 (one of which was attended by PTEFs), the authorities have reported no significant measures to raise the awareness of the rules on lobbying among the PTEFs. No information has been provided as regards measures to broaden the narrow definition of lobbying, which leaves third parties to a large extent out of the scope. (see paragraph 83 of the Evaluation Report). Finally, no dedicated measures have been reported to ensure timely reporting of PTEFs in respect of third parties seeking to influence government decision-making, and the measures intended to be introduced through amendments to the IPCA may only have an indirect effect on the need for PTEFs to report their lobbying contacts.

32. GRECO concludes that recommendation v has not been implemented.

Recommendation vi.

33. *GRECO recommended developing within the government an organisational strategy and practices to improve the management of conflicts of interest, including through responsive advisory, monitoring and compliance mechanisms.*

34. The Slovenian authorities do not report any specific measures or developments relevant to the implementation of this recommendation.

35. GRECO regrets that no measures appear to have been taken to implement this recommendation, while according to the CPC, conflict of interest represented a significant problem in the public sphere (see paragraph 93 of the Evaluation Report).

36. GRECO concludes that recommendation vi has not been implemented.

Recommendation vii.

37. *GRECO recommended considering widening the scope of asset declarations to also include information on the spouses and dependent family members of ministers and state secretaries (it being understood that such information would not necessarily need to be made public).*

38. The Slovenian authorities inform GRECO that the current regulations envisage mandatory reporting of assets in shared ownership of persons subject to declaring their assets and their family members. On the occasion of preparing amendments to the IPCA, the Ministry of Justice is said to have examined a possibility of extending declarations of assets to cover family members of persons subject to such declarations, on the occasion of coordination meetings with representatives of the Information Commissioner (6 February 2019, 17 April 2019) and the Ministry of Public Administration (22 January 2019, 17 April 2019). According to the authorities, a final examination of this matter took place at a joint meeting of the Ministry of Justice with the CPC on 13 May 2019, whereby the Ministry concluded that such an extension would not be necessary, as the current system of asset declarations was considered sufficient.

39. Contrary to this information, the CPC refers to an information meeting organised on 8 March 2018 by the CPC about the steps to be taken in order to implement the present recommendation. The CPC highlighted the importance of involving all relevant stakeholders and the need to duly record the deliberations. The CPC states that no such joint consideration took place. At a meeting between the CPC and the Ministry of Justice in May 2019, this specific matter was raised towards the very end of the meeting, and could not be discussed owing to the short notice and the absence of relevant stakeholders.

40. GRECO takes note of the contradictory information provided. It cannot disregard the information provided by the CPC that no proper consideration on this recommendation has taken place. GRECO recalls that according to its well-established practice, "consideration" requires a reflection process taking into account the underlying concerns of a recommendation, that the issue is examined at depth by an appropriate authority and that the process has been documented. The minutes of the meeting of 13 May 2019, provided by the authorities do not demonstrate that such consideration had taken place.

41. GRECO concludes that recommendation vii has not been implemented.

Recommendation viii.

42. *GRECO recommended (i) ensuring timely publication of the ministers and state secretaries' asset declarations and (ii) that substantive checking of these asset declarations be carried out by the Commission for the Prevention of Corruption.*

43. The Slovenian authorities report that the applicable provisions of the IPCA already foresee the publication of changes to the assets of high officials; however, they are not implemented in practice. The draft amendments to the IPCA currently in preparation foresee that persons subject to annual asset declarations should be reporting on any increase in their assets, and that such information should be published electronically. The authorities state that this amendment would facilitate both the reporting and the publication of changes in assets. The draft amendments also indicate that ensuring the accuracy of data contained in a declaration would be the responsibility of the declaring person.

44. In addition, the CPC informs GRECO that it examined asset declarations of three ministers in 2018, and a further 12 newly appointed ministers in 2019. The CPC states that only two of its staff members are tasked with performing checks of asset declarations, while there are 16,980 officials in Slovenia subject to such declarations. The CPC stresses that the draft amendments to the IPCA are limited to publication of the changes in the financial situation, but do not cover publication of asset declarations *per se*. According to the CPC, the draft amendments do not address the aspect of timely publication of the ministers' and state secretaries' asset declarations and neither the substantive checking of these declarations.

45. GRECO notes again the divergent information provided by the authorities. It would appear that some legislative amendments are planned to enhance the transparency of asset declarations, while not addressing the timing of publication of such declarations. As to the second part of the recommendation, no new measures have been reported to ensure substantive checking of asset declarations by the CPC. It follows that GRECO cannot consider this recommendation implemented.

46. GRECO concludes that recommendation viii has not been implemented.

Recommendation ix.

47. *GRECO recommended publishing information about the outcome of violation procedures undertaken under the Integrity and Prevention of Corruption Act in respect of persons entrusted with top executive functions.*

48. The Slovenian authorities report that draft amendments to the IPCA would provide for the possibility for the CPC to publish information on the results of proceedings in cases of violations of the IPCA, including in relation to PTEFs. According to the draft amendments, the CPC could publish such decisions, including details of the official concerned etc.

49. GRECO takes note of the information provided, i.e. that draft amendments to the IPCA would allow publishing information about violations of the IPCA. While this appears to go in

the direction of the recommendation, the legislative amendments have not been adopted (see also paragraph 14).

50. GRECO concludes that recommendation ix has not been implemented.

Corruption prevention and promotion of integrity in respect of law enforcement agencies

Recommendation x.

51. *GRECO recommended (i) enhancing risk management within the police, by further developing an intelligence collection plan to identify corruption problems and emerging trends, coupled with a regular assessment mechanism, which is adequately resourced, and aims at reducing or eliminating the identified risks; (ii) strengthening public reporting tools on integrity and corruption prevention measures in the police.*

52. The Slovenian authorities report that amendments to the Organisation and Work in the Police Act have been drafted with the aim of collecting different types of information (including records of gifts, additional work and complementary activities, notifications of conflict of interest, non-public contacts or lobbying) which would allow risk identification. The amendments also aim at providing the police with a legal basis for the recording of data for analytical purpose. According to the authorities, upgrading of public reporting tools on integrity and corruption prevention is contingent on the adoption of above amendments to the Organisation and Work in the Police Act. The authorities report that an inter-institutional coordination of draft amendments has been stalled in the first half of 2020 by the COVID-19 pandemic situation.

53. GRECO takes note of the information concerning draft amendments to the Police Act to make it possible to collect intelligence needed to identify corruption risks and emerging trends. It appears that the drafting of amendments is at an early stage. GRECO received no other information regarding measures taken or envisaged in respect of an assessment mechanism and no progress appears to have been made as regards the strengthening of public reporting tools on integrity.

54. GRECO concludes that recommendation x has not been implemented.

Recommendation xi.

55. *GRECO recommends strengthening the existing mechanisms for career promotion and dismissal in the police in order to ensure that they are fair, merit-based and transparent, including abandoning the practice where the supervisor decides on this single-handedly. Particular attention should be paid to the recruitment and integration of women at all levels in the police structure.*

56. The Slovenian authorities report that, as regards the first part of the recommendation, the procedures for promotions to higher grades continue to be carried out by the immediate superiors of the police officers concerned. However, the authorities emphasise that such decisions may be challenged before a three-member committee within the police. They also reiterate that transfers to other posts are carried out on the basis of internal competitions

through a selection procedure conducted by a committee. The results of this procedure may also be challenged through administrative procedure, or before court.

57. The authorities report that work has been initiated to reform the career system within the police so as to better respond to the needs of the police covering, *inter alia*, monitoring and planning career paths; education and training; evaluation; promotion; transfers; hierarchy definition and renewal of rank insignia. On 4 February 2019, a dedicated working group was established within the police with the purpose of drafting a proposal on a police career system, which will include developing a governance model for management and selection procedures of chief police officers. According to the authorities, the working group has so far focussed on amending, in cooperation with the police trade unions, some provisions of the Collective Agreement for police officers, and compiling recommendations for further development of the police career system. It is also represented at the Government negotiation group regarding the implementation of the Agreement on solution of strike demands in the police.

58. In addition, the authorities report that an evaluation of the suitability of the existing measures as regards fairness of specific dismissal decisions, and assessment of professional and organisational integrity in the police is being carried out jointly by the Division of Development and Systemic Tasks and of the Division of Internal Investigation and Integrity. The authorities inform GRECO that as a result of this evaluation, the practice of dismissal decisions being taken by single supervisors only has been abandoned. The aim of the evaluation is informing further decisions regarding this issue.³ In the additional comments, the authorities refer to provisions regarding promotion and dismissal of police officers by their supervising officer, which were in place at the time of the on-site visit, and suggest that it is not envisaged to modify these procedures.

59. As to the second part of the recommendation, the Slovenian authorities inform that they follow provisions of Article 7 of the Public Employees Act, which states that recruitment procedures of public employees are carried out by providing equal access to work posts to all interested candidates under equal conditions, in a manner guaranteeing the selection of a professionally best qualified candidate for the performance of tasks inherent to the post. The authorities also refer to the provisions of Article 6 of the Employment Relationships Act, which promotes equal treatment of candidates and already-recruited officers and prohibits discrimination of different grounds, including gender. By way of example, the authorities refer to the appointment on 5 October 2018 of a woman as a Director General of the Police, who was promoted from the post of the Deputy Director General. Finally, the authorities report that a gender-balanced representation in the police is being promoted, *inter alia*, that greater emphasis is being placed on presenting the work in the police as an attractive profession also for women. According to the authorities, in 2018-2020 around 26% of police officers in Slovenia were women. The percentage of promotions of female police officers was at a rate of 9,4% of all promotions.

60. GRECO takes note of the information provided by the authorities. The reform process has been initiated with the aim of improving the career system within the police, and the evaluation process has begun under the supervision of the Office of the Director General of the Police to improve the current system of promotion and dismissal of police officers. GRECO also notes some steps taken towards promoting the profession of a police officer among

³ The results of this evaluation are expected to be submitted to the Office of the Director General of the Police.

women. The measures reported by the authorities may set ground for considerable progress in these areas; however, they are only at an early stage and tangible results are yet to be seen, including the review of the practice of promotions and dismissals by a single supervising officer. In this connection, GRECO is seriously concerned by reports of recent dismissals and appointments⁴ of top Police officials, which have been surrounded by allegations for lacking transparency, be based on political preferences etc., and may well jeopardise effective investigations into corruption offences. The authorities have confirmed that these appointments have been subject to extensive media coverage. To sum up, GRECO cannot consider this recommendation implemented, even partly.

61. GRECO concludes that recommendation xi has not been implemented.

Recommendation xii.

62. *GRECO recommended developing an organisational strategy and practices to improve the management of conflicts of interest in the police, including through responsive advisory, monitoring and compliance mechanisms.*

63. The Slovenian authorities report that so far, no new organisational strategy has been put in place in the police to improve the management of conflicts of interest. Such situations continue being managed by senior police officers, based on requests from officers under their hierarchical supervision, as was the case at the time of the adoption of the Evaluation Report. Further, the authorities state that the draft amendments to the Organisation and Work in the Police Act (see paragraph 52) envisage allowing recording of oral reports, statistical data and hierarchical decisions also relating to possible conflict of interest situations. This would enable accumulating of statistical data necessary for improving a more systemic management of conflicts of interest in the police. The authorities provide no new information as regards responsive advisory, monitoring and compliance mechanisms, which remain similar to those existing at the time of the on-site visit.

64. GRECO takes note of the information provided by the authorities. It would appear that draft legislative amendments reported address the recording of conflict of interest, but are at an early stage (see paragraph 52). No steps appear to have been taken to put in place an organisational strategy for better management of conflicts of interest through advisory, monitoring and compliance mechanisms, necessary to address the shortcomings highlighted in the Evaluation Report (see paragraphs 183-185).

65. GRECO concludes that recommendation xii has not been implemented.

Recommendation xiii.

66. *GRECO recommended (i) clearly defining a reporting obligation for secondary employment that is sufficiently robust to address individual risk and organisational reputation; and (ii) ensuring that all authorisations of secondary employment are registered.*

⁴ Slovenian news reports regarding the controversial dismissals and appointments of Director General of the Police and Head of the National Bureau of Investigation:

<https://www.24ur.com/novice/slovenija/direktor-npu-razresen-brez-soglasja-nov-direktor-igor-lamberger.html>;

<https://www.24ur.com/novice/slovenija/petra-grah-lazar-ze-na-vrhu-npu.html>;

<https://www.vecer.com/kronika/npu-imenovan-novi-v-d-direktorja-10201479>.

67. The Slovenian authorities report that draft amendments to the Organisation and Work of the Police Act currently in preparation (see paragraph 52) envisage the introduction of mandatory notification to the Director General of the Police of any secondary work or activity, in which a police officer is engaged, or intends taking up. According to the draft, such notification may be followed by decisions prohibiting police officers from engaging in secondary activity, which may be appealed through administrative procedure within the Ministry of the Interior.

68. GRECO takes note of the information provided by the authorities. Some initial steps appear to be underway to address some of the shortcomings which led to the first part of this recommendation. However, draft legislation in this respect is at an early stage of preparation. The implementation of the second part of the recommendation also appears to be linked with amending the Organisation and Work in the Police Act (see paragraph 52).

69. GRECO concludes that recommendation xiii has not been implemented.

Recommendation xiv.

70. *GRECO recommended developing specific mechanisms for preventing and managing conflicts of interest after officers leave the police organisation.*

71. The Slovenian authorities concur in their comments with GRECO's findings that the existing labour legislation does not provide suitable post-employment restrictions to allow efficient management of conflicts of interest after police officers leave public service. They also refer to Articles 39-42 of the Employment Relationship Act, which, however, does not fully cater for the concerns underlying the present recommendation, as they do not extend beyond the actual period of employment.⁵ Certain restrictions on police officers' activities are also contained in Article 12 of the Private Detective Services Act. The authorities take the view that developing mechanisms for the prevention and management of conflicts of interest after police officers leave the police organisation will require more time. They express the intention of seeking advice for best practices in this respect from other states and international organisations for police cooperation.

72. GRECO takes note of the information provided by the authorities. No tangible results have been achieved to implement the present recommendation, but GRECO notes the authorities' plans to be guided by other states' good practices in this respect.

73. GRECO concludes that recommendation xiv has not been implemented.

Recommendation xv.

74. *GRECO recommended (i) resorting to a more systemic use of the multiple-eye principle, whenever possible, and (ii) strengthening the protection of whistle-blowers and making sure*

⁵ According to the authorities, Articles 39-42 contain some prohibiting competition, in particular, Article 39 of the Employment Relationship Act a statutory prohibition of competitive activity is defined, stipulating that, during the employment relationship, workers may not carry out work without the employer's written consent for their own account or for the account of a third person, nor conclude business under activities actually carried out by the employer and that constitute or might constitute competition to the employer.

that all officers are well informed of the available channels to report wrongdoing in the workplace.

75. The Slovenian authorities report that some measures have been taken to decrease risks of misconduct. In particular, handwritten fines for traffic violations are said to be gradually replaced by digital notifications, which are issued on the spot. The use of specific application entitled “e-Policist” provides some safeguards from such possible violations as the misappropriation of money paid as a fine, as the system does not allow for corrections, and makes it impossible for the officer to discontinue the procedure once the fined person provides his/her signature. The fining procedure and the proof of payment are instantly recorded through “e-Policist” in the police information system and the officer has merely to hand in the cash collected for the violation. In addition, the authorities indicate that since 2015, it has been possible to pay fines by means not involving cash, through portable terminals. It is planned to equip 19 more police units with such terminals, bringing their total number to 55.

76. As to the second part of the recommendation, the authorities indicate that the draft amendments of the Organisation and Work in the Police Act (see paragraph 52) also envisage the setting up of a website, or a section of the Police Intranet, with information for the reporting of gifts, supplementary activities and conflicts of interest. The authorities also plan to reaffirm commitment of the police leadership to zero tolerance for corruption and to raise awareness of ways and channels to report breaches in the workplace. Finally, an updated strategy on the prevention and investigation of the deflection phenomena and practices in the police is planned to be published.

77. GRECO takes note of the information provided by the authorities. Again, it is regrettable, that very little has been done to effectively address the problems underlying the recommendation at stake. Most measures taken were limited to decreasing police wrongdoings when collecting fines for traffic violations, rather than improving the actual reporting of wrongdoings in the police in general. While recognising the benefits of information technology and encouraging its use, GRECO received no information of a more systemic use of a multiple-eye principle (first part of the recommendation). No measures appear to have been taken to strengthen the protection of whistle-blowers in practice, while some measures appear to be underway through draft legislation concerning channels to report wrongdoing in the workplace.

78. GRECO concludes that recommendation xv has not been implemented.

III. CONCLUSIONS

79. **In view of the foregoing, GRECO concludes that Slovenia has not implemented satisfactorily or dealt with in a satisfactorily manner any of the fifteen recommendations contained in the Fifth Round Evaluation Report.** Only one recommendation has been partly implemented and fourteen have not been implemented. More specifically, recommendation iv has been partly implemented and recommendations i-iii, v- xv have not been implemented.

80. As regards persons entrusted with top executive functions (PTEFs), only a very modest progress has been achieved. Some efforts have been made to raise awareness of integrity matters; however, the participation of PTEFs in information meetings remains low, and no internal mechanism to promote awareness of integrity matters in the government has been developed. Several issues have not been addressed, such as increasing the staff and resources and procedure of the CPC; strengthening rules on post-employment restrictions and lobbying; widening the scope of asset declarations to include spouses and dependent family members; adopting an overarching integrity plan of the Government and an organisational strategy to manage conflicts of interest. Also, no progress has been made regarding timely publication of asset declarations of ministers and state secretaries', the substantive checks and publishing of such declarations and violations in this respect.

81. Also as regards law enforcement agencies (LEAs), very limited efforts have been made. Some legal amendments have been initiated to the Organisation and Work in the Police Act to improve risk management by further developing intelligence collection to identify corruption-related problems; however, no tangible results have been achieved. Progress is also lacking in ensuring that promotions and dismissals in the police, including top officials, are fair, merit-based and transparent. Some steps have been noted as regards the recruitment and integration of women in the police and promoting this profession among women. Moreover, there is still need to deal with a number of issues, including developing the management of conflicts of interest through advisory, monitoring and compliance mechanisms (during and after employment); establishing a reporting obligation and a registry for secondary employment; ensuring systemic use of the multiple-eye principle; and strengthening the protection of whistle-blowers. GRECO calls upon the Slovenian authorities to step up their efforts to implement the pending recommendations.

82. In view of the above, GRECO notes that considerable progress is necessary to demonstrate an acceptable level of compliance with the recommendations within the next 18 months. Pursuant to Rule 31 revised bis, paragraph 8.2 of its Rules of Procedure, GRECO invites the Head of delegation of Slovenia to submit a second Situation Report containing additional information regarding action taken to implement recommendations i-xv by 30 April 2022.

83. Finally, GRECO invites the Slovenian authorities to authorise, as soon as possible, the publication of the report, to translate it into the national language and to make the translation public.