

# THEMATIC COMPILATION OF RELEVANT INFORMATION SUBMITTED BY SLOVENIA

## ARTICLE 7 UNCAC

### PUBLIC SECTOR

#### SLOVENIA (EIGHTH MEETING)

**\* Measures that establish and strengthen systems to ensure transparency and accountability in the recruitment, hiring, retention, promotion and retirement of public officials in criminal justice institutions, including whether specific procedures exist for the recruitment and hiring of senior officials in criminal justice institutions, if they are different from other civil servants.**

Each court in the country, from the magistrates' courts to the Constitutional Court, as well as each Prosecutors' Office and any other criminal justice institution operating as a separate entity, are required by law to draft and implement the Integrity Plan as stipulated by the Slovene Integrity and Prevention of Corruption Act. In this document, they decide on and become bound by various risk prevention measures which, among others, pertain to recruitment, hiring, promotion, workplace ethics, and any other measure suggested by the employees and approved by the head of the institution. The system is vulnerable especially to employee apathy and lack of familiarity with risk assessment and management.

Certain senior official positions in criminal justice institutions are elected or approved by the National Assembly. GRECO has issued a recommendation to amend these procedures to insure greater independence from politics. The recommendation remains unimplemented.

**\* Measures that implement adequate procedures for the selection and training of individuals for public positions considered especially vulnerable to corruption in criminal justice institutions and the rotation, where appropriate, of such individuals to other positions.**

In recent years, the Commission for the Prevention of Corruption has increased its efforts in training and educating judges and prosecutors, as well as prison officers in the fields of corruption prevention, public integrity, and workplace ethics. Each of these groups receives training tailored to their requirements.

In 2016, 20 newly-appointed heads of court received training by a senior public integrity official employed by the Commission for the Prevention of Corruption on the significance of public integrity in courts, and on understanding and identifying typical risks encountered in their line of work. Furthermore, 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. A one-day workshop on ethics and integrity was also carried out 4 times in June and September 2016.

In the past two years, there were three training events for prison officers - each time, a group of 15-20 officers received training on corruption recognition and prevention, Integrity Plan use, the importance of public integrity and workplace ethics. The trainings were well received and more training sessions are planned for late 2017 and beyond.

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# **THEMATIC COMPILATION OF RELEVANT INFORMATION SUBMITTED BY SLOVENIA**

## **ARTICLE 7 UNCAC**

### **PUBLIC SECTOR**

#### **SLOVENIA (SECOND MEETING)**

##### **UNCAC Article 7 – Prevention of corruption in the public sector**

The focus of Article 7 (Public sector) is on the human resources management system of the civil service and the underlying principles of efficiency, transparency and integrity. This includes ensuring the prevalence of objective criteria for the recruitment of public officials, as well as continuous learning opportunities and adequate and equitable remuneration and conditions of employment for staff in the civil service.

Good practice reported by Slovenia:

- Integrity plans
- The Commission's open days and hotline for employees, responsible for drawing up integrity plans within their organizations
- Publishing brochures
- Online submission of report about violation of the Integrity and Prevention of Corruption Act (such are reports about acts of corruption, unethical or other unlawful behaviour, incompatibility of office, conflict of interest etc.)
- Handbook "Guidelines for officials (and high-ranking civil servants)"

According to the Slovenian Integrity and Prevention of Corruption Act (Article 47 to 50) government bodies, local authorities, public agencies, public institutes, commercial public institutions and public funds are obliged to develop and adopt integrity plans.

Integrity plan is a tool for establishing and verifying the integrity of the organization. It is a documented process for assessing the level of vulnerability of an organisation, its exposure to unethical and corruption practices. Moreover, is devoted to:

- identifying relevant corruption risks in different working fields of an individual organization;
- assessment, what kind of danger the corruption risks may pose to an individual organization;
- determining measures to reduce or eliminate corruption risks.

The integrity plan consists, in particular, of: assessment of corruption exposure of the institution; personal names and work posts of the persons responsible for the integrity plan; a description of organisational conditions, staff and typical work processes including a corruption risk exposure; assessment and proposed improvements regarding:

- the quality of regulations, management, administration, etc.;
- the integrity of staff and institution;
- transparency and efficiency of processes and

- measures for timely detection, prevention and elimination of corruption risks.

All institutions are obliged by the law to send their integrity plans to the Commission - after analyzing and processing all the integrity plans, the Commission will try to determine (on a national level) an exposure of different institutions, their organizational conditions, processes and employees to corruption and other illegal and unethical behaviour. The main goal is to strengthen integrity and anti-corruption culture in a public sector by identifying risks, planning and implementation of adequate measures. With putting in place an overall integrity plan system, causes of corruption will be eliminated, which will result in strengthening the rule of law and people's confidence in the institutions.

The Act sets an obligation to all the above mentioned to draw up integrity plans by June 5th, 2012 on the basis of guidelines produced by the Commission and submit them to the Commission. Through the integrity plan it will be possible to identify the level of exposure of an entity to corruption risks

and risks of unethical and other unlawful behaviour. By identifying risks and risk factors it will be possible to assess the existing control mechanisms, evaluate their likelihood to occur and the level of damage they may cause and finally propose measures to minimize or suppress risks. The Commission shall check whether entities have drawn up integrity plans and how they plan to implement them. A fine may be imposed on the responsible person of the body or the organization obliged to draw up and adopt the integrity plan if it fails to do so.

The Commission provides trainings for persons responsible for drawing up integrity plans within their institutions. This year's "Open door day" for public sector employees has proved to be very good and effective tool - not only to train but also to exchange information and problems among participants.

Publishing brochures on instruments enacted by the Integrity and Prevention of Corruption Act is also one of raising awareness activities of the Commission. Brochures on general information about lobbying and provisions of the Integrity and Prevention of Corruption Act regulating this activity. The brochures were provided to those who would most likely be approached by the lobbyists in order to familiarize themselves with the activity itself and their obligation under the Act (members of the National Assembly, the National Council and to the Office of the Prime Minister). Brochures on conflict of interest, integrity plans, incompatibility of office, prohibition of acceptance of gifts are being drawn up at the moment.

In order to encourage whistle-blowers to come forward an online application to submit a report about violation of the Integrity and Prevention of Corruption Act (such are reports about acts of corruption, unethical or other unlawful behaviour, incompatibility of office, conflict of interest etc.) has been installed on the Commission's website. At the same time, as the Commission's experience based on previous reports received show that often people are not familiar with instruments to fight corruption as set by the Act and with competences of the Commission like supervision of assets of officials, restrictions on business activities due to conflict of interest etc. which may be, if failed to meet these obligations, reported to the Commission, the online application has been designed in a way to give a general information to the person submitting the report on the possible violations for handling of which the Commission is competent for.

Currently the Commission is preparing a handbook »Guidelines for officials« which will provide guidelines to newly appointed officials as which obligations under the Integrity and Prevention of Corruption Act should be met and which values should be promoted by an official in order to strengthen integrity and transparency, to prevent corruption and to avoid and eliminate conflicts of interest.