



**COMMISSION FOR  
THE PREVENTION OF  
CORRUPTION**

REPUBLIC OF SLOVENIA

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**United Nations Office on Drugs and Crime**

E: [uncac.cop@unodc.org](mailto:uncac.cop@unodc.org)

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**SUBJECT: PROVISION OF INFORMATION BY STATES PARTIES FOR THE EIGHTH INTERSESSIONAL  
MEETING OF THE WORKING GROUP ON PREVENTION FROM 21 TO 23 AUGUST 2017**

To whom it may concern:

Please find enclosed the information on the experiences of implementing the provisions of the United Nations Convention against Corruption for the eighth intersessional meeting of the Working Group on Prevention as provided by the Commission for the Prevention of Corruption of the Republic of Slovenia.

With best regards,



Boris Štefanec  
CHIEF COMMISSIONER

Sent to:

- addressee
- archives

## 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 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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**\* 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 adopted 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 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.

**\* 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.

## 2. EDUCATION IN SCHOOLS AND UNIVERSITIES

**\* Description of educational courses or modules that have been introduced in primary and secondary schools that include aspects of corruption or related issues such as integrity, ethics, civic rights and duties, fiscal education or governance.**

In primary school, there are two years of citizenship education, in the 7th and 8th year of the 9-year primary-education curriculum. The aspects of corruption, integrity and ethics are mostly implied, there is very little direct reference to such practices.

All secondary schools include a one-year compulsory course in sociology where many social issues are discussed. In grammar schools, students may elect additional sociology courses and may choose sociology as one of their elective baccalaureate subjects. The role of corruption and lack of integrity in the various contemporary social issues is typically not explicitly shown in the textbooks approved for use.

Grammar school students (but not vocational secondary-school students) also have a compulsory course in philosophy. While the examination of ethics is an integral part of the way the course is designed, the syllabus is not designed to give a lot of attention to the application of ethics in contemporary life. Students may choose philosophy as one of their elective baccalaureate subjects.

**\* Description of educational courses or modules that have been introduced in universities that include aspects of corruption or related issues such as public administration, public procurement, integrity, ethics, criminal law, or corporate governance.**

Apart from university courses which deal with these topics directly (philosophy, sociology, law, economics, etc.) in the context of the subjects offered, there are no specially designed subjects of this kind. However, all university students in Slovenia are required to choose a small number of subjects outside of their course of study and receive a grade and if so inclined, they may choose such a subject.

**\* Measures that establish or improve procedures, rules and regulations for the reporting, including by members of criminal justice institutions, of acts of corruption to appropriate authorities and the mechanisms for the protection of reporting persons.**

The legal framework for the reporting of acts of corruption to appropriate authorities and the mechanisms for the protection of reporting persons has not undergone changes in recent years and is unlikely to do so in the near future: an amendment to the Slovene Integrity and Prevention of Corruption Act is planned for 2017, but the provisions concerning this area are not among those submitted for amendment.

However, each institution required to implement the Integrity Plan (see above) is expected to agree upon and implement its own particular rules regarding the reporting of acts of corruption to appropriate authorities and the mechanisms for the protection of reporting persons. Among the responsibilities of each Integrity Plan trustee (appointed by the head of the institution) is also the design and implementation of the program for the protection of reporting persons. In practice, the Commission for the Prevention of Corruption has seen few criminal justice institutions having developed such programmes beyond various basic general measures.

**\* 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 detect and prevent possible conflicts of interest, such as systems requiring members of criminal justice institutions to make declarations to appropriate authorities.**

In addition to legal provisions in the Integrity and Prevention of Corruption Act which regulates both preliminary and ad hoc interest declarations, and asset declaration, each criminal justice institution may develop and implement additional integrity measures through the Integrity Plan.

Professional judges have been subject to a duty to report their assets since 1992, under a succession of different laws, and currently regulated by the Integrity and Prevention of Corruption Act. Data on assets must include the following: personal information, such as name, address, tax ID number; information on current work and work performed immediately before taking office, as well as information on any other office held or activities performed; information on ownership or stakes, shares, management rights in a company, private institute or any other private activity with description of the activity, and a designation of the registered name or the name of the organisation; information on stakes, shares, and rights that the entities referred to in the preceding bullet point have in another company, institute or private activity with the designation of the registered name or the name of the organisation, (hereinafter: indirect ownership); information on taxable income under the law governing personal income tax that is not exempt from personal income tax; information on immovable property with all the land register information on land plots; monetary asset deposits in banks, savings banks and savings and loan undertakings, the total value of which in an individual account exceeds €10,000; the total value of cash if it exceeds €10,000; types and values of securities if, at the time of the declaration of assets, their total value exceeds €10,000; debts, obligations or assumed guarantees and loans given, the value of which exceeds €10,000; movable property, the value of which exceeds €10,000; and any other information in relation to assets that the reporting person wishes to provide.

Changes in assets, if exceeding €10,000 from one reporting year to another, as well as changes in activity or ownership in a private entity, must be communicated to the Commission for the Prevention of Corruption. A standard form is provided on the website of the Commission to this effect; it includes the possibility to state the reason for the increase in assets.

The asset declaration does not include details on business contracts with State authorities; offers of remunerated or non-remunerated activities (including employment, consultancies, sponsorship, remunerated offices, e.g. directorship and other appointments, etc.) and agreements for such activities. Any other interest or relationship that may or does create a conflict of interest, including those of a non-pecuniary nature, must be declared as preliminary or ad hoc interests.

**\* Measures that implement or improve existing induction and ongoing training requirements and curricula for members of the judiciary and prosecution services, particularly in terms of codes of conduct, integrity and independence.**

The Judicial Training Centre within the Ministry of Justice includes topics related to ethics and integrity in the judicial field (see above for details), while especially in relation to GRECO recommendations, employees of the Commission for the Prevention of Corruption provide regular trainings for judges and prosecutors, as

**\* Description of innovative teaching and learning tools and methodologies that have been used to foster and facilitate education programmes in schools and universities on anti-corruption.**

The Commission for the Prevention of Corruption has a long-standing tradition of primary-school pupil competitions which involve anti-corruption themes. In the last five years, pupils were asked to paint, write essays, designed T-shirts and made short films. Coinciding with the International Anti-Corruption Day, an exhibition or a similar event is organised by the Commission. Each year, an average of 100 pupils and 10 teachers have been involved.

Please follow these links to view the children's submissions from various competitions:

<https://www.kpk-rs.si/sl/preventiva-in-nacrt-integritete/projektipreprecevanje-korupcije/ustvarjalni-natecaj-za-os-2011>

<https://www.kpk-rs.si/sl/preventiva-in-nacrt-integritete/projektipreprecevanje-korupcije/povej-z-majico>

<https://www.kpk-rs.si/sl/preventiva-in-nacrt-integritete/projektipreprecevanje-korupcije/posnemi-filmcek-zatri-korupcijo>

In recent years, the Commission has been focusing also on pre-school children. Kindergartens were invited to participate and four of them responded. They were presented with an integrity-themed storybook produced internally by the Commission which the teachers read to the children. Afterwards, they discussed the themes and drew pictures inspired by the story. In recent discussions with the Ministry of Education, Science and Sport of the Republic of Slovenia, an interest to use the storybook in the first three years of the 9-year primary education (i.e. for children aged 6-9).

Please follow these links to view pictures from some of the participating kindergartens:

<https://www.kpk-rs.si/sl/komisija/medijsko-sredisce/arhiv-novic/11/2014/uspesen-zakljucek-pilotnega-projekta-z-vrtcem-zalec>

[https://www.kpk-rs.si/download/t\\_newsletter/40](https://www.kpk-rs.si/download/t_newsletter/40)

Transparency International has recently concluded a two-year project that took place in two Slovene secondary schools, one of them a grammar school and the other a vocational school. The aim was to raise the students' awareness about corruption and help them understand the various ways it affects their lives. An e-classroom is planned to be made available to the public which will include various anti-corruption-themed activities.

**\* Challenges related to the implementation of anti-corruption educational measures such as the need to provide support to schools following the introduction of a new academic course, including through the training of academic staff responsible for delivering such courses.**

The idea of introducing a "difficult" topic - which is how corruption is typically regarded - into schools is still

often met with suspicion by the decision-makers, and by the majority of the teachers as well. The Commission for the Prevention of Corruption has set the goal of increasing the presence of such topics in the Slovene school curriculum, both in primary and secondary schools, by designing and publishing on-line supplementary teaching materials for various subjects (history, geography, biology, languages) on the one hand; and by drafting a lesson, again for in primary and secondary schools, which could be used in citizen-education and sociology classes to address the various issues discussed in the context of corruption and its effects on citizens.

**\* Challenges related to resources limitations, lack of capacity, overcrowded curricula, etc.**

At the Commission for the Prevention of Corruption, only six people cover the area of prevention for the entire Republic of Slovenia. Consequently all the efforts to include anti-corruption themes into schools must be done in cooperation with schools, the teachers who teach the subjects, and the Ministry of Education and other education institutions. The curricula are already overcrowded so a separate subject is unlikely to be an option; however, the Commission believes that putting an additional topical emphasis on the existing content is likely to have a stronger and longer-lasting effect compared to introducing a separate segment centred around corruption explicitly. This view is generally shared by the National Education Institute of Slovenia, the institution responsible for designing the national primary and secondary curricula.