

Slovenia

Country:

Slovenia

Year:

2016

Freedom Status:

Free

Political Rights:

1

Civil Liberties:

1

Aggregate Score:

92

Freedom Rating:

1.0

Overview:

In April 2015, the Constitutional Court ruled that the trial of former prime minister Janez Janša, who in 2013 was convicted of accepting bribes from the Finnish defense company Patria, had been unfair and ordered a retrial. In September, the court announced that the statute of limitations for the case had expired. Janša, who had spent several months in jail, appealed, reportedly seeking a new trial so that he could seek damages for wrongful imprisonment. Legal proceedings against journalist Anuška Delić, who had faced allegations of disclosing classified information in a case that had prompted condemnation from media freedom advocates, were dropped in April. Separately, in December, 63 percent of voters rejected a measure that would have permitted same-sex marriage and adoptions.

A two-decade border dispute with Croatia—which concerns the delineation of the countries' maritime border in the Bay of Piran and parts of their common territorial border—made headlines in July when the Croatian newspaper *Večerni list* published claims that a Slovenian member of an international arbitration panel on the issue had shared information about the panel's private discussions with a representative of the Slovenian foreign ministry. The Slovenian side initially denied involvement in the so-called Pirangate affair, but conceded after *Večerni list* published a transcript of a conversation between the parties. Croatia subsequently withdrew from the arbitration agreement, but the process resumed later in the year under newly appointed arbiters.

Slovenia was heavily impacted by Europe's 2015 refugee crisis, and became a transit country after Hungary closed its border with Croatia in October. In November, amid concerns that Austria might close its borders, Slovenia began building a barbed-wire fence on its border with Croatia to limit the flow of refugees and migrants, prompting protests.

Political Rights and Civil Liberties:

Political Rights: 39 / 40 (+1) [Key]

A. Electoral Process: 12 / 12

Slovenia has a bicameral legislature. Members of the 90-seat National Assembly (Državni Zbor) are elected to four-year terms and have the power to elect the prime minister. Members of the 40-seat National Council (Državni Svet), a largely advisory body representing professional groups and local interests, are elected to five-year terms. The president is directly elected for up to two five-year terms.

In early parliamentary elections held in 2014, Stranka Mira Cerarja (SMC) won with 35 percent of the vote, taking 36 seats. The center-right Slovenian Democratic Party (SDS), led by Janša, took 21 seats, making it the leading opposition party. The Democratic Party of Pensioners of Slovenia (DeSUS) took 10 seats, the United Left Alliance (ZL) and the Social Democrats (SD) each captured 6, New Slovenia–Christian Democrats (NSi) took 5, and the Alliance of Alenka Bratušek (ZaAB) took 4. Two seats were allocated to representatives of ethnic minorities. Following the polls, the parliament approved a three-party coalition comprised of the governing SMC, DeSUS, and SD.

In a presidential runoff in 2012, the former prime minister and head of the SD party Borut Pahor defeated incumbent Danilo Türk with 67 percent of the vote to Türk's 33 percent.

B. Political Pluralism and Participation: 16 / 16 (+1)

A number of political parties compete for power in Slovenia. In the 2014 parliamentary elections, 17 parties took part, including several that had formed that year. In addition to the SMC, the newcomers included the ZL, ZaAB, Verjamem, and the Slovenian Pirate Party (PSS). Meanwhile, the former majority Positive Slovenia (PS) lost all 28 of its seats in the legislature.

All citizens enjoy full political rights and electoral opportunities. In the National Assembly, one seat each is reserved for Slovenia's Hungarian and Italian minorities. Roma are automatically given seats on 20 municipal councils.

C. Functioning of Government: 11 / 12

Corruption is less prevalent in Slovenia than in many of its neighbors, and it usually takes the form of conflicts of interest involving contracts between government officials and private businesses. Proceedings surrounding one high-profile case, involving claims that former prime minister Janša had accepted bribes from the Finnish defense company Patria, continued in 2015. Janša had been found guilty in 2013 of having accepting the alleged bribes in a 2006 arms deal with Patria, during his first term as prime minister. He began serving a two-year sentence in 2014 but was granted a temporary injunction that December. In April 2015, the Constitutional Court reversed a previous judgment in the Patria case, saying Janša had not received a fair trial, and ordered a retrial. In September, a court announced that the statute of limitations for the case had expired, following which Janša—who reportedly sought a retrial so that he might later claim damages for wrongful imprisonment—appealed. There have yet to be any convictions in the long-running Patria case.

Slovenia was ranked 35 out of 168 countries and territories surveyed in Transparency International's 2015 Corruption Perceptions Index.

Civil Liberties: 53 / 60

D. Freedom of Expression and Belief: 14 / 16

Freedoms of speech and the press are constitutionally guaranteed, but journalists can be legally compelled to reveal their sources, and hate speech is outlawed. Defamation remains a criminal offense, though a July 2015 law amended the defamation statute so that officials may no longer bring defamation cases through the state prosecutor, and instead must pursue such claims as private citizens. The government maintains stakes in a number of media outlets and has been known to interfere in the operations of the public broadcaster, Radio Televizija Slovenija. Internet access is unrestricted.

Delić, a journalist for the daily *Delo*, was indicted in 2013 for disseminating information classified by the Slovenian intelligence services in connection with 2011 articles in which she alleged links between the SDS and a neo-Nazi organization. The public prosecutor announced in April 2015 that the charges against her were dropped, but at the same time claimed that Delić was nevertheless guilty.

The Slovenian constitution guarantees freedom of religion and contains provisions that prohibit inciting religious intolerance or discrimination. Most residents of Slovenia are Christian. About 2 percent are Muslim; there were no major cases of interfaith conflict in 2015. After a decades-long struggle to build a mosque in Ljubljana, a groundbreaking ceremony was held in 2013; the project was ongoing in 2015.

There were no reports of government restrictions on academic freedom during the year.

E. Associational and Organizational Rights: 12 / 12

The government respects freedoms of assembly and association. Numerous nongovernmental organizations (NGOs) operate freely and play a role in policymaking.

Workers may establish and join trade unions, strike, and bargain collectively. The Association of Free Trade Unions of Slovenia has some 300,000 members and controls the four trade union seats in the National Council.

F. Rule of Law: 14 / 16

The constitution provides for an independent judiciary, and the government respects it in practice. Although court backlogs have decreased, they remain a problem. Prison conditions meet international standards, though overcrowding has been reported.

In 2014, the country began a national compensation scheme of approximately €19.7 million (\$22.4 million) for the so-called “erased.” This group is comprised of more 25,000 non-Slovene citizens, mostly from other constituent republics within the former Yugoslavia, who remained in Slovenia after independence and were removed from official records after they failed to apply for citizenship or permanent residency during a brief window in 1992. In 2012, the European Court of Human Rights (ECHR) ruled that the “erasures” were human rights violations and ordered Slovenia to pay compensation to the victims. Thousands of cases have since been approved for payment. In 2009, Pahor’s government began enforcing a 2003 Constitutional Court ruling intended to provide retroactive permanent residency status to those who had been erased. Legislation adopted in 2010 reinstated the legal status of those erased in 1992, but implementation has been problematic.

Roma face widespread poverty and societal marginalization. While there are legal protections against discrimination based on sexual orientation, discrimination against LGBT (lesbian, gay, bisexual, and transgender) people is common.

G. Personal Autonomy and Individual Rights: 13 / 16

Citizens enjoy the right to choose their residence, employment, and institution of higher education. Slovenia does not limit citizens' freedom to move domestically or internationally. However, in November 2015, amid concerns that Austria might close its borders, Slovenia began building a barbed-wire fence on its border with Croatia to limit the flow of refugees and migrants into the country. The move prompted protests from civil society.

According to official statistics, the unemployment rate is around 12 percent. Much of the economy remains state controlled.

Women hold the same legal rights as men, but they are underrepresented in political life and face discrimination in the workplace. Following the 2014 parliamentary elections, there were 32 women in the National Assembly and 3 in the National Council. In a December 2015 referendum, 63 percent of voters rejected a proposal that would have permitted same-sex couples to marry and adopt children. Voter turnout was low, at about 36 percent.

Domestic violence is illegal, but remains a concern in practice. Prostitution has been decriminalized in Slovenia. Men from other countries in Central and Eastern Europe can be found engaged in forced begging in Slovenia. Women and children from Slovenia and elsewhere are subject to forced prostitution. However, authorities actively prosecute suspected human traffickers and work to identify victims.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

Full Methodology

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