THEMATIC COMPILATION OF RELEVANT INFORMATION SUBMITTED BY SLOVENIA

ARTICLE 8 UNCAC

CODES OF CONDUCT FOR PUBLIC OFFICIALS

SLOVENIA (EIGHTH MEETING)

* Measures that establish or strengthen existing disciplinary procedures and mechanisms to enforce codes of conduct or ethics, standards of professional conduct and conflict of interest legislation.

In Slovenia, the Code of conduct for civil servants, which applies to, among others, prison officers, was implemented in 2001. In 2015, the Judicial Council adopted the Code of Conduct for judges while in the same year, the amended State Prosecutor Act introduced a stipulation on the code of conduct for state prosecutors; both of these changes were made possible by the 2015 amendments to the Courts Act and the Judicial Service Act. Furthermore, the Commission for Ethics and Integrity, a body of the Judicial Council, adopts and publishes general opinions on the actions of judges. Finally, the Judicial Training Centre within the Ministry of Justice includes topics related to ethics and integrity in the judicial field (see above for details).

The above-mentioned Code of Judicial Ethics and Integrity, adopted by the Judicial Council in June 2015, is to be read in conjunction with opinions from the Judicial Council on various topics, such as the use of social networks, public support of judges to candidates for political functions, political activity of judges, public expression of judges’ opinions, judges acting as attorneys, doubts about a judge’s impartiality, etc. These opinions, decisions and recommendations of the Judicial Council in the field of ethics, integrity and conflicts of interest will continue to be developed over time, in order to increase judges’ awareness on these issues.

The Commission for Ethics and integrity 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.

* 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 an 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 Commission’s 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.
UNCAC Article 8 – Codes of conduct for public officials (establishing measures and systems to facilitate the reporting by public officials of acts of corruption to appropriate authorities, establishing measures and systems requiring public officials to make declarations to appropriate authorities on their outside activities, investments, assets and substantial gifts or benefits...).

Good practice reported by Slovenia:

- online service “REPORT CORRUPTION” (protection of “whistleblowers” provided by the Integrity and Prevention of Corruption Act)

- online asset declaration system

- online system for reporting received gifts (for officials)

Anyone who believes that a particular practice within a state body, local community, public powers holder or other legal person of public and private law involves signs of corruption, may report it to the Commission or to other competent authority (the competent authority to accept reports of suspicion of the crime is the Office of the State Prosecutor, while the Commission is responsible for assessing the report suspicion of corruption (which does not constitute a criminal offense) and other violations of the Integrity and Prevention of Corruption Act.

To improve the quality of received reports – and also to make the procedure easier for users/reporting persons – the Commission prepared an online system for reporting corruption and other violations of Integrity and Prevention of Corruption Act. According to the Commission’s Action plan for Prevention of Corruption, an implementing document of the Resolution for the Prevention of Corruption of the Republic of Slovenia adopted by the National Assembly, the Commission’s aim is to put a direct link for reporting corruption on websites and internal sites of all public service bodies.

The Commission is committed to protect identity of the whistleblower/reporting person, but only if the report given was in good faith.