

FIFTH EVALUATION ROUND

Preventing corruption and promoting integrity in
central governments (top executive functions) and
law enforcement agencies

ADDENDUM TO THE SECOND COMPLIANCE REPORT

SLOVENIA



Adopted by GRECO
at its 97th Plenary Meeting (Strasbourg, 17-21 June 2024)



Group of States against Corruption
Groupe d'États contre la corruption



I. INTRODUCTION

1. GRECO's Fifth Evaluation Round deals with "Preventing corruption and promoting integrity in central governments (top executive functions, PTEF) and law enforcement agencies (LEA)".
2. This Addendum to the Second Compliance Report assesses the measures taken by the authorities of Slovenia to implement the recommendations issued in the Fifth Round Evaluation Report which was adopted at GRECO's 78th Plenary Meeting (8 December 2017) and made public on 8 March 2018, following authorisation by Slovenia. The corresponding Compliance Report was adopted by GRECO at its 86th Plenary Meeting (26-29 October 2020) and made public on 5 October 2021, following authorisation by Slovenia. The Second Compliance Report was adopted by GRECO at its 92nd Plenary Meeting (28 November-2 December 2022) and made public on 22 March 2023, following authorisation by Slovenia.
3. As required by GRECO's Rules of Procedure¹, the Slovenian authorities submitted a situation report on measures taken to implement the recommendations contained in the Evaluation Report. This report was received on 12 January 2024 and, together with information supplied subsequently, served as a basis for this Addendum to the Second Compliance Report.
4. GRECO selected Spain (with respect to top executive functions in central governments) and Croatia (with respect to law enforcement agencies) to appoint Rapporteurs for the compliance procedure. The Rapporteurs appointed were Ms Ana ANDRES BALLESTEROS, on behalf of Spain, and Mr Ivan CRNČEC on behalf of Croatia. They were assisted by GRECO's Secretariat in drawing up this Addendum to the Second Compliance Report.

II. ANALYSIS

5. GRECO addressed fifteen recommendations to Slovenia in its Fifth Round Evaluation Report. In the Second Compliance Report, GRECO concluded that five of the fifteen recommendations had been implemented satisfactorily or dealt with in a satisfactory manner, namely recommendations i, ii, vii, ix and xiii. Six recommendations had been partly implemented, namely recommendations iv, v, viii, x, xi and xv, and four recommendations had not been implemented, namely recommendations iii, vi, xii and xiv. Compliance with the outstanding recommendations is dealt with below.

Corruption prevention and promotion of integrity in respect of central governments (top executive functions)

Recommendation iii

6. *GRECO recommended that an integrity plan be established in respect of the government, as an overarching structure to the plans existing in each ministry.*

¹ The Compliance procedure of GRECO's Fifth Evaluation Round is governed by its Rules of Procedure, as amended: Rule 31 revised bis and Rule 32 revised bis.

7. GRECO recalls that this recommendation was not implemented, as no dedicated overarching integrity plan for the Government had been established.
8. The Slovenian authorities provide that an integrity plan is not feasible for the Government, which is not a state body required to draw up an integrity plan under the Integrity and Prevention of Corruption Act (IPCA). A second interim report on the implementation of the measures of the Programme of the Government for Strengthening Integrity and Preventing Corruption 2023-2026 has been adopted and a summary of the report in English will be made available at the gov.si website.
9. GRECO refers to paragraphs 57-59 of the Evaluation Report, which have described the situation warranting the adoption of this recommendation, and concludes that, in the absence of any progress, recommendation iii remains not implemented.

Recommendation iv

10. *GRECO recommended developing efficient internal mechanisms to promote and raise awareness of integrity matters in the government, including confidential counselling and training at regular intervals of persons entrusted with top executive functions.*
11. GRECO recalls that this recommendation was partly implemented. The authorities continued to promote and raise the awareness of persons entrusted with top executive functions (PTEFs) on integrity matters by developing an online information package and sharing it with newly elected members of the Government and organising additional information sessions. However, confidential counselling had not been made available to PTEFs.
12. The Slovenian authorities reiterate that the information package, called Infopaket², has been distributed to newly elected members of the National Assembly, the Government and the cabinet staff in 2022. Also, members of the Government may consult the integrity plan administrators of the relevant ministry about their obligations (ministers consider such communication as increasing confidentiality and already do so). Integrity plan administrators, in consultation with the relevant ministries or the Commission for the Prevention of Corruption (CPC), provide members of the Government with the relevant information.
13. In addition, the General Secretariat of the Government (GSG) has created a special folder, the "Integrity Corner", which is stored on the desktop of each member of the Government and contains documents related to the obligations of Ministers under IPCA and the Code of Ethics of Public Officials. The Integrity Corner is currently being updated. GSG is preparing an electronic reminder for ministers regarding their obligations to strengthen integrity and eliminate the risk of corruption. Thus, the Integrity Corner icon will automatically appear as soon as they log in to the computer during a Government meeting. Ministers will be periodically informed, in the same manner, of other topics on strengthening integrity and preventing corruption, and short periodic reminders of their obligations or expected behaviour will appear automatically.

² Infopaket includes information about the rules on incompatibilities, conflicts of interest, business restrictions, gifts, lobbying and asset declarations, as based on the Integrity and Prevention of Corruption Act, and is available online at <https://www.kpk-rs.si/sl/zavezanci>.

14. The Ministry of Public Administration, in cooperation with the GSG and the Prime Minister's office, intends to develop a Protocol of Integrity Conduct of the Government, which would constitute an organised system of information, training and awareness-raising on the expected conduct of members of the Government. This protocol will include: a specific information package on expected conduct of members of the Government, which newly appointed members of the Government will receive upon taking office; familiarisation with the Integrity Corner; and possible in-person or online trainings focusing on strengthening integrity and preventing corruption risks.
15. The Ministry of Public Administration - Administrative Academy will provide training on integrity and prevention of corruption risks for both members of the Cabinets of Ministers and their public relations advisors, in order to empower these persons, who are in direct contact with Ministers, to advise and remind Ministers of their obligations and constraints under IPCA and the Code of Ethics of Officials of the Republic of Slovenia.
16. In 2022 and 2023, CPC has organised three trainings in relation to integrity matters for cabinet staff and officeholders. Two trainings were attended by 22 participants, mainly cabinet staff at two ministries, but also one minister, two state secretaries and one Secretary General of a ministry. The third training was organised by GSG for heads of cabinets of all ministries and of the Government and was attended by 25 participants. The following topics were covered: lobbying and gifts (the first two trainings), also conflicts of interest, asset declarations submission, business restrictions and incompatibility of functions. Each training was publicised by CPC on its website³.
17. GRECO notes that regular training activities have been provided in 2022 and 2023 to promote and raise awareness of PTEFs about integrity matters. Confidential counselling appears to take place on an *ad hoc* basis, though GRECO would prefer that it become formalised and institutionalised. Several other initiatives are in the pipeline to diversify the channels of promoting and raising awareness of integrity matter of persons with top executive functions. GRECO remains hopeful that such initiatives will indeed come to fruition soon.
18. GRECO concludes that recommendation iv has been dealt with in a satisfactory manner.

Recommendation v

19. *GRECO recommended ensuring that all contacts of persons entrusted with top executive functions with lobbyists and other third parties who seek to influence government decision-making are duly reported, including those from legal and authorised representatives of companies and interest groups.*
20. GRECO recalls that this recommendation was partly implemented. The authorities had taken certain measures to implement this recommendation, such as the conduct of awareness-raising initiatives aimed at regular and correct reporting of PTEFs on their contacts with lobbyists, the increased role of the CPC in cross-checking records of

³ <https://arhiv.kpk-rs.si/blog/2023/01/27/usposabljanje-za-kabinet-ministrstva-za-finance/>
<https://arhiv.kpk-rs.si/blog/2022/10/27/ta-teden-sodelavke-komisije-izvedle-kar-stiri-usposabljanja/>
<https://arhiv.kpk-rs.si/blog/2023/05/11/komisija-ta-teden-usposabljala-kar-trikrat/>

contacts made between PTEFs and lobbyists and the 2020 amendments to IPCA providing for an obligation for legal and authorised representatives of companies and interest groups to report lobbying contacts to the CPC (see Article 63(3)). However, other measures remained to be implemented, such as the inclusion in the Government's programme of PTEF's reporting of contacts with lobbyists, the change of the narrow definition of lobbying, which excludes third parties who are *de facto* lobbyists, and amendments to certain provisions (Articles 56a⁴ and 58(4)⁵) of IPCA, as identified in paragraph 83 of the Evaluation Report.

21. The Slovenian authorities reiterate that the 2020 amendments to IPCA have introduced a new obligation on statutory representatives and authorised agents of enterprises and interested groups (non-registered lobbyists) to report lobbying contacts to the CPC. Also, lobbied persons continue to have the obligation to report contacts with lobbyists, in accordance with Article 68.2 of the IPCA. In addition, the CPC has revised the Ministry of Public Administration's guide for officeholders in the Government and ministries, which contains basic information on, amongst other things, lobbying pertaining to PTEFs. This guide has been regularly distributed to Government's officeholders. Furthermore, in March 2022, the CPC updated its Explanatory Note on lobbying⁶, adding clarification of lobbying regulation and additional practical examples for better illustration of lobbying contacts. Also, Infopaket provides information related to lobbying, and it has been shared with members of the Government and cabinet staff appointed in June 2022 (see, also, paragraph 12 above).
22. The CPC has organised three training sessions on lobbying for cabinet staff and officeholders of the ministries and the Office of the President of the Republic (see paragraph 16 above). The CPC regularly verifies the accuracy of records kept by lobbied persons and submitted to it by making enquiries with lobbied persons and officeholders of various ministries, as well as by cross-checking records with the information that lobbyists and interest groups are obliged to provide to CPC on an annual basis (by the end of January for the previous year). The records are regularly published on the CPC's website⁷.

⁴ Article 56a, which provides for exceptions to lobbying, reads as follows: "Actions taken by individuals, informal groups or interest groups for the purpose of influencing the decision-making of state bodies, bodies of self-governing local communities and other organisations vested with public authority in the consideration and adoption of regulations and other general documents in the area directly relating to the systemic issues of strengthening the rule of law, democracy, and the protection of human rights and fundamental freedoms is not considered lobbying under the provisions of this Act".

⁵ Article 58(4), which provides for exceptions to the obligation to register as lobbyists, reads as follows: "(...) persons carrying out lobbying activities for the interest group in which they are employed shall not be obliged to enter into the register of lobbyists. The same shall apply to the legal representative or elected representative of the interest group".

⁶ <https://www.kpk-rs.si/kpk/wp-content/uploads/2023/02/Sistemsko-pojasnilo-o-lobiranju.pdf>

⁷ <https://erar.si/lobiranje/>. The authorities provide that in 2022, lobbied persons reported on 3,639 records of lobbying contacts, out of which 36 were made with registered lobbyists and 2,100 with non-registered lobbyists (who are exempt from the statutory obligation to register with the CPC). As regards 912 records of contacts, no lobbying activity was identified. However, lobbyists performed lobbying activities in relation to draft normative acts and other matter during 1,235 records of contacts.

In 2023, lobbied persons reported on 704 records of lobbying contacts. 85 records of lobbying contacts were made with registered lobbyists and 3,915 with non-registered lobbyists. After cross-checking/verification, 814 cases were found to not constitute lobbying. In 1,623 cases lobbyists had lobbied about normative acts, and in 2377 about other matters.

23. GRECO recognises the efforts made by the authorities to promote and raise awareness of PTEFs on lobbying, including through training sessions and publication of updated guides and explanatory notes. Reporting obligations on lobbied persons, such as PTEFs, and lobbyists exist, with the possibility for CPC to cross-check the accuracy of disclosed reports. GRECO welcomes the statistics provided, which demonstrates the authorities' commitment to increasing transparency and accountability of lobbyists and lobbied persons, including persons with top executive functions. However, the fact remains that certain loopholes in the provisions of IPCA, as identified in paragraph 83 of the Evaluation Report (see also paragraph 20 above), have yet to be addressed.
24. GRECO concludes that recommendation v remains partly implemented.

Recommendation vi

25. *GRECO recommended developing within the government an organisational strategy and practices to improve the management of conflicts of interest, including through responsive advisory, monitoring and compliance mechanisms.*
26. GRECO recalls that this recommendation was not implemented. No measures had been taken to implement this recommendation.
27. The Slovenian authorities have provided no new information towards the implementation of this recommendation.
28. GRECO concludes that, in the absence of any progress, recommendation vi remains not implemented.

Recommendation viii

29. *GRECO recommended (i) ensuring timely publication of the ministers and state secretaries' asset declarations and (ii) that substantive checking of these asset declarations be carried out by the Commission for the Prevention of Corruption.*
30. GRECO recalls that this implementation was partly implemented. Amendments to the IPCA, namely Article 46, had allowed the publication of changes in assets declarations as opposed to all data on income and assets reported previously. However, other than checking the timely submission and formal regularity of declaration forms, no measure had been taken to ensure substantive checks of asset declarations by the CPC.
31. The Slovenian authorities reiterate that, according to the amended Article 46 of the IPCA, only the publication of changes in assets of public officeholders is allowed, as opposed to the previous publication of all data on income and assets. Data is published

36 registered lobbyists (out of 83 registered on 31 December 2022) submitted reports on their lobbying activities performed in 2022 and 46 registered lobbyists (out of 84 registered on 31 December 2023) submitted reports on lobbying activities conducted in 2023. Due to breaches of reporting obligations for 2022, the CPC issued administrative sanctions to 18 registered lobbyists, namely a reprimand to six registered lobbyists and a prohibition to lobby for a period between three to 24 months, depending on the gravity of violation, consequences of the violation and number of past violations, to 12 registered lobbyists.

within 30 days of its receipt. The CPC has published changes in assets on its website⁸ since February 2022, and the information remains publicly available for the entire duration of the public officeholder's term of office and another year after leaving office. As regards the second part of the recommendation, the CPC has checked whether all public bodies had submitted names of all newly appointed officeholders who were obliged to declare their assets. Afterwards, the CPC has verified whether all officeholders had submitted their data in electronic format in a timely and correct manner. As a result, CPC established seven breaches of IPCA regarding the non-timely submission of asset declarations and requested the concerned office holders to submit the declarations.

32. GRECO notes that, as regards the first part of the recommendation, the situation has remained unchanged, i.e. only modifications to asset declarations are subject to timely publication instead of the publication of asset declarations in full. This part of the recommendation remains partly implemented. Neither has there been any progress towards the implementation of the second part, the CPC checks still being limited to the timely submission and formal regularity of declarations. Consequently, the second part of the recommendation remains not implemented.
33. GRECO concludes that recommendation viii remains partly implemented.

Corruption prevention and promotion of integrity in respect of law enforcement agencies

Recommendation x

34. *GRECO recommended (i) enhancing risk management within the police, by further developing an intelligence collection plan to identify corruption problems and emerging trends, coupled with a regular assessment mechanism, which is adequately resourced, and aims at reducing or eliminating the identified risks; (ii) strengthening public reporting tools on integrity and corruption prevention measures in the police.*
35. GRECO recalls that this recommendation was partly implemented. Amendments to the Organisation and Work in the Police Act, as a result of which the police would manage and maintain data on gifts, additional work and supplementary activities, conflicts of interest, contacts with lobbyists and third parties, intended to put in place an intelligence collection plan to identify corruption problems and emerging trends and develop reporting tools on integrity and corruption prevention measures in the police.
36. The Slovenian authorities provide that a tool has been developed, which retrieves data on incidents (i.e. committed or suspected offences) involving police officers and police staff from police records. A table of incidents is created daily, which provides information on police officers' misconduct, the provision that has been breached, the unit that has dealt with the misconduct and the unit where the police officer has been employed. This information allows for the preparation of risk assessment, which makes it possible to plan further measures to prevent, detect, assess, analyse and investigate misconduct.

⁸ <https://www.kpk-rs.si/delo-komisije/instituti/premozenjsko-stanje/javna-objava-sprememb-premozenjskega-stanja/>

37. In addition, work has commenced on setting up registers on notifications of conflicts of interest, secondary employment activities, gifts, contacts with lobbyists and third parties, the information of which will be cross-checked using a police officer's identification code. The registers will have a built-in notification system to hierarchical managers as well as advisory mechanisms or explanations about restrictions applicable to police officers. This will allow the senior management to react without delay to any notifications and manage risks in the police. The registers are expected to become operational upon successful testing thereof.
38. Lastly, the number of posts in the Internal Investigations and Integrity Division has doubled. In addition to one administrative officer, eight senior police inspectors and three police superintendents have been recruited. In order to develop tools, mechanism and measures to manage corruption risks, a proposed amendment of job classifications in police directorates is underway. Because of changes in job classification, the number of employees in the police directorates will increase and new separate sections will be created, which will address risks and enhance internal security in the police.
39. GRECO notes that, as regards the first part of the recommendation, a mechanism has been developed, producing a daily table of incidents arising out of police officers' misconduct. Work is underway to set up various registers to manage risks in the police and to strengthen the human capacity which would carry out regular risk assessment and management. For this reason, this part of the recommendation remains partly implemented. In the absence of any information pertaining to the progress of implementation of the second part of the recommendation, it remains not implemented.
40. GRECO concludes that recommendation x remains partly implemented.

Recommendation xi

41. *GRECO recommends strengthening the existing mechanisms for career promotion and dismissal in the police in order to ensure that they are fair, merit-based and transparent, including abandoning the practice where the supervisor decides on this single-handedly. Particular attention should be paid to the recruitment and integration of women at all levels in the police structure.*
42. GRECO recalls that this recommendation was partly implemented. The practice of dismissal decisions taken by supervisors single-handedly had been abandoned, while this was not the case for promotion decisions. Also, the development of a competency-based model for promotions in the police was underway. Some limited progress had been achieved regarding the increased number of women in the police.
43. The Slovenian authorities report that they are in the process of preparing a document to address current challenges in the transfer process, having regard to the latest legislation, especially the Collective Agreement for police officers and relevant judicial practice. The document is expected to provide for transfers under different legal bases. The new procedure will require units to appoint a commission to select the most suitable candidate when more than one candidate apply for a managerial position or positions within the General Police Directorate. The verification of candidates' qualifications will

be consistent with the Regulation on the procedure for filling positions in the State administration and judicial bodies, which outlines the methods to be used in the selection process. A report will be drawn up for each selection process, including cases where one single applicant has been selected or when no candidates have been deemed suitable.

44. The authorities further provide that the Competency-based Model in the Police (CMP) has been developed with the aim of establishing mechanisms for effective staff management, staff monitoring and development, and redeployment of staff members to more demanding areas of work or to senior positions. CMP comprises five basic competences (i.e. commitment to professionalism, proactive action, managing challenging situations, cooperation with the community and responsible behaviour), four management competences (i.e. organising work, goal orientation, maintaining good relations, employee development) and 26-job specific competences. A Manual for assessing and developing competences in the police has been published⁹. All heads of unit and human resources personnel in the Police have received training on the use of the CMP in order to learn to assess competences during the staff selection and supervision processes. A video course on CPM has also been created. In addition, as part of an initiative led by the Ministry of Public Administration, an information system for the management and development of state administration employees, named IS MUZA, has been established to support the personnel procedures are regards the internal job market, knowledge and opportunities in the public administration, competency management and development, and training needs. IS MUZA has been successfully deployed in the police's test information environment, and a first training session has taken place.
45. As the Police is part of the civil service system, the existing civil service legislation applies to it. There is no separate law regulating the system of promotion and performance evaluation in the police. Eligibility for promotion is verified on the basis of the last three annual performance evaluation reports. A police officer's immediate superior is tasked with drawing up the annual performance evaluation report. The fulfilment of eligibility requirements for promotion is determined by the responsible person, and the ultimate decision is taken by the Director General of Police.
46. Lastly, the authorities have taken several measures to improve the recruitment and integration of women at all levels. A gender mainstreaming strategy has been implemented in the Ministry of the Interior and the Police for some years, according to which they are tasked with monitoring the status of a balanced gender representation, particularly in decision-making roles. Equal opportunities for Women and Men Coordinators have been appointed in the Ministry of the Interior and the Police, who have contributed to raising awareness amongst police officers about the importance of gender equality and to the increased representation of women. A Consultative Body for Gender Mainstreaming has also been established since 2009, which includes employees from different areas of work and levels of organisation. It has contributed to increasing women representation (e.g. in 2007 the proportion of female police officers stood at 13%, where the figure had risen to 18.46% in 2021). As of 2023, women represented

9

https://www.policija.si/images/stories/Publikacije/PDF/Prirocnik_Presojanje_in_razvoj_kompetenc_maj2023.pdf

27.65% of the police workforce, and only 4.70% hold management positions, which is below the 40% threshold established by domestic legislation. The Research and Social Skills Centre of the Police Academy has also carried out different activities to promote gender equality (e.g. workshops for newly recruited police officers and management positions, organisation of events or activities on the occasion of the International Women's Day, the conduct of lecture on workplace health promotion, etc.). Moreover, the police have conducted workshops on the topic of gender equality for new students and future management staff at the Police College every year, where participants have acquired knowledge about prejudices and stereotypes, the legislation and gender-based violence. More than 150 students and 25 managers have attended the workshops in 2023. To mark the 50th anniversary of the recruitment of female police officers, the authorities have organised an exhibition, entitled "Where are the Women?" and promoted the recruitment of women in the Slovenian police. According to the updated figures provided by the authorities, two of the eight police directorates are led by women; in 2022, out of 8,412 police officers, there were 2,268 women working in the Police (i.e. 26.96%); in 2023, there were 2,258 women out of 8,183 police officers (i.e. 27.59%).

47. GRECO takes note of the authorities' intention to set up commissions to decide on transfers of police officers if more than one candidate apply. It also notes the development of a Competency-based Model in the Police which will contribute to the fair and merit-based selection and promotion of managers. However, the fact remains that promotions continue to be based on annual performance evaluation reports, which are drawn up and finalised by one single person and are not accompanied by adequate safeguards to prevent taking arbitrary and unilateral decisions (see, also, paragraph 173 of the Evaluation Report). GRECO further acknowledges the variety of measures taken by the authorities to increase women representation at all levels in the Police. It is expected that they will have a long-term positive impact on increasing the women representation in order to attain the domestic statutory threshold.
48. GRECO concludes that recommendation xi remains partly implemented.

Recommendation xii

49. *GRECO recommended developing an organisational strategy and practices to improve the management of conflicts of interest in the police, including through responsive advisory, monitoring and compliance mechanisms.*
50. GRECO recalls that this recommendation was not implemented. The authorities intended to establish a register of conflicts of interests which would be monitored by the International Investigation and Integrity Division and needed to be complemented with a responsive advisory and compliance mechanism.
51. The Slovenian authorities report that, further to the amendments to the Organisation and Work of the Police Act, an electronic register of conflicts of interest is being tested. Police officers will be informed in detail of its functioning on successful testing of all systems. The register will enable the collection of data on the type of duties performed by police officers involving a conflict of interest, and information on the notification of

a conflict of interest to the superior and the decision taken concerning the existence of a conflict of interest.

52. A police officer will enter information on the category of police duties to be selected from an exhaustive list. S/he will indicate whether a decision, constituting a conflict of interest, has been taken. The police officer will also report circumstances that s/he believes to be a potential conflict of interest. The register will contain an explanation of what constitutes a conflict of interest and how the police officer is expected to act in situation of conflicts of interest. Once the police officer saves the information in the electronic register, a notification will be sent to his/her superior and the Internal Investigation and Integrity Division. The superior will decide on the existence of a conflict of interest and the corresponding action(s) to be taken. The superior will further indicate the manner through which s/he will ensure that the task is carried out lawfully, impartially and objectively and is required to provide updated information on the application. Once the decision is taken, the unit responsible for internal investigation at the regional police directorate and the Internal Investigation and Integrity Division are notified to ensure its accuracy and consistency with established practice. The system will automatically report an unmonitored case to the superior police authority and send a notification of an unfinished case in order to ensure a high degree of responsiveness. Statistics can be extracted to analyse the procedures and decisions of police managers and to identify systemic risks in specific areas of police work. The register is also used to gather information on corruption risks.
53. GRECO welcomes the pilot testing of an electronic register of conflicts of interest, which will introduce a system of reporting potential and actual conflicts of interest by police officers, decision-taking by superiors and continuous monitoring of decisions resolving a potential or actual conflict of interest. Pending the full functioning of the electronic register and the development of a consolidated practice, together with the organisation of tailored trainings for superiors, this recommendation has not been more than partly implemented.
54. GRECO concludes that recommendation xii has been partly implemented.

Recommendation xiv

55. *GRECO recommended developing specific mechanisms for preventing and managing conflicts of interest after officers leave the police organisation.*
56. GRECO recalls that this recommendation was not implemented. The authorities had carried out a benchmarking exercise to consider the practice in other countries and concluded that the Slovenian legislation did not differ from that of other countries.
57. The Slovenian authorities report that the Rules on the Protection of Police Data have been amended to prevent unauthorised use of special categories of data obtained in the course of police work. Police officers are bound by regulation to protect all information after leaving the police sector. Also, the provisions on conflict of interest and the duty of care of officers apply in the police service whenever circumstances arise where a private interest might influence an officer's conduct or decision. Police officers work in teams when dealing with serious criminal offences and are supervised by the head of

the police unit. Police officers are fully aware of the information security policy. They are also aware of the prohibition of unauthorised processing of data and that disclosing data to unauthorised persons constitutes a breach that will be sanctioned. The authorities consider that the existing legislation does not allow the police to deviate from established procedures regarding the recruitment, promotion or dismissal of police officers.

58. GRECO takes note of the information provided by the authorities and considers that none of the measures taken aim at developing a mechanism for preventing and managing conflicts of interest after police officers leave the police. As indicated in paragraph 201 of the Evaluation Report, such a mechanism may take the form of broadening the scope of the two-year cooling-off period, which presently applies only to police officers wishing to work as private detectives. It may also consist of making future post-public employment subject to a statutory obligation to report it to the authorities and to obtaining the authorities' (conditional) approval prior to engaging in post-public employment activities. This may be coupled with an effective supervision and adequate sanctions in case of breach. In these circumstances, it cannot be said that this recommendation has been complied with, even partly.
59. GRECO concludes that recommendation xiv remains not implemented.

Recommendation xv

60. *GRECO recommended (i) resorting to a more systemic use of the multiple-eye principle, whenever possible, and (ii) strengthening the protection of whistle-blowers and making sure that all officers are well informed of the available channels to report wrongdoing in the workplace.*
61. GRECO recalls that this recommendation was partly implemented. GRECO welcomed the initiatives taken to promote the "multiple-eye principle" in the road traffic policing procedure and border check procedures. A draft law on the protection of whistleblowers was pending before Parliament.
62. The Slovenian authorities provide that, as regards the first part of the recommendation, the use of the multiple-eye principles has been implemented in areas of policing where there is a risk of corruption when exercising police powers, such as border checks and traffic patrol. Furthermore, the Police rules stipulate that patrolling is normally carried out by two police officers, one of whom is the patrol leader. In exceptional cases, patrolling may be carried out by a single experienced police officer in broad daylight. The Slovenian Police has currently deployed 322 police body cameras to record the exercise of police powers.
63. With regards to the second part of the recommendation, the Whistleblower Protection Act came into force on 22 February 2023 and has implemented the EU Directive 2019/1937 on the protection of whistleblowers reporting breaches of EU law. Consequently, on 23 May 2023 the police adopted an instruction on the internal channel for reporting breaches of law in the Police (the Instruction). The Instruction, which lays down a prohibition on retaliation against whistleblowers, has been posted on the Police intranet site, together with links to service providers and an intervention telephone

number of a police on-call specialist who is available 24 hours a day for psychological support to whistleblowers. Two staff members¹⁰ have been appointed as “persons of trust” and will act as internal reporting channels for whistleblowers, who may report breaches by filling out a form appended to the Instruction, in one of the following ways: by email, by regular mail or in person, at the office or by telephone or email. Anonymous reporting is also allowed. Upon receipt of a report, persons of trust will verify whether the report satisfies the conditions set by law and carry out a preliminary examination based on a checklist appended to the Instruction¹¹. Administrative support is provided by an authorised administrative officer at the Centre for Research and Social Skills of the Police Academy of the General Police Directorate.

64. Persons of trust are obliged to treat reports with care, confidentiality and independence. Paper-based reports are to be kept in a lockable filing cabinet, and electronic reports in an electronic filing system. Reports are to be dealt with in a chronological order, unless they endanger the life or personal safety of persons or cause other irreparable harm. Persons of trust will be provided with assistance and information they need for their work. They may also advise and assist the whistleblower against retaliation (e.g. free legal aid, unemployment benefits and psychological support). Persons of trust will take such steps as are necessary to bring the breach to an end. If they are not competent to put an end to the breach or remedy its consequences, they will inform the persons or internal organisational units responsible for remedying the breach, the police unit of the Police Directorate responsible for internal security and the police unit of the General Police Directorate responsible for internal security of the report and the proposed remedial actions. Persons of trust will impose a time-limit within which the authorities must provide him with information on the findings and measures taken or proposed to be taken to remedy the breach. They are required to inform the whistleblower of the processing of the report and measures taken. They are also to draw up an annual statistical report.
65. The Director General of Police has disseminated the Instruction to all units, instructing them to inform police officers accordingly. Routine discussion about similar instructions take place during work meetings, and compliance therewith is monitored during police unit inspections. A reminder note has been appended to the implementation of controls to verify whether police officers have familiarised themselves with the Instruction. As a result, in 2023 one report was filed by a police officer. The person of trust assessed the report and subsequently informed the Director General of Police about the findings, concluding that no violations were identified. In 2024 two reports were filed. Whereas one report was found to be compliant with the Instruction, no breaches were found upon investigation for want of sufficient information. The second report prompted the opening of a verification process which is ongoing.

¹⁰ One staff member works for the Centre for Research and Social Skills at the Police Academy and the other for the Higher Police School at the Police Academy of the General Police Directorate.

¹¹ According to the checklist, persons of trust verify that: the whistleblower is a natural person; the whistleblower is an employee of the Police or a volunteer, trainee, apprentice, contract worker, student or participates in tendering procedures as a candidate or otherwise participates in activities in the Police; that the whistleblower is reporting a violation or suspected actual or potential violation of the rules which has occurred or is likely to occur in the Police; the report is not manifestly ill-founded; that the reported breach is ongoing or has ceased to occur less than two years ago.

66. GRECO takes note of the information provided by the authorities. In terms of the first part of the recommendation, GRECO welcomes that the use of the multiple-eye principle appears to have become the norm and considers that it has been complied with. Regarding the second part of the recommendation, GRECO welcomes the entry into force of the Whistleblower Protection Act and the adoption of an instruction by the Directorate General of Police. The Police Instruction appears to have strengthened the protection of whistleblowers by establishing an internal reporting channel, allowing for anonymous reporting online, by mail or over the telephone, protecting confidentiality and anonymity of whistleblowers and ensuring that only “persons of trust” have access to whistleblowers’ reports, prohibiting retaliation and providing assistance and services to whistleblowers (e.g. free legal aid, unemployment benefits and psychological support). For the second part to be considered fully implemented, the authorities need to demonstrate convincingly that all police officers have been fully informed of the available channels for reporting wrongdoing in the Police (conducting regular training sessions with police officers would be more beneficial than sending a note to all units without ensuring that police officers have been appropriately and adequately informed of the Instruction). That is expected to lead to a higher number of wrongdoing reports filed with persons of trusts.
67. GRECO concludes that recommendation xv remains partly implemented.

III. CONCLUSIONS

68. **In view of the foregoing, GRECO concludes that Slovenia has implemented satisfactorily or dealt with in a satisfactorily manner six of the fifteen recommendations contained in the Fifth Round Evaluation Report.** Six recommendations have been partly implemented and three have not been implemented. More specifically, recommendations i, ii, iv, vii, ix and xiii have been implemented satisfactorily or dealt with in a satisfactory manner, recommendations v, viii, x, xi, xii and xv have been partly implemented and recommendations iii, vi and xiv have not been implemented.
69. As regards persons entrusted with top executive functions (PTEFs), there has been certain progress toward the implementation of the outstanding recommendations. Internal mechanisms have been developed to conduct awareness raising activities of PTEFs, through the organisation of training sessions and publication of updated guides and explanatory notes. Tangible progress has been made to disclose and cross-check contacts of persons with top executive functions with lobbyists. However, tangible and robust actions are required in the establishment of an integrity plan for the government, the development of confidential counselling for PTEFs, the elaboration of a strategy and practices to manage conflicts of interest in the government and the carrying out of substantive checks of asset declarations filed by PTEFs.
70. As regards law enforcement agencies, a tool has been developed, producing a daily table of incidents which is used to identify problems and trends, and work is underway to set up various registers to assess and manage risks. An electronic register of conflicts of interests is being tested, the effectiveness of which ought to be complemented by established practice and advisory services. Measures have been put in place to increase the representation of women in the Police, and to strengthen the protection of

whistleblowers. However, tangible action should be taken to inform all police officers of, and encourage them to use, the reporting channels. Decisions regarding promotions should not be based on annual performance reports drawn up single-handedly by one single person. The authorities must develop specific mechanisms to prevent and manage conflicts of interest after police officers leave the Police.

71. In view of the above, GRECO concludes that Slovenia is not in sufficient compliance with the recommendations contained in the Fifth Round Evaluation Report within the meaning of Rule 31 revised bis, paragraph 10 of the Rules of Procedure. GRECO therefore decides to apply Rule 32 revised, paragraph 2 (i) and asks the Head of delegation of Slovenia to provide a report on the progress in implementing the outstanding recommendations (i.e. recommendations iii, iv, v, vi, viii, x, xi, xii, xiv and xv) by 30 June 2025.
72. In addition, in accordance with Rule 32 revised, paragraph 2, sub-paragraph (ii.c) of the Rules of Procedure, GRECO invites the Secretary General of the Council of Europe to send a letter – with a copy to the Head of delegation of Slovenia – to the Minister of Foreign Affairs of Slovenia, drawing attention to non-compliance with the relevant recommendations and the need to take determined action with a view to achieving tangible progress as soon as possible.
73. Finally, GRECO invites the Slovenian authorities to authorise, as soon as possible, the publication of the report, to translate it into the national language and to make the translation public.