THEMATIC COMPILATION OF RELEVANT INFORMATION SUBMITTED BY
SLOVENIA

ARTICLE 11 UNCAD

JUDICIAL AND PROSECUTORIAL INTEGRITY

SLOVENIA (EIGHTH MEETING)

1. INTEGRITY IN CRIMINAL JUSTICE INSTITUTIONS

* 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
Procurators’ 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 ensure 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 2015, 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 2015. 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.
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.

* Procedures governing asset declarations by judges and how they are used to prevent conflicts of interest, including in relation to the assignment of cases

The Slovene Integrity and Prevention of Corruption Act requires judges, including Constitutional Court judges (as well as public prosecutors), to submit asset declarations to the Commission for the Prevention of Corruption within one month of having begun performing their function, and one year after having ceased performing their function. Additionally, each change of ownership of assets in excess of €10,000 and each increase or decrease in assets in excess of €10,000 within a given calendar year must be reported separately by 31st January of the following year.

The assignment of cases is generally done on a random basis combining the order of the arrival of cases and the judges' initials. National court rules contain detailed stipulations on the assignment of cases and place the responsibility with the President of the Court; however, it is occasionally suspected that the supposedly random system can be and is tempered with.

* Measures that provide ethical guidance or advice to officials of criminal justice institutions in relation to the performance of their duties, their relationship with actors outside the judicial process or with regard to their use of new technologies and social media.

For judges, the Commission for Ethics and Integrity at the Judicial Council has adopts and publishes general opinions on the actions of judges. Furthermore, the Judicial Training Centre within the Ministry of Justice includes topics related to ethics and integrity in the judicial field (see above for details). Furthermore, any public institution in the Republic of Slovenia may submit any ethics- or integrity-related question to the Centre for Public Integrity and Prevention at the Commission for the Prevention of Corruption for a comprehensive answer, or apply for the Commissions integrity and anti-corruption training given by employees of the Commission.

As regards measures in relation to the relationship of officials of criminal justice institutions with actors outside the judicial process and with regard to their use of new technologies and social media, each institution is left to its own devices.

* Challenges in developing the proper legislative or regulatory framework for performance evaluations, the protection of persons reporting corruption cases within the criminal justice system or preventing conflicts of interest.

The protection of persons reporting corruption cases as stipulated by the Slovene Integrity and Prevention of Corruption Act is seen to be above-average in terms of its scope and the protection offered. The
framework for preventing conflicts of interest is also regarded as adequate; the only change planned in the amendment of the Slovene Integrity and Prevention of Corruption Act targets different standards which currently exist between public officials and civil servants in favour of a common practice in order to further strengthen the trust in the rule of law in the Republic of Slovenia.

* Challenges in administering asset declaration and conflict of interest systems.

The Commission for the Prevention of Corruption identifies staff shortage as the key challenge. Four employees are in charge of around 15,000 individuals required to disclose their assets.