

Slovenia

by Damjan Lajh

Capital: Ljubljana
Population: 2.1 million
GNI/capita, PPP: US\$26,500

Source: The data above were provided by the World Bank's *World Development Indicators 2013*.

Nations in Transit Ratings and Averaged Scores

| | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 |
|-------------------------------------|------|------|------|------|------|------|------|------|------|------|
| Electoral Process | 1.50 | 1.50 | 1.50 | 1.50 | 1.50 | 1.50 | 1.50 | 1.50 | 1.50 | 1.50 |
| Civil Society | 1.50 | 1.75 | 1.75 | 2.00 | 2.00 | 2.00 | 2.00 | 2.00 | 2.00 | 2.00 |
| Independent Media | 1.75 | 1.50 | 1.75 | 2.00 | 2.25 | 2.25 | 2.25 | 2.25 | 2.25 | 2.25 |
| Governance* | 2.00 | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| National Democratic Governance | n/a | 2.00 | 2.00 | 2.00 | 2.00 | 2.00 | 2.00 | 2.00 | 2.00 | 2.00 |
| Local Democratic Governance | n/a | 1.50 | 1.50 | 1.50 | 1.50 | 1.50 | 1.50 | 1.50 | 1.50 | 1.50 |
| Judicial Framework and Independence | 1.75 | 1.50 | 1.50 | 1.50 | 1.50 | 1.75 | 1.75 | 1.75 | 1.75 | 1.75 |
| Corruption | 2.00 | 2.00 | 2.25 | 2.25 | 2.25 | 2.50 | 2.50 | 2.50 | 2.25 | 2.25 |
| Democracy Score | 1.75 | 1.68 | 1.75 | 1.82 | 1.86 | 1.93 | 1.93 | 1.93 | 1.89 | 1.89 |

* Starting with the 2005 edition, Freedom House introduced separate analysis and ratings for national democratic governance and local democratic governance to provide readers with more detailed and nuanced analysis of these two important subjects.

NOTE: The ratings reflect the consensus of Freedom House, its academic advisers, and the author(s) of this report. The opinions expressed in this report are those of the author(s). The ratings are based on a scale of 1 to 7, with 1 representing the highest level of democratic progress and 7 the lowest. The Democracy Score is an average of ratings for the categories tracked in a given year.

EXECUTIVE SUMMARY

Slovenia declared its independence from Yugoslavia in 1991, establishing itself as an internationally recognized state. It joined the United Nations in 1992, the Council of Europe in 1993, and the European Union and North Atlantic Treaty Organization (NATO) in 2004. In January 2007, the Slovenian currency, the tolar, was replaced by the euro, and at the end of December 2007 Slovenia entered the Schengen zone. In July 2010, Slovenia became a full member of the Organization for Economic Cooperation and Development (OECD).

Once Southeastern Europe's most economically successful postcommunist country, in 2012 Slovenia found itself heavily in debt, with rising unemployment and a banking sector saddled with over \$8 billion in bad loans. In response to the crisis, the new government led by controversial prime minister Janez Janša of the Social Democrats proposed a range of austerity measures, including cuts to public wages and benefits. The proposal prompted Slovenia's largest public sector strike in 20 years, as well as several mass demonstrations all over the country. Demonstrations in Slovenia's two largest cities turned into violent protests, resulting in physical injuries and material damage. Nevertheless, the government approved the austerity measures in May. It also passed a law, effective from November, enabling the state to buy bad loans. Throughout the year, Slovenian citizens' low trust in their government and economic elites was exacerbated by revelations of corrupt or unethical behavior among new members of parliament.

National Democratic Governance. After the leader of the center-left Positive Slovenia movement Zoran Janković failed to forge a coalition government, a group of deputies elected Janez Janša prime minister on 25 January 2012, despite concerns that his indictment in the Patria bribery case rendered him ineligible for the post. In early 2012, the government proposed austerity measures amid a dual economic and banking crisis that appeared to protect the interests of some officials, while making drastic cutbacks in the public sector. Anger over the handling of the crisis led to Slovenia's largest public-sector strikes in 20 years. *Slovenia's national democratic governance rating remains unchanged at 2.00.*

Electoral Process. Two rounds of presidential elections in November and December pitted incumbent candidate Danilo Türk against Borut Pahor of the Social Democrats, with Pahor ultimately winning by a landslide. The elections were marked by the lowest voter turnout in independent Slovenia's history—only 48 percent of voters participated in first round of voting and only 42 percent in the second. *Slovenia's rating for electoral process remains unchanged at 1.50.*

Civil Society. Trade unions reacted energetically to the threat of austerity measures in the public sector. The April 2012 public sector strikes were the largest in independent Slovenia's history. Spontaneous mass demonstrations organized via Facebook and other online social networks also took place throughout the country later in the year. Some demonstrations in Maribor and the capital city of Ljubljana turned violent, resulting in injuries to protesters and police officers and material damage. *Slovenia's rating for civil society remains unchanged at 2.00.*

Independent Media. Despite many appeals for comprehensive renovation of legislation on mass media, only minor amendments to the media law were adopted in 2012, mostly affecting digital broadcasting. In line with austerity measures, Slovenia's National Assembly voted to reduce funding to the public service broadcaster Radiotelevision Slovenia/RTV Slovenia by 5 percent, effective January 2013. The government also planned to adopt an amendment that would raise the value-added tax for print media from 8.5 to 20 percent, but the proposal was later withdrawn. *Slovenia's rating for independent media remains unchanged at 2.50.*

Local Democratic Governance. Rising unemployment rates, a growing number of people at the risk of poverty, and the increasing emergence of corruption scandals implicating local elite triggered an avalanche of protests in Maribor in November. In March, mayoral by-elections were held in the 10 municipalities where mayors had been elected as deputies to the National Assembly, including Ljubljana. Having left the parliament after failing to form a governing coalition, Zoran Janković was reelected Ljubljana's mayor with more than 60 percent of the vote in the first round. The elections to the National Council attracted unusual attention due to the extraordinary non-confirmation of the mandate of Franc Kangler, who was in the process of resigning as mayor of Maribor on suspicions of corruption. *Slovenia's rating for local democratic governance remains unchanged at 1.50.*

Judicial Framework and Independence. Within the context of forming a new government in early 2012, the decision to transfer the competencies of the Prosecutor's Office to the Interior Ministry raised concerns over the separation of powers. Funding to the judiciary also suffered as a consequence of austerity measures with deep financial cuts in 2012. The budget for 2013 foresees lower wages for judges and public officials. There is some apprehension court backlogs might increase again due to the budget cuts. *Slovenia's rating for judicial framework and independence remains unchanged at 1.75.*

Corruption. Against the backdrop of steadily emerging accusations of corruption, Slovenian politics ran up against an angry populace in 2012. Protestors who participated in the wave of demonstrations that swept across the country blamed the political elite for the country's economic woes and called for the resignation of several politicians suspected of corruption. The integrity of newly elected members of the National Assembly also came into question when it was revealed that some

had falsified their educational credentials. Janša's implication in the ongoing Patria bribery case cast a shadow on his candidacy for prime minister, but did not preclude his election. *Slovenia's rating for corruption remains at 2.25.*

Outlook for 2013. The Slovenian government will continue to feel pressured to resolve the banking and economic crises perpetuated by economic stagnation and increasing rates of unemployment. Rescuing the weak banking sector will be priority for the government. The governing coalition will continue to work on resolving internal political conflicts and instability, and move forward with the implementation of strict austerity measures, notwithstanding strong opposition from trade unions. The adoption of changes to referenda legislation will remain on the political agenda. Mass protests against cuts to public wages and benefits are forecasted to continue in 2013.

MAIN REPORT

National Democratic Governance

| 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 |
|------|------|------|------|------|------|------|------|------|------|
| n/a | 2.00 | 2.00 | 2.00 | 2.00 | 2.00 | 2.00 | 2.00 | 2.00 | 2.00 |

Once Southeastern Europe's most economically successful postcommunist country, Slovenia struggled to overcome a deepening economic crisis in 2012, compounded by rising public debt and a collapsing banking sector. Attempting to keep markets afloat, the government promised to guarantee loans valued at up to 11 percent of gross domestic product (GDP) in September.¹ Failing businesses and a halted construction boom left Slovenia's major banks with billions of dollars in bad loans. Although the government adopted austerity measures early in the year, major credit agencies doubted that planned cuts would generate capital necessary to save the country's majority state-owned banks. Consequently, Slovenia's credit rating was downgraded again by all three major credit agencies in August. Throughout the year, the situation continued to deteriorate, forcing the government to confront predictions that Slovenia would become the sixth European country to require a bailout.

Meanwhile, the political turbulence of late 2011 carried over into 2012, shifting the government from a pro-stimulus, center-left alliance to a pro-austerity, center-right coalition. Failure to pull the country out of a snowballing recession caused Prime Minister Borut Pahor's government to collapse after a vote of no confidence in September 2011. The National Assembly (parliament) was unable to choose a new prime minister within the designated 30-day time period, forcing President Danilo Türk to call Slovenia's first early parliamentary elections on 4 December 2011. The newly established Positive Slovenia party, led by Zoran Janković, won a narrow victory, beating out favored winner Janez Janša's Slovenian Democratic Party. However, by early 2012 Janković had failed to get support from a majority of members of parliament and was subsequently rejected as a candidate for prime minister. On 28 January, Janša was elected prime minister for a second term (the first was 2004–2008) with the support of deputies from five different parties. Although President Türk believed Janša's indictment in the ongoing Patria bribery case made him ineligible for the post, he upheld the legality of his candidacy and declined to propose an alternative candidate.

On 10 February, the new center-right government led by Prime Minister Janša took office, immediately announcing the adoption of a comprehensive austerity package. The first measure included the creation of a 12-member ministerial team (including one without a portfolio)—the smallest in independent Slovenia's history. The number of ministries was reduced by combining them into "super ministries." The first to undergo this restructuring was the Ministry of Culture, which was folded

into the Ministry of Education, Science, Culture, and Sport. The decision agitated the opposition and various social groups, especially employees of the ministry, who petitioned against its abolishment. Nevertheless, the government insisted the measures were designed to integrate, rather than eliminate ministries, and finalized the move. Most ministries were taken over by men; the only woman in the cabinet Ljudmila Novak, the president of the New Slovenia party, was appointed minister without a portfolio of the Office for Slovenians Abroad.

Pessimistic forecasts for economic growth in 2012 coupled with high public debt led the new government to prioritize austerity measures, despite the insistence of the opposition that severe spending cuts would produce savings without stimulating growth for Slovenia's export-dependent economy. The austerity measures were heavily criticized by the public because they were drafted without any public debate and appeared to disproportionately cut public services and wages, while protecting the interests of the political and business elite. Most of the cuts targeted the public sector because the government claimed it was oversized, even though only 5.5 percent of the active working population is employed in public administration in Slovenia, compared to the EU average of 7.1 percent and the OECD country average of 14.5 percent.² The measures introduced adjustments to subsidies and social transfers for kindergartens and schools and a reduction in funding for public education and scientific research activities. Meanwhile, the state budget will continue to fund one private university and 20 private higher education institutions, in which some government officials have personal stakes.

A bleak economic outlook and the uncovering of a number of high profile corruption cases further fueled public criticism, leading to a series of mass demonstrations. Unions staged large public sector strikes in the spring, which were followed by public protests in November. Protests escalated in December, especially in Maribor, resulting in violent clashes with police and the arrest of more than 119 people. Authorities brought charges against 28 of those arrested. Two pleaded guilty and received a suspended prison sentence of several months, while ten others who claimed their innocence remained in detention for more than three weeks, again triggering public criticisms. Protestors largely blamed the financial situation on the government's poor decision-making and corrupt practices, accusing officials of using public funds to undo their own mistakes. With most of the issues left unresolved at years end, demonstrations are expected to continue into 2013.

In March, the countries in the eurozone agreed to adopt a so-called "fiscal rule," an agreement under which participating countries' expenditures must not exceed their revenues. The government wanted to inscribe the rule into the constitution in order to send a strong signal to international financial markets that Slovenia was taking serious measures to counter the financial crisis, but the motion was blocked by the opposition, weakening international confidence in Slovenia's economy. When the government was obliged to issue a ten-year, dollar-denominated bond at an inflated price of \$2.25 billion in order to avoid an EU bailout in October, Prime Minister Janša blamed what he claimed was a 25 percent rise in the cost of borrowing on the opposition's refusal to support the constitutional amendment.³

In August, all three major credit agencies further reduced Slovenia's rating for reasons ranging from the imminent need for Slovenian banks to recapitalize (potentially increasing public debt) to stalled structural reforms caused by a lack of consensus between coalition parties. At the end of the year, the government adopted a number of structural reforms again seeking to avoid an international bailout. The least controversial was the adoption of a long-delayed pension reform, which was approved by the National Assembly by a solid majority in December 2012. Pension reform will enter into force on 1 January 2013. More contentious reforms included the Law on Slovenian State Holding designed to manage all state capital funds, and the so-called "Law on Bad Banks" that aims to strengthen the stability of banks with the establishment of a special institution for absorbing insolvent debts. These reforms were vetoed by the National Council, but nevertheless confirmed by the National Assembly. The Constitutional Court declared referendums on both laws unconstitutional on the grounds that the smooth functioning of government takes precedence over the right to demand a legislative referendum. The court's decision led public sector trade unions to withdraw their initiative for a referendum on removing the wage cuts included in the new budget legislation.

Electoral Process

| 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 |
|------|------|------|------|------|------|------|------|------|------|
| 1.50 | 1.50 | 1.50 | 1.50 | 1.50 | 1.50 | 1.50 | 1.50 | 1.50 | 1.50 |

The Slovenian government gains its authority through universal and equal suffrage, and the will of the people is expressed by regular free and fair elections conducted by secret ballot. The electoral system is multiparty based; political parties have equal campaigning opportunities, and the public's choices are free from domination by any specific interest group.

Under the Slovenian constitution, after parliamentary elections, the president formally proposes one or more candidates for prime minister to the National Assembly, which elects one of his nominees via a majority vote or at least 46 votes from the 90-seat chamber. As leader of the winning party after parliamentary elections in December 2011, Zoran Janković was the first candidate proposed by President Danilo Türk. The Social Democrats and Democratic Party of Pensioners of Slovenia (DeSUS) supported Janković's candidacy—giving him 44 of the 46 necessary votes—but the newly formed centrist party, Gregor Virant's Civic List (LGV), declined to vote for a Positive Slovenia candidate.

In the event that the first candidate proposed by the president fails to get sufficient parliamentary support, the president can propose his first pick again, or nominate a new candidate. Parliamentary deputies, meanwhile, have the option of banding together to formally propose a candidate of their own. Accordingly, deputies from 5 political parties—LGV, the Slovenian Peoples Party (SLS), DeSUS, and the New Slovenia party—joined forces to nominate and elect Janez Janša as prime minister. Although President Türk declared that Janša's indictment in the

ongoing Patria bribery case should preclude him from the post, he agreed to abide by constitutional procedures and respect the outcome of the election, rather than nominating an alternative candidate. Janša, elected with 51 votes, was confirmed as prime minister on 28 January.

The president is elected by direct majority vote for no more than two consecutive, 5-year terms and serves as the head of state, though the role is primarily representative. Presidential elections took place in November 2012. Although 12 candidates were initially announced, ultimately only three entered the race: incumbent president Danilo Türk, former prime minister and former president of the Social Democrats Borut Pahor, and Milan Zver, a member of European Parliament as well as the Slovenian Democratic Party. The Social Democrats endorsed the candidacy of Pahor, even though he had lost his position as president of the party in June. Some on the political left objected to Pahor's nomination because they considered entering two left-wing candidates (Türk and Pahor) politically unwise. The rivalry of the two candidates was further nuanced by the fact that Türk had explicitly supported his opponent during the last presidential elections in 2007.

Because most of them carry significant debts, political parties entered the preelection period with limited financial resources, spending less on their campaigns than was legally permitted. Costly poster ad campaigns were replaced by less expensive televised debates and candidates concentrated their campaigning activities on conventions and meetings with the electorate. The Social Democrats chose not to contribute any financial resources to Pahor's campaign, offering only their volunteer staff to support his efforts. Relying on limited funds, Pahor self-organized his "Together We Support Each Other" campaign, travelling daily to different cities and meeting with various demographic groups; even volunteering to work alongside voters at their places of employment. Although preelection public opinion surveys predicted a victory for Türk, Pahor's inclusive approach to campaigning gained him support from a broader section of the electorate than was expected. On Pahor won the first round with 39.87 percent of the vote, while Türk trailed behind with 35.88 percent, followed by Zver with 24.25 percent.

Since neither of the candidates received a majority in the first round, runoff elections were set for 2 December. Pahor finally defeated incumbent president Türk with 67.37 percent of vote, becoming independent Slovenia's fourth president.⁴ Coinciding with mass antigovernment demonstrations, the record low voter turnout—48.41 percent of voters participated in first round of elections and only 42.41 percent in the second⁵—was another indication of declining public trust in Slovenian politics.

Although national referenda have been a stable feature in Slovenian politics in the past, some experts argue they are often used in an undemocratic and illegitimate manner.⁶ During recent years, referendums have been blamed for causing instability and political obstruction. While nearly all political parties in the National Assembly agree on the need to amend referendum legislation, they have not been able to gather the two-thirds majority vote necessary to change the constitution due to

a lack of consensus on the nature of the changes. However, in 2012 the court set precedence for tightening the rules on calling legislative referendums by declaring a public vote on two controversial pieces of austerity legislation unconstitutional. While upholding the right to request a legislative referendum, the court ruled—eight votes to one—that the constitution equally protects the government’s obligation to ensure fiscal sustainability, an effectively functional state, and respect accepted international obligations.

Civil Society

| 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 |
|------|------|------|------|------|------|------|------|------|------|
| 1.50 | 1.75 | 1.75 | 2.00 | 2.00 | 2.00 | 2.00 | 2.00 | 2.00 | 2.00 |

Most statistics show that Slovenian civil society is vibrant; of the country’s approximately 24,000 nongovernmental organizations (NGOs), the majority are organized as associations and work at the local level in the fields of sports, culture and art, and fire brigades, with others taking the form of private foundations and institutes. The country has more civil society organizations per capita than most states.⁷ Yet, like in most countries in the region, the sector in Slovenia struggles financially. In contrast to the “golden era” of civil society during the 1980s, which featured the establishment of an independent state and the transition to democracy, today most NGOs are not involved in public affairs in Slovenia.

Unions are most directly engaged with government policymaking within the Economic and Social Council of the Republic of Slovenia (ESC), a tripartite national body that brings together representatives of government, employers, and trade union organizations.⁸ The ESC was founded in 1994 as the main consultative and coordinating institution for social dialogue in Slovenia on issues of wage policy, social policy, labor relations, employment, and employment-related topics. Social partners, such as employers and trade union organizations, are certainly the most important civil society actors engaged in policymaking, but some other groups, such as environmental organizations, university research centers, or other interest groups, also play active roles on specific topics.

The new government’s austerity package sought to generate savings by reducing state bureaucracy and internal government expenditures; introducing new employment, educational, and healthcare regulations; and trimming down government-funded policies and programs, including child benefits and the co-financing of kindergartens. Public sector trade unions reacted energetically by organizing a general strike with 100,000 participating public sector workers on 18 April, the largest in independent Slovenia’s history. After a month of negotiations, the unions tentatively agreed to a cut in public sector wages, beginning in June, if the government refrained from introducing further cuts until 2013. However, when the government revealed plans for additional austerity measures a few days later, many unions backed out of the deal. In mid-December, public sector unions announced another general strike for the second half of January 2013.

However, discontent was not limited to the disapproval of public sector cuts. Simmering anger over the government’s handling of the economic and banking crisis intensified during the year, as some budget cuts appeared to benefit special interests. The public complained the government carried out its decisions without open debate or concern for the future of Slovenia’s welfare state. Moreover, growing perceptions of corruption and impunity among the political and business elite stoked public frustration.

Owing to a perceived lack of responsiveness from politicians, various antigovernment groups emerged late in the year, organizing spontaneous mass demonstrations via Facebook and other online social networks. The first protests took place in early November in Maribor, where the mayor, Franc Kangler, and the city council, were suspected of high-level corruption and the misuse of public funds. The accusations focused on a controversial public-private partnership scheme to install automated speed radars throughout the city. Officials explained that the fines paid for speeding offenses would generate income for the cash-strapped city, although the contract with the manufacturer stipulated that most of the revenue would go to the private company. A few days after the cameras were put in place, at least 10,000 people were fined, sparking angry commentary from Maribor residents on social networks.⁹ Numerous demonstrations were staged and an online petition called for the mayor’s resignation.¹⁰ Protests quickly spread throughout the country. Though demonstrations began peacefully, some in Maribor and Ljubljana ended in violence, with injuries to demonstrators as well as police officers and material damage; protesters destroyed some of the radars in Maribor. Although Kangler resigned at the end of year, more protests are forecasted for 2013.

In June, the European Court of Human Rights upheld its 2010 judgment regarding the case of the “erased” (Kurić and others versus Slovenia). The decision confirmed that Slovenia had violated the rights of the individuals it had erased from the civil registry in 1992 for failing to apply for citizenship within six months after the country’s declaration of independence. The case was logged in 2006 by eleven residents of Slovenia, who believed the state had not sufficiently repaired the damage caused to them by the erasure.¹¹ The court gave the Slovenian government one year to prepare a compensation scheme. In the meantime, Slovenia was obliged to pay each plaintiff €20,000 within three months for nonpecuniary damage and €30,000 to the applicants collectively for the expense of the trial.

Independent Media

| 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 |
|------|------|------|------|------|------|------|------|------|------|
| 1.75 | 1.50 | 1.75 | 2.00 | 2.25 | 2.25 | 2.25 | 2.25 | 2.25 | 2.25 |

Slovenia’s constitution and legal system guarantee freedom of the press, and media for the most part operate without direct political interference. However, press outlets are sometimes punished or threatened for reporting on controversies and corruption surrounding powerful political figures and parties.

The privatization model established in the early 1990s enabled the state to keep significant ownership in privatized companies through state-controlled funds. In the 2005–07 period there were controversial changes to media regulations and takeovers of several daily newspapers, the public service radio and television, and the national press agency. In those outlets, governing bodies, managers, editors, and reporters have in many cases been replaced by professionals loyal to the political parties in power.

In 2012, two of Slovenia's largest print publications, *Delo* and *Večer*, experienced personnel changes. In mid-October, editor-in-chief of *Delo* Dobnikar Šeruga resigned amidst controversy surrounding a story the newspaper had published in August about Slovenian Cardinal Franc Rode supposedly fathering a child. DNA analysis later showed that Rode was not the father of the 42-year-old German citizen who had claimed to be his son in the article.¹² Šeruga publicly stated that *Delo* accepted the validity of the test results, but stopped short of admitting any wrongdoing.¹³ In response, Rode lodged civil lawsuits against the author of the article and the company that owns the publication, Media House Delo, for violating his right to privacy. The story attracted great attention in Slovenia, launching a debate about the responsibility of journalists to draw a line between public interest and respect for individuals' privacy. The civil suits were ongoing at year's end.

The search for a new buyer for *Večer* continued in 2012. *Večer* went back for sale on the international market in the spring of 2011, after being purchased by the computer company 31an in a secret deal in 2010. *Delo* acquired a majority stake in *Večer* in November 2008, but when the Office for the Protection of Competition detected an excess of concentrated media ownership in 2009, it ordered *Delo* to sell most of its shares. Although the decision to allow the sale to 31an was confidential, *Mladina* magazine published the document from the Office for Protection of Competition authorizing the deal, claiming it contained numerous irregularities. Exposure of the details of the sale led small shareholders of *Večer* to sue the Office for Protection of Competition for ignoring proper procedures and as the Ministry of Culture had not consented to the sale, it was annulled. Nevertheless, in January, the state prosecutor charged *Mladina* journalist Borut Mekina with the unauthorized use of data protected as a trade secret. A district judge dismissed the indictment on the grounds that the alleged offense did not constitute a criminal act. The prosecutor appealed the decision and the case will continue into 2013. Although there were a number of interested new buyers, the resale of *Večer* had not been concluded by the end of the year.

Appeals for a comprehensive overhaul of mass media legislation continued in 2012, particularly in the realm of digital broadcasting. During the digital switchover in 2010, two digital multiplexes were put into operation: one managed by the public service broadcaster Radiotelevision Slovenia/RTV Slovenia and the other by the Norwegian firm Norkring. The latter pulled out of Slovenia in 2012 citing poor business conditions, leaving RTV control over all digital transmissions in the country. Fearing that the dominance of commercial programming on the public broadcaster would exclude programs of public interest, the National Assembly

passed an amendment in June requiring all commercial programs to submit a bid for broadcasting over RTV’s multiplex. Additionally, the parliament also passed changes to the media law requiring RTV make its digital broadcasting infrastructure available at no cost to terrestrial broadcasters airing special interest programming, such as regional and local media. While the opposition supported the amendment, it objected to the government’s continued piecemeal approach of solving systemic problems in media policy caused by the interference of special interest groups.

As part of the austerity package, the government voted to reduce state funding for RTV by 5 percent, cutting its budget by €4.2 million in 2013.¹⁴ The opposition objected to any reduction in support to the public broadcaster, since the state is its most important funder. The government also planned to introduce an amendment that would raise the value added tax (VAT) for print media from 8.5 to 20 percent.¹⁵ After journalist associations warned the measure would have a devastating impact on media sustainability, print media were removed from the list of products subject to the tax increase.

In the fall of 2012, TSmedia, a subsidiary of the majority state-owned Telekom Slovenia, launched a new private television station called Planet TV, raising several concerns about state interference in the media market. Other private media outlets worried that the new station would enable the government to gain greater influence over Slovenia’s weak advertising market, jeopardizing their financial sustainability.¹⁶

Local Democratic Governance

| 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 |
|------|------|------|------|------|------|------|------|------|------|
| n/a | 1.50 | 1.50 | 1.50 | 1.50 | 1.50 | 1.50 | 1.50 | 1.50 | 1.50 |

The basic unit of local self-governance in Slovenia is the municipality. In 1994, the Law on New Municipalities established 147 municipalities, but in the years that followed many of these split into smaller units, creating a total of 210 municipalities in a country with a total population of only 2 million. The vast majority of these are very small and inadequately staffed, with limited financial and political power. Based on changes to the constitution in mid-2006, procedures for setting up the size, number, responsibilities, and financing of provinces as well as other related issues should be arranged under a special law, which has yet to be established.

The problem of limited municipal budgets was highlighted again in 2012 with the cancellation of the 2013 Winter University Games in Maribor. While the city successfully hosted the European Capital of Culture in 2012 despite financial concerns, Janša’s government decided that it would no longer financially support the hosting of the games. When the withdrawal of funding led to the dissolution of the organizational committee, the International University Sports Federation (FISU) decided to move the games to an alternative venue in Trentino, Italy because Maribor could no longer guarantee the appropriate infrastructure. The mayor of Maribor, Franc Kangler, criticized the government’s decision to withdraw funding,

claiming that since a 2008 decision by the National Assembly's had mandated the hosting of the games, only the parliament had the authority to revoke financial support.¹⁷ After the games were cancelled, FISU sued the city of Maribor and the Slovenian University Sports Association for damages.

Rising unemployment rates and allegations of corruption exacerbated public frustration with government elites, triggering an avalanche of protests that eventually spread across the country. The first protests targeted local authorities in Maribor over a scheme to install speed radars. Local residents complained that the radars did not improve road safety and facilitated the replenishment of the city's empty coffers at the public's expense. Moreover, the private-public partnership that oversaw the installation of the radars was questioned for its legality and public benefit, as over the next ten years the municipality would transfer 92 percent of all collected fines to the private partner. Furthermore, the Ministry of Finance pointed out irregularities in the city's decision to forge the partnership, which were ignored by the local administration. Residents of Maribor primarily held Mayor Kangler responsible for the suspicious deal, calling him and the city council to resign. While Kangler resigned at the end of December, the local administration remained in office, provoking the continuation of protests.

In 2011 the National Assembly finally adopted a long-anticipated amendment to the Law on Deputies, making it illegal to serve as both a parliamentary deputy and a mayor at the same time. In March 2012, by-elections took place in 10 municipalities where mayors had been elected as deputies to the National Assembly in parliamentary elections in 2011. Having left parliament after failing to form a governing coalition, Zoran Janković was reelected mayor of Ljubljana in the first round with 60 percent of the vote.¹⁸

Elections to the National Council also took place at the end of 2012. The 40-member upper chamber of parliament is indirectly elected from representative local and functional interest groups each with a fixed numbers of seats. The elections revived long-held questions about the status of the council; due to the upper house's limited powers, the parliament does not function as a truly bicameral system, which has led some observers to call for its restructuring or altogether abolishment. The elections to the National Council attracted unusual attention due to the extraordinary non-confirmation of the mandate of Franc Kangler, who was in the process of resigning as mayor of Maribor on suspicions of corruption. Kangler's election to the council sparked a mass demonstration outside city hall. Normally, the new members of the National Council are confirmed as a group in a formal procedure. However, due to concerns that Kangler might be seeking council membership merely to regain the immunity he would lose after resigning as mayor, the Mandate Immunity Commission insisted the council decide separately on his mandate along with Jernej Verbič, the mayor of Postojna. On 12 December, the council voted by secret ballot to confirm Verbič, but not Kangler. The soon-to-be-ex-mayor of Maribor appealed the decision at the Constitutional Court and the case was ongoing at year's end.

Judicial Framework and Independence

| 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 |
|------|------|------|------|------|------|------|------|------|------|
| 1.75 | 1.50 | 1.50 | 1.50 | 1.50 | 1.75 | 1.75 | 1.75 | 1.75 | 1.75 |

Slovenia's judicial branch of government consists of the Supreme Court and Constitutional Court. Judges are independent and are not allowed to participate in political party organs, though they may be members, formally. They are elected by the National Assembly after being nominated by the eleven-member Judicial Council. The National Assembly elects five members to the council on proposal of the president from among law professors and attorneys; the remaining six members are judges chosen by their peers holding permanent judicial office. The council selects one of its members as its president. The Constitutional Court is composed of nine judges nominated by the president and elected by the National Assembly; these nine judges elect the president from among their own number for a term of three years.

The controversial legislation to create "super ministries" that was introduced by the new government in February 2012 also foresaw the transfer of the Prosecutor's Office from the Justice Ministry to the Ministry of Interior. The amendment was pushed through parliament by the leading coalition member, the Slovenian Democratic Party, despite strong opposition from Positive Slovenia and fellow coalition member Civic List. Minister of Justice and Public Administration Senko Pličanič from Civic List admitted to the dominance of the Slovenian Democratic Party in pushing the coalition to pass the necessary changes to the Law on the Government in January¹⁹ and the Law on the State Prosecutor in June, which passed with a narrow majority of 49 votes.²⁰ Both opposition parties voted against the transfer and representatives of Positive Slovenia accused the Slovenian Democratic Party of disregarding constitutional rulings that defend the state prosecutor's place within the judiciary as well as the principle of the separation of powers. Moreover, Positive Slovenia warned that the transfer made criminal proceedings more susceptible to political interference. While the realization of these speculations was not yet clear by the end of the year, the transfer resulted in some technical adjustments as well as some positive changes, such as a new requirement obliging the state prosecutor to consult with collegiate bodies in vetting candidates for prosecutors, and the suspension of the prosecutor's function while acting as the state secretary or minister elsewhere in the government.

Legal experts expressed mixed opinions about the amendment to transfer the Prosecutor's Office. Some believe that it neither threatens the separation of powers nor violates the constitution because the legislation does not diminish the role of the prosecutor; it merely moves its competency to another ministry. Others fear that the move will blur the separation between the prosecutor and the police, raising doubts about the former's independence during criminal investigations.

The government's austerity package also imposed deep spending cuts on the judicial system. Representatives of the judiciary complained that the cutbacks

were hastily decided without proper understanding of the sector's needs or the potential consequences of the cuts. The government did not discuss the judiciary's own proposals for improving its efficiency that it had submitted before the passing of austerity measures. The revised budget reduces funding to the judiciary by 7.5 percent in 2013 and lowers the average wage of judges and public officials. Most of the wage cuts affect Project Lukenda, which the government chose not to extend past December 2012.²¹ Implemented in 2008, Project Lukenda was intended as a temporary project aimed at improving efficiency in the judicial system and reducing court backlogs.²² However, over time it became apparent that the project effectively remedied the persistent shortcomings of the judicial system and was essential for maintaining its efficiency. There is some concern among judges that the discontinuation of the project will lead to a resurgence of court backlogs.²³

In November, the high-profile "Balkan Warrior" case finally came to an end. Of the 17 people accused, 4 Slovenian citizens were convicted of drug trafficking and received prison sentences ranging from 4 to 10 years, while the remaining 14—including the alleged leader of the crime ring Dragan Tošić—were acquitted. The convictions were based upon evidence acquired in Italy, where police had conducted three major cocaine busts related to the case. Experts anticipated the acquittals when key evidence collected by investigators in Slovenia and Serbia was surprisingly excluded from the case, though the prosecutor argued it had been legally obtained. Minister of Justice and Public Administration Senko Pličanič accepted the court's explanation for the verdicts, but asserted that the case exemplified the inefficiency of Slovenian courts, since it took a year-and-a-half for a first instance court to reach any decision. The prosecutor appealed the acquittals as well as the decision to exclude evidence. At the end of the year, the appeals were under consideration at the Supreme Court.

Corruption

| 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 |
|------|------|------|------|------|------|------|------|------|------|
| 2.00 | 2.00 | 2.25 | 2.25 | 2.25 | 2.50 | 2.50 | 2.50 | 2.25 | 2.25 |

Against the backdrop of a double-dip recession, unpopular austerity measures, and steadily emerging accusations of corruption against the political elite, Slovenian politics ran up against an angry populace in 2012. Beginning in November, a wave of demonstrations swept across the country with protestors calling for the resignation of members of the old elite in Maribor and Ljubljana. Meanwhile, low trust in government was exacerbated by revelations of corrupt or unethical behavior among new members of parliament. A new Civic List deputy allegedly wracked up an enormous business debt, leading his company into bankruptcy, while deputies from the Democratic Party of Pensioners of Slovenia and the Slovenian Democratic Party were accused of falsifying their education credentials. Another deputy of Positive Slovenia was exposed for having worked as an informant for the State

Security Service during the 70s. Throughout the year, Slovenian politics struggled to maintain a positive image in the face of a major integrity crisis that was never fully resolved. Despite the resignation of Maribor mayor Franc Kangler amidst corruption allegations at the end of the year, protests were scheduled to continue into 2013.

Allegations of corruption also surrounded the election for a prime minister in early 2012. President Türk initially refused to nominate Janez Janša for the post due to his involvement in the ongoing Patria affair. Since the case finally went to trial in September 2011, Prime Minister Janša has avoided most court proceedings, citing work responsibilities as an excuse for his absence. In early December, thousands of protestors demanded that Janša resign, but the prime minister remained in office through the end of the year.

Slovenia adopted the Law on Prevention of Corruption in 2003, and then in 2004 adopted the country's first anticorruption strategy with 172 measures to eliminate the conditions for corruption in Slovenia. These measures were prescribed for the areas of politics, state administration, investigative, prosecuting and judicial bodies, business, NGOs, the media, and the general public. In October 2004, the five-member Commission for the Prevention of Corruption began operations, and although it struggles with various problems, including threats of abolishment, the commission appears to be an effective enforcer of the Law on Prevention of Corruption as well as a confident watchdog of public employees.

Public sector organizations collaborate with various watchdog agencies as is required by law. While their engagement is generally positive, it is not usually initiated voluntarily. Moreover, high-ranking officials often avoid actively cooperating with anticorruption agencies, such as the commission and the Court of Audit. The commission plays a key role in monitoring and investigating cases of alleged corruption and other breaches of the Integrity and Prevention of Corruption Act and works closely with the police, the Public Prosecutor's Office, and Inspector General as well as civil society organizations when conducting investigations. In April 2011, the National Assembly adopted a code of ethics for civil servants in state bodies and local community administrations that outlines 10 basic guidelines and minimum standards for preventing corruption.

Slovenia was ranked 37th among 176 surveyed countries in Transparency International's 2012 Corruption Perceptions Index with a score of 61 on a scale from 0 to 100 (100 represents almost no corruption in the country).²⁴

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