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**THE PROGRAMME OF ANTI-CORRUPTION MEASURES
OF THE GOVERNMENT OF THE REPUBLIC OF SLOVENIA
FOR THE PERIOD 2005-2016**

ZERO TOLERANCE FOR CORRUPTION

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I. INTRODUCTION

I. 1. Reasons for the adoption of the revised government programme of anti-corruption measures 2015-2016

In accordance with the Coalition Agreement for Participation in the Government of the Republic of Slovenia 2014-2018 of September 2014, the mission of the Government of the Republic of Slovenia (hereinafter: the Government) is to restore people's confidence in the state and the rule of law. Its platform of action includes a determined fight against corruption and a zero-tolerance approach, which are also part of its main priority issues concerning Slovenia's future development.

The preparation and implementation of anti-corruption measures is also one of the recommendations made by the Council of the European Union (hereinafter: (the EU Council) to the Republic of Slovenia in 2014 regarding the National Reform Programme 2014-2015.¹ In accordance with these recommendations, Slovenia will continue to implement the existing measures and take additional effective measures to combat corruption and promote transparency and responsibility by introducing external evaluation of the implementation thereof and quality control.

In December 2013, the management of the Commission for the Prevention of Corruption (hereinafter: the CPC) unveiled its proposals to address the country's current corruption issues. By recognising the CPC as an important stakeholder in the drawing up of an action plan for this area, the then Government included most of the proposals in the Programme of Anti-Corruption Measures of the Government of the Republic of Slovenia (adopted on 5 March 2014).² The Programme sets out the measures and time limits for their implementation.

By taking into account the views of the EU and international institutions and their recommendations considering the level of corruption, the Government intends to carry on and, in some areas, step up its activities aimed at implementing the measures set out in the Government's anti-corruption programme. In this context, at its regular session on 13 November 2014 the Government adopted Decision No. 00403-1/2014/43, which reads as follows: "The Ministry of Public Administration shall prepare a proposal for a revised Programme of Anti-Corruption Measures of the Government of the Republic of Slovenia, together with a timetable for their implementation."

In the Government's assessment, the activities for the implementation of the Programme have been successfully started, as shown in the first interim report on the implementation of the anti-corruption programme;³ moreover, some measures were found to have been adopted or implemented before 1 May 2014 and that many more followed until December 2014. Some legislative changes (such as amendments to the Public Information Access Act, the new Slovenian Sovereign Holding Act, amendments to the Public Procurement Act) and other activities and measures were carried out both in the public administration and in the field of the judiciary, prosecution and the Police. According to the report of the international NGO Transparency International, Slovenia ranked 39th out of 175 countries in terms of the Corruption Perception Index in 2014, an improvement by four places from the previous year's

¹ Recommendation of the EU Council regarding the 2014 National Reform Programme:

http://ec.europa.eu/europe2020/making-it-happen/country-specific-recommendations/index_en.htm

²The materials are published on the website of the Ministry of Public Administration:

http://www.mju.gov.si/si/delovna_podrocja/integriteta_in_preprecevanje_korupcije/

³http://www.mju.gov.si/si/delovna_podrocja/integriteta_in_preprecevanje_korupcije/

position. The improvement is undoubtedly also due to the Government's earlier anti-corruption efforts.

The European Commission's Anti-Corruption report 2014 shows that Slovenia has been among the most active of the Central and Eastern European states in the fight against corruption, with a well-developed legal and institutional anti-corruption framework. In 2004, Slovenia adopted specific anti-corruption legislation: First, the anti-corruption act⁴ and then the national anti-corruption strategy⁵ and the Rules of Procedure of the CPC. The current Integrity and Prevention of Corruption Act (hereinafter: ZIntPK).⁶ which came into force in 2010 and was amended in 2011, introduced a number of amendments and modifications. The act provided, *inter alia*, for cooperation between the CPC and NGOs in combating corruption, increased the number of agents reporting on the financial situation, regulated the protection of notifiers of corruption, set the terms and conditions for and the supervision of lobbying, determined the obligation to include anti-corruption provisions into agreements with bodies exercising public powers, and regulated the nullity of contracts entered into with corruptive intent. Moreover, the ZIntPK temporarily prohibits persons whose term of public office has terminated from transacting business with the public authority in which they previously held a position and confers upon the CPC the competencies of a minor offence authority. The CPC can punish individuals, responsible persons, bodies exercising public powers and other legal persons governed by public or private law and interest organisations. When the CPC determines the suspicion of a criminal offence of corruption, it notifies the Police and the Prosecutor's Office thereof. Due to the problems identified in the implementation of the provisions of the ZIntPK, an inter-ministerial working group composed of the representatives of the Ministry of Public Administration, the Ministry of Justice and the CPC will be established in 2015 with a view to drafting the amendments to the Integrity and Prevention of Corruption Act by the end of 2015.

The Government will continue with the implementation of the successfully initiated anti-corruption activities and measures and will also expand and intensify its activities which have so far not produced the desired results. Further measures in public administration will require individual ministries, including bodies affiliated with the ministries, to particularly strengthen their internal mechanisms for consistent control of corruption risks and integrity violations – integrity plans. The risks identified will then be recorded in a single risk register by areas covered by a particular ministry. The prevention of corruption and the strengthening of integrity will also have to be reflected in an updated job classification, new employee profiles for exposed jobs and recruitment procedures. Following the example of other EU Member States and in accordance with OECD recommendations, the possibility of introducing a system of compulsory "rotation" of public employees will be considered for critical jobs with a higher corruption risk exposure level. The focus of the implementation of measures for preventing or limiting corruption and conflicts of interest will be focused on the field of justice, public procurement in health care, and other areas with a higher risk of corruption.

In the field of Police activity and justice (state prosecutors' offices and the judicial power), there is a need to strengthen the activities and mechanisms for detecting (the Police), prosecuting (state prosecutors' offices) and trying (the judicial power) corruption offences both by means of specialisation and appropriate positive financial and other measures contributing to the strengthening of the implementation of the fundamental constitutional principle of the rule of law referred to in Article 2 of the Constitution of the Republic of Slovenia. This specifically entails continuing support to the Police and particularly to the

⁴The Prevention of Corruption Act (Uradni list RS, No. 2/2004).

⁵Resolution on the Prevention of Corruption in the Republic of Slovenia (Uradni list RS No. 85/04).

⁶The Prevention of Corruption Act (Uradni list RS, No. 69/11 - Official Consolidated Text).

National Bureau of Investigation, further support to the Specialised Office of the State Prosecutor of the Republic of Slovenia and to the specialised sections of four District Courts in terms of staffing, the provision of financial resources, expert opinions and training. Moreover, the existing mechanisms for effective operation and cooperation in combating corruption need to be promoted and established, particularly including specialised investigation teams and financial investigation teams, where the expert role of the Financial Administration of the Republic of Slovenia and other competent authorities which can participate in the work of these teams under the direction of the State Prosecutor in accordance with the provisions of the Criminal Procedure Act, the Act on International Cooperation in Criminal Matters with the EU Member States and the Forfeiture of Assets of Illegal Origin Act. Through the implementation of the planned activities and measures aimed at enhancing integrity and limiting the risks of corruption, Slovenia is realising its vision to create a professional and efficient public service capable of systematic and thorough management of corruption risks and strict sanctioning of violations by ensuring the efficient operation of its public institutions and the professional and responsible work of public employees. This would considerably contribute to the continuous and transparent performance of public tasks and increased public confidence in the rule of law.

The formulation of the policy and methods for a determined fight against corruption in the public administration and the implementation of appropriate measures require a higher degree of cooperation and assistance from stakeholders such as NGOs and the CPC. In its assessment of the progress achieved in preventing corruption and eliminating conflicts of interest from December 2013, the CPC, as an independent body and a major implementing body of the provisions of the ZIntPK and subsidiary regulations, made a multi-faceted presentation of the situation in this area. The CPC also actively responded to the revised anti-corruption programme, as shown in the report.

I. 2. The implementation of the recommendations of international and EU organisations

The Organisation for Economic Cooperation and Development (OECD) and the Group of States against Corruption (GRECO) of the Council of Europe have issued a number of recommendations and guidelines to effectively combat corruption that are based on their experience and analysis of the situation.

In 1966, the Council of Europe started implementing an action programme against corruption as one of its priorities. In 1997, a resolution under the working title "Twenty Guiding Principles to Combat Corruption" was adopted which defined the areas in which prompt action by all states is required and which should be included in their respective anti-corruption strategies. In 1999, the Council of Europe⁷ adopted the Criminal Law Convention on Corruption, which was ratified by Slovenia in 2000, and the Civil Law Convention on Corruption which, together with the Resolution on the Twenty Guiding Principles to Combat Corruption, Recommendation No. R (2003) 4 on Common Rules against Corruption in the Funding of Political Parties and Electoral Campaigns and Recommendation No. R (2000) 10 on Codes of Conduct of Public Officials, all adopted by the Council of Europe, form the GRECO regulatory network for assessing the Member States. The objective of GRECO is to improve the capacity of its members to fight corruption by monitoring their compliance with the Council of Europe anti-corruption standards through a process of mutual evaluation and peer pressure and helping to identify deficiencies in national anti-corruption programmes and encouraging the necessary legislative, institutional and practical reforms. Slovenia is one of the 17 founding members

⁷More information is available at www.coe.int/greco.

of the group⁸. In the fourth round of evaluation of Slovenia, which started in 2012, the country received a recommendation from GRECO relating to measures for preventing and managing potential acts of corruption and the occurrence of conflicts of interest among judges, state prosecutors, deputies of the National Assembly and National Council members. In this regard, GRECO called upon the Slovenian authorities to submit a report on the measures taken to implement the recommendations by 30 April 2014, whereupon the measures and their implementation will be evaluated.⁹ The Government took note of the report by GRECO at its 10th regular meeting held on 23 May 2013. The Government also took a decision calling upon the CPC to start drafting a timetable and coordination of the fulfilment of recommendations, with which the CPC complied.

The GRECO recommendations, which are important for the area covered by the Courts Act, provide a detailed definition of the criteria for the selection and evaluation of judges in a specific regulation, the establishment of a code of business conduct or a code of ethics that would be binding on all judges and ethics and integrity training. They also call for the establishment of clear standards and the code of business conduct and provide comments and/or practical examples to be applied to all judges. The Slovenian Association of Judges has already issued a code of ethics for judges which, however, is only binding on Association members. For this reason, the body responsible for the adoption of the code and the binding nature of the code on all judges should be defined by law. The next GRECO recommendation suggests that the criteria for selecting and evaluating judges should be defined by an appropriate rule. In view of the aforementioned recommendations, the Government defined the wording of the proposed amendments to the Courts Act, the Judicial Service Act, the Public Prosecutor Act, the Free Legal Assistance Act and the Court Register Act at its 13th regular meeting held on 11 December 2014.

The Organisation for Economic Cooperation and Development (OECD) is an international economic organisation of developed countries that sets global standards and principles in economic and development policies. OECD programmes help the Member States to identify and combat corruption and conflicts of interest in their public sectors. They are also a political and practical tool for promoting integrity and transparency and are particularly focused on lobbying, political management and public contracts. In 1997, the OECD adopted a Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, which came into force in 1999. Its implementation is the responsibility of the OECD Working Group on Bribery in International Business Transactions. The 2012 report of the largest international anti-corruption organisation, *Transparency International*, on the implementation of the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions shows that Slovenia was ranked among the 20 countries that did not adopt any (or adopted very few) measures to combat the bribery of foreign public officials. The ranking is the result of inadequate or insufficiently effective implementation of the legislation on corruption and integrity, which has been rated positively in terms of the evaluation of the legislative framework¹⁰.

The *European Anti-Fraud Office (OLAF)* is one of the offices of the European Commission. Its key tasks are to protect the financial interests of the EU and to combat fraud, corruption, and other misconduct, including misconduct within EU institutions. OLAF coordinates cooperation between the competent authorities of the Member States and provides them with the necessary support and technical expertise in their anti-fraud activities. It also

⁸Source: the GRECO website http://www.coe.int/t/dghl/monitoring/greco/general/2.%20Historical%20Background_en.asp

⁹For more information, visit the CPC website at www.kpk-rs.si

¹⁰For more information, visit the OECD website at www.oecd.org

contributes to the development of the EU anti-fraud strategy and acts as an initiator of legislative improvements.

The CPC actively participates in international cooperation and represents Slovenia in the following international organisations: the OECD (the Organisation for Economic Cooperation and Development), the UNO (the United Nations Organisation), the Council of Europe and GRECO (The Group of States against Corruption of the Council of Europe), EPAC/EACN (European Partners against Corruption), and IACA (International Anti-Corruption Academy).

I. 3. Activities of judicial and prosecuting authorities

The prosecuting authorities have intensified their activities in the area of economic crime and corruption. Information links between the Police and the Prosecutor's Office have been improved and the training of policemen and prosecutors has been intensified. The management of the National Bureau of Investigation (hereinafter: the NBI) has introduced a modified work concept in order to enhance the effectiveness and the rational use of time during Police investigations. As regards systemic improvements of financial investigation, the prosecuting authorities actively participated in drafting the amendments to the Forfeiture of Assets of Illegal Origin Act (ZOPNI). A specialised team for investigating damage caused to banks has been established and intense investigations are underway to identify criminal offences associated with corporate lending by predominantly state-owned banks. Another working group has been established for effective and systematic investigation of areas for which there is a suspicion of organised crime resulting from corruption offences committed by individuals or from systemic corruption. Guidelines and instructions for effective detection and investigation of corruption offences have been prepared and efforts have been made to strengthen the participation in strategic management, operational guidance and coordination on the national and regional levels. In this context, professional supervision is performed principally with a view to standardising work processes, exchanging good practices and eliminating deficiencies in investigating economic crime.

The work of prosecuting authorities in combating economic crime and corruption will continue to be given special priority and fresh impetus by improving the forms and methods of cooperation between the State Prosecutor's Office and the Police in prosecuting criminal offences in accordance with the current legislation by providing appropriate organisational, personnel and material resources for effective identification and investigation of economic crime and corruption, by adopting and implementing additional measures for effective forfeiture of illegally acquired assets, by ensuring effective identification and investigation of the criminal offences of causing damage to banks, and by preventing, identifying and investigating economic crime.

Cooperation will also be intensified with other state bodies that together with law enforcement authorities participate in the work of specialised investigation teams established in accordance with the Criminal Procedure Act and in financial investigation teams established in accordance with the ZOPNI, which particularly applies to the Office of the Republic of Slovenia for the Prevention of Money Laundering. Money laundering has been classified as an economic crime and is an inevitable stage in concealing the origin of assets derived from crime, including corruption.

Judicial authorities have become specialised in prosecuting organised crime and adjudication in the most complex criminal cases. The specialisation of the competencies of individual judicial authorities has brought about the changes in legislation cited below.

The Criminal Procedure Act¹¹ represents a legal framework for the establishment of specialised investigation teams. In some complex criminal cases, particularly in the area of economic crime, corruption and organised crime, which are subject to pre-trial proceedings or require the long-term concerted action of several bodies and institutions, the head of the competent State Prosecutor's Office may establish *ex officio* or upon the written initiative of the Police, a specialised investigation team together with the heads of individual bodies and institutions.

Upon the entry into force of the amended State Prosecutor Act (hereinafter: ZDT-1), a Specialised Office of the State Prosecutor of the Republic of Slovenia will be established, with the task of prosecuting some of the most complex crimes, which requires special organisation and skills and the maximum efficiency of state prosecutors. The ZDT-1 also introduced prosecution guidelines for adopting a prosecution policy by the State Prosecutor General based on a prior reasoned opinion of the State Prosecutors' Council on the proposed prosecution policy.

Equally important for the cooperation between the State Prosecutor's Office and other state bodies with investigative powers (the Tax Administration, the Customs Administration, the Money Laundering Prevention Office) is the amended Forfeiture of Assets of Illegal Origin Act¹² (hereinafter: ZOPNI), which provides for the formation of a financial investigation team which is to perform its tasks in accordance with the provisions of the ZOPNI. Moreover, the transitional provisions of the amended ZOPNI require the establishment of a special department in accordance with the ZDT, with the task of carrying out financial investigations in accordance with the ZOPNI. Under the amended ZOPNI, the CPC will be the competent authority that may propose a financial investigation. The amended Courts Act has facilitated the creation of specialised departments for adjudicating in complex cases of organised and economic crime, terrorism, corruption and other similar criminal acts. There are specialised District Court departments at Higher Courts that are in charge of investigations and adjudicating in complex cases of organised and economic crime, terrorism, corruption and other similar criminal acts in which the indictment is brought by the State Prosecutor's Office in charge of prosecuting the aforementioned crimes (hereinafter: the Specialised Department). Matters within the competence of a Specialised Department are dealt with by the judges allocated to it due to their specific qualifications and experience in resolving complex criminal matters.

The amended Courts Act has introduced specialised departments for adjudicating in complex cases of organised and economic crime, terrorism, corruption and other similar criminal acts in four District Courts at the seats of the Higher Courts. This has brought about a specialisation in the trial phase also in the area of corruption offences.

¹¹Uradni list RS, No. 32/12 – official consolidated text and 47/13

¹²Uradni list RS, No. 91/11.

II. THE SPECIFICATION OF MEASURES

Ref. no.	Name of the measure	Institutions responsible	Deadline for implementation
1.	Introduction of an audit of the procedures and operation of TEŠ 6	Min. of Infrastructure, Min. of Finance, Min. of Justice	End of 2015
2.	Identification of (the past) corrupt activities involved in banking transactions and the preparation of the legal basis for their identification and prevention	Min. of Finance, Min. of the Interior (the Police) in cooperation with the State Prosecutor's Office, the CPC, the Bank of Slovenia and the BAMC	End of 2015
3.	Revision of the legal basis for the Bank Asset Management Company (BAMC) operation	Min. of Finance in cooperation with the CPC, the Court of Auditors and the BAMC	End of 2015
4.	Centralisation and computerisation of public procurement procedures in the public health system	Min. of Public Admin., Min. of Health	End of 2015
5.	The code of ethics for government and ministry officials	Min. of Public Admin. in cooperation with the Govt. Office for Legislation and the Govt. Secretariat General	June 2015
6.	Legislative footprint	Govt. Secretariat General in cooperation with the Govt. Office for Legislation and the Min. of Public Admin.	June 2015
7.	Conditions for assuming office and grounds for the termination thereof	Min. of Public Admin.	The end of September 2015
8.	Effective and transparent control of bearers of public authority and sectoral organisations of bearers of public authority (chambers and associations)	Govt. Office for Legislation	March 2015
9.	Drafting of the amendments to the Integrity and Prevention of Corruption Act	The Min. of Public Admin. in cooperation with the Min. of Justice and the CPC	End of 2015
10.	The reduction of corruption risks in the public administration	Line ministries, administrative bodies	End of 2016

	<p>Sub-measures:</p> <ul style="list-style-type: none"> - Further training courses for public employees in the area of integrity - The establishment of a single national risk register - Public procurement - Inspection services - Enhanced transparency of public tenders - Enhanced transparency of the use of public funds - Notification of lobbying contacts - Combating the bribery of foreign public officials in international business transactions 	<p>of self-governing local communities in cooperation with the CPC, NGOs, and other government bodies</p>	
11.	The reduction of corruption risks in the judiciary	Min. of Justice and judicial authorities	End of 2016

III. INDIVIDUAL MEASURES, RESPONSIBLE BODIES, OBJECTIVES AND METHODS AND DEADLINES FOR IMPLEMENTATION

III. 1. The introduction of an audit of the procedures and operation of TEŠ 6

Institutions responsible: The Ministry of Infrastructure, the Ministry of Finance, the Ministry of Justice.

Objectives: To identify the causes and persons responsible and take action against them (civil/criminal, the forfeiture of illegally acquired assets), to prevent the concealment of potential activities of this kind and create the necessary regulatory framework for decisions on the project and possible (criminal, political, etc.) sanctions.

Method of implementation: The creation of the legislative framework and analysis of the expediency of the investment, the procedures carried out and operation. Drafting of the proposal of an act on the TEŠ 6 project. An inter-ministerial working group will submit to the Government for consideration a report on its activities by the end of 2014. Administrative and technical assistance will be provided by the Ministry of Finance in cooperation with the experts from the Court of Auditors, the CPC and other government bodies. The Government is expected to table the proposed act for consideration in January 2015.

Deadline for implementation: End of 2015.

III. 2. Identification of (the past) corrupt activities involved in banking transactions and the preparation of the legal basis for their identification and prevention

Institutions responsible: The Ministry of Finance and the Ministry of the Interior (the Police) in cooperation with the Ministry of Justice (the State Prosecutor's Office), the CPC, the Bank of Slovenia and the Bank Asset Management Company.

Method of implementation: The improvement of legislative bases and investigation in accordance with the Forfeiture of Assets of Illegal Origin Act (ZOPNI).

Objectives: To improve legislative bases, carry out investigations, prosecution.

Deadline for implementation: End of 2015.

III. 3. Revision of the legal basis for the operation of the BAMC

Institutions responsible: The Ministry of Finance in cooperation with the CPC, the Court of Auditors and the Bank Asset Management Company (BAMC).

Objectives: To identify the causes, the persons responsible, and to take action against them, to prevent the concealment of potential activities of this kind in the future. The investigation results must be publicly available.

Method of implementation: The creation of an appropriate legislative framework, i.e. a proposal for amendments to the ZUKSB by taking into account the previously identified deficiencies in BAMC operations. The legislative framework will be prepared in accordance with the opinion of the CPC on the BAMC case and information provided by enforcement authorities.

Deadline for implementation: Adjustment of the legislative framework, which is expected to be completed by the end of 2015.

III. 4. Centralisation and computerisation of public procurement procedures in the public health system

Institutions responsible: The Ministry of Public Administration and the Ministry of Health.

Objectives: To ensure the transparency of the supply of the Slovenian market with medicinal products, medical devices and equipment, the transparency of purchase prices, the supplied quantities and expenditures on medicinal products, medical devices and equipment on an annual level by hospital and aggregate expenditure.

Method of implementation: The setting up of effective IT solutions to enable the capture of data on the necessary quantities of medicinal products and other items subject to joint public procurement in hospitals, drawing up specifications for public tendering procedures, selecting the best bidders, monitoring public procurement and the costs incurred by hospitals. The creation of effective IT solutions is a prerequisite and an indispensable basis for joint public procurement in the health care sector. By the end of 2014, the Government will adopt a decision on the appointment of a working group in charge of the implementation of a public procurement project in health care whose membership will include representatives of the Ministry of Finance, the Ministry of Health and healthcare experts. The Government will also appoint a working group within the Ministry of Health and a sub-group in charge of preparing technical descriptions and terms of reference for each joint public procurement procedure in the area of medical devices and equipment. Participants in the drafting of IT solutions for joint public procurement purposes will include the Public Agency of the Republic of Slovenia for Medicinal Products and Medical Devices, the Health Insurance Institute of Slovenia, the National Institute of Public Health, IT specialists and heads of hospital pharmacies.

Deadline for implementation: End of 2015.

III. 5. The code of ethics for government and ministry officials

Institutions responsible: The Ministry of Public Administration in cooperation with the Government Office for Legislation and the Secretariat-General of the Government of the Republic of Slovenia.

Objectives: To ensure the ethical conduct and integrity of the officials of the executive branch.

Method of implementation: Drafting and adopting a code of ethics for government and ministry officials by the Government by taking into account appropriately high standards of ethics, comparatively similar to the standards of ethics for government officials in force in the other EU Member States.

Deadline for implementation: June 2015.

III. 6. Introduction of the "legislative footprint"

Institutions responsible: The Secretariat-General of the Government of the Republic of Slovenia in cooperation with the Government Office for Legislation and the Ministry of Public Administration.

Objectives: To ensure the transparency of the process of adopting statutory and implementing regulations and compliance with the Resolution on Regulatory Activities.

Method of implementation: Imposing the obligation to indicate the authorship of the entire wording or individual provisions of a regulation when it is drafted by an outside expert – a natural person or legal entity under public or private law – in the preamble to the draft law in the legislative process. A motion for amending the Rules of Procedure of the National Assembly of the Republic of Slovenia can be made as necessary.

Deadline for implementation: June 2015.

III. 7. Conditions for assuming office and grounds for the termination thereof

Institutions responsible: The Ministry of Public Administration.

Objectives: To ensure the performance of public office in accordance with the law, to restore the reputation, integrity and ethics of managing the state.

Method of implementation: Drafting of the amendments and modifications to all relevant sectoral regulations (in packages) by taking into account the constitutional limitations relating to the principle of proportionality and the comparable legal arrangements in this area.

Deadline for implementation: By the end of September 2015.

III. 8. Effective and transparent control of bearers of public authority and sectoral organisations of bearers of public authority (chambers and associations)

Institutions responsible: The Government working group led by the Government Office for Legislation.

Objective: To prepare an analysis and proposals for measures to ensure the more transparent and efficient functioning of the chamber (association) system.

Method of implementation: The Government working group led by the Government Office for Legislation will prepare an analysis and draft proposals for measures aimed at improving the functioning of the chamber (association) system by making a list of public powers conferred on chambers (associations) and preparing proposals to enhance the transparency of the exercise of their duties and public powers in the form of possible solutions or guidelines to be taken into account by the ministries in amending sectoral legislation relating to the duties and powers of chambers (associations).

Deadline for implementation: March 2015.

III. 9. Drafting of the amendments to the Integrity and Prevention of Corruption Act

Institutions responsible: The Ministry of Public Administration in cooperation with the Ministry of Justice and the CPC.

Objectives: To prepare draft amendments to the Integrity and Prevention of Corruption Act with a view to eliminating ambiguities and inadequate solutions in the current wording of the Act with regard to its implementation in practice.

Method of implementation: An inter-ministerial working group composed of the representatives of the Ministry of Public Administration, the Ministry of Justice and the CPC will be established with a view to drafting the amendments to the Integrity and Prevention of Corruption Act.

Deadline for implementation: End of 2015.

IV. REDUCTION OF CORRUPTION RISKS IN THE PUBLIC ADMINISTRATION

Institutions responsible: The Ministry of Public Administration and the CPC, in cooperation with sectoral ministries and other public sector bodies.

Objectives: To strengthen the integrity and prevent corruption in public administration.

Method of implementation: Through various activities and sub-measures.

- Further training courses for public employees focused on activities involving increased corruption risks, such as public procurement procedures, inspections, and also training courses for other public employees and officials. Training is also required in the area of lobbying and notification of lobbying contacts. There is also a need for training on state and local administration levels. In this context, active cooperation will be continued between the Division for Training and Proficiency Examinations in Administration of the Ministry of Justice and Public Administration, the Judicial Training Centre of the Ministry of Justice and the CPC and additionally also with the participation of NGOs. Further training courses are scheduled to be implemented in the financial period 2014-2020.

Institutions responsible: The Ministry of Public Administration.

Deadline for implementation: End of 2016.

- **Establishment of a single national risk register** which will ensure a substantively upgraded corruption risk register maintained and used by the CPC in the exercise of its statutory powers. This is a database from the electronic corruption risk register developed by the CPC over the past few years. In accordance with interdepartmental agreements within the state administration and the agreement with the CPC, the current corruption risk register will be properly upgraded by establishing a single national risk register as an important tool for supervisory authorities and budget spending units, which will include business and security risks. The single national risk register will thus represent a single entry point for more efficient internal control of public finance carried out by both the Budget Supervision Office of the Republic of Slovenia and internal auditors. The national register will ensure cooperation in several areas and facilitate the effective exercise of the powers of the CPC and internal auditors in respect of the use of public funds within the public administration. Access to the register will be provided by access rights and can be used in a variety of methods including by public sector bodies in order to facilitate the

control of risks and dissemination of good practices. The register will also contribute to the exchange of good practices among the competent authorities with a view to mitigating corruption and other risks and will serve as a basis for publishing statistics on particular features of risks in individual sectors. The establishment of the register is scheduled for the financial period 2014-2020.

Institutions responsible: The Ministry of Public Administration, the Ministry of Finance and the Ministry of Justice.

Deadline for implementation: End of 2016.

- Additional special training will be carried out for public sector employees in charge of **public procurement** in order to ensure an adequate level of integrity and transparency. In accordance with the Public Information Access Act (ZDIJZ), contracting authorities will be obliged to publish public procurement, concession and public-private partnership contracts after January 2015. This requires an upgrade to the public procurement portal in the framework of electronic procurement, a process that is already in progress.

The widest possible use of an e-auction facility is also essential for mitigating corruption risks. The Government has adopted a decision imposing on the relevant ministries, bodies within ministries and government offices the obligation to use e-auction methods from January 2015 and also recommended its use to other public contracting authorities.

Since the EU adopted new legislation on public procurement in 2014, whose provisions the Member States are required to transpose into their national laws by 18 April 2016, the Ministry of Finance has already established focal points for amending Slovenian regulations. The level of transparency of public procurement procedures in Slovenia, which is crucial for mitigating corruption risks, is above the EU average given the comparatively low limit values for publication on the national public procurement portal: EUR 20,000 for goods and services and EUR 40,000 for infrastructural goods, services and works. Moreover, Slovenian regulations provide for the transparency of negotiated procedures without prior publication of tender documents and of the implementation of framework agreements and since recently also of concluded public procurement, concession and public-private partnership contracts. In line with the new EU legislation regarding public procurement and the strengths and weaknesses identified in the existing public procurement system, the Government will strive for the further simplification, flexibility and efficiency of public procurement. While the infrastructure for the transition to e-public procurement is scheduled to be completed in the first half of 2015, the proposed new public procurement act will not be ready before the second half of the same year.

Institutions responsible: The Ministry of Public Administration.

Deadline for implementation: End of 2016.

- **In the area of inspection services**, greater transparency of action will be ensured by establishing a single entry point for individuals and companies on the Inspection Council's websites which will include a list of all inspectorates and a link to each directorate's website and contact data. Furthermore, better transparency of inspection and control must be ensured by providing concrete (particularly systemic) information on its content on inspection service websites. Institution responsible: All ministries within which inspection services operate and the Inspection Council.

Institutions responsible: The Ministry of Public Administration, line ministries, the Inspection Council.

Deadline for implementation: End of 2016.

- **In the area of electronic tendering**, a single electronic tendering system will be introduced to enhance the transparency of allocating and using funds for programmes financed by the budget and simultaneously also facilitate control of the appropriate use of such funds.

Institutions responsible: The Ministry of Public Administration.

Deadline for implementation: End of 2016.

- **In order to increase the transparency of the use of public funds**, the Provision of Payment Services to Budget Users Act imposed on budget users an obligation to exchange e-invoices through the Public Payments Administration of the Republic of Slovenia (hereinafter: the PPA), coming into effect on 1 January 2015. In order to increase the transparency of the use of public funds, efforts have been made by the Ministry of Finance to require the PPA or local institutions (such as the line ministries) to report on incoming invoices from indirect budget users. This reporting would facilitate control over the implementation of the financial plans of indirect budget users and contribute to greater transparency in assuming financial liabilities in the public sector. E-invoice data will be connected online with the CPC's *Supervisor* web application. Moreover, the Ministry of Finance has made a proposal for expanding the range of data required for payment instructions by budget users by providing additional information, i.e. the actual creditor in payment instructions in the event of the settlement of liabilities by assignment. This would facilitate cash flow tracking and identifying the payment beneficiary.

Institution responsible: The Ministry of Finance

Deadline for implementation: End of 2016.

- **In the area of the notification of lobbying contacts**, additional awareness-building is required in order to ensure strict implementation of legal provisions. The notification of lobbying contacts should be given additional emphasis in public sector integrity training. A leaflet should be prepared with a view to raising the awareness of the employees of government agencies and administrations; moreover, this issue will be specifically addressed in training. The possibilities should also be examined to technically simplify the reporting of the notified lobbying contact data to the CPC.

Institutions responsible: The Ministry of Public Administration.

Deadline for implementation: End of 2016.

- **In the area of combating the bribery of foreign public officials in international business transactions**, In 1997, the OECD adopted a Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, which came into force in 1999. The 2013 report of the international anti-corruption organisation *Transparency International* on the implementation of this Convention shows that Slovenia was ranked among the 21 countries that did not adopt any (or adopted very few) measures to combat the bribery of foreign public officials. The ranking is the result of inadequate or insufficiently effective implementation of the legislation on corruption and integrity, which has been rated positively in terms of an evaluation of the legislative framework. Activities in this area need to be strengthened. The Ministry of Foreign Affairs has already presented some sets of integrity and anti-corruption measures in the framework of the preparations of employees for work in diplomatic and consular missions. Slovenia's consular and diplomatic missions abroad have been sent the information on the obligations imposed by the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, i.e. the obligation to raise the awareness of Slovenian public employees in diplomatic and consular missions who have contacts with Slovenian companies operating in the accreditation market or otherwise

obtain information on the operation of Slovenian companies in transactions with foreign public employees. The Ministry of Foreign Affairs will continue these activities.

Institutions responsible: The Ministry of Foreign Affairs.

Deadline for implementation: End of 2016.

V. THE REDUCTION OF CORRUPTION RISKS IN THE JUDICIARY

Institutions responsible: The Ministry of Justice in cooperation with judicial authorities.

Objectives: To strengthen the integrity of and prevent corruption in judicial authorities.

Method of implementation: Further activities will be focused on the effective implementation of the provisions of the amended Judicial Service Act, the Courts Act and the State Prosecutors' Act, as well as on the monitoring of the implementation of the provisions of these acts that are scheduled to be adopted and become effective in 2015.

Deadline for implementation: End of 2016.