

2023 Rule of Law Report - targeted stakeholder consultation

Fields marked with * are mandatory.

Introduction

The annual Rule of Law Report lies at the centre of the European rule of law mechanism, which acts as a preventive tool, deepening multilateral dialogue and joint awareness of rule of law issues. So far, three editions of the Rule of Law Report have been published in 2020, 2021 and 2022.

In the preparation of the first three editions of the Rule of Law Report, the Commission has relied on a diversity of relevant sources, including from Member States, country visits, and stakeholders' contributions collected through the targeted stakeholder consultation [1]. The information provided has informed the Commission's country-specific assessments in preparing the Report. Building on the positive experience from the first three editions of the Rule of Law Report, the Commission is now inviting stakeholders to provide written contributions for the preparation of the 2023 Rule of Law Report through this targeted consultation.

The contribution to be provided should include (1) information on measures taken to implement the recommendations addressed to the Member State in the 2022 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter and (2) any other significant developments since January 2022 [2] falling under the 'type of information' outlined in the next section.

The input should be short and concise and summarise information related to one or more of the areas referred to in the template. You are invited to focus on the areas that relate to the scope of work and expertise of your organisation. Existing reports, statements, legislation or other documents may be referenced with a link (no need to provide the full text). Stakeholders are encouraged to make references to any contributions already provided in a different context or to Reports and documents already published. Contributions should focus on significant developments both as regards the legal framework and its implementation in practice.

If you wish to submit information concerning several Member States, you will have to fill-in the questionnaire separately for each Member States (due to the size of the questionnaire). There is no limit to the number of contributions submitted by a single participant. In such cases, you are not required to repeat the information in the section "about you" that is non-mandatory nor the information on horizontal developments.

Please provide your contribution by **20 January 2023**. Should you have any requests for clarifications or encounter difficulties in filling in the questionnaire, you can contact the Commission at the following email

address: rule-of-law-network@ec.europa.eu.

[1] For the consultation for the 2022 Report, see https://ec.europa.eu/info/publications/2022-rule-law-report-targeted-stakeholder-consultation_en

[2] Unless the information was already submitted in the consultation for the previous Rule of Law Reports.

Type of information

The topics are structured according to four pillars: I. Justice system; II. Anti-corruption framework; III. Media pluralism; and IV. Other institutional issues related to checks and balances. The replies could include aspects set out below under each pillar. This can include challenges, current work streams, positive developments and best practices:

Legislative developments

- Newly adopted legislation
- Legislative drafts currently discussed in Parliament
- Legislative plans envisaged by the Government

Policy developments

- Implementation of legislation
- Evaluations, impact assessment, surveys
- White papers/strategies/actions plans/consultation processes
- Follow-up to reports/recommendations of Council of Europe bodies or other international organisations
- Important administrative measures
- Generalised practices

Developments related to the judiciary / independent authorities

- Important case law by national courts
- Important decision/opinions from independent bodies/authorities
- State of play on terms, nominations and expired mandates for high-level positions (e.g. Supreme Court, Constitutional Court, Council for the Judiciary, heads of independent authorities included in the scope of the questionnaire[1])

Any other relevant developments

- Respondents are free to add any further information, which they deem relevant; however, this should be short and to the point.

If there are no changes, it is sufficient to indicate this and the information covered in the contributions for the previous Rule of Law Reports should not be repeated.

[1] Such as: media regulatory authorities and bodies, national human rights institutions, equality bodies, ombudsman institutions, supreme audit institutions and, where they exist, transparency authorities.

About you

* I am giving my contribution as

- ☐ Academic/research institution
- ☐ Business association
- ☒ Civil society organisation/NGO
- ☐ International organisation
- ☐ Judicial association or network
- ☐ Media organisation or association
- ☐ Public authority or network of public authorities
- ☐ Other

* Organisation name

250 character(s) maximum

International Press Institute

Main Areas of Work

- ☐ Justice System
- ☐ Anti-corruption
- ☒ Media Pluralism
- ☐ Other

Please insert an URL towards your organisation's main online presence or describe your organisation briefly:

500 character(s) maximum

<https://ipi.media/>

Transparency register number

Check if your organisation is in the transparency register. It's a voluntary database for organisations seeking to influence EU decision-making

370877536078-58

* Country of origin

Please add the country of origin of your organisation

- ☐ Afghanistan
- ☐ Albania
- ☐ Algeria
- ☐ Andorra
- ☐ Angola
- ☐ Antigua and Barbuda

- ☐ Argentina
- ☐ Armenia
- ☐ Australia
- ☒ Austria
- ☐ Azerbaijan
- ☐ Bahamas
- ☐ Bahrain
- ☐ Bangladesh
- ☐ Barbados
- ☐ Belarus
- ☐ Belgium
- ☐ Belize
- ☐ Benin
- ☐ Bhutan
- ☐ Bolivia
- ☐ Bosnia and Herzegovina
- ☐ Botswana
- ☐ Brazil
- ☐ Brunei Darussalam
- ☐ Bulgaria
- ☐ Burkina Faso
- ☐ Burundi
- ☐ Cabo Verde
- ☐ Cambodia
- ☐ Cameroon
- ☐ Canada
- ☐ Central African Republic
- ☐ Chad
- ☐ Chile
- ☐ China
- ☐ Colombia
- ☐ Comoros
- ☐ Congo
- ☐ Costa Rica
- ☐ Côte D'Ivoire
- ☐ Croatia
- ☐ Cuba
- ☐ Cyprus
- ☐ Czechia
- ☐ Democratic Republic of the Congo
- ☐ Denmark
- ☐ Djibouti
- ☐ Dominica
- ☐ Dominican Republic
- ☐ Ecuador
- ☐ Egypt
- ☐ El Salvador

- ☐ Equatorial Guinea
- ☐ Eritrea
- ☐ Estonia
- ☐ Eswatini
- ☐ Ethiopia
- ☐ Fiji
- ☐ Finland
- ☐ France
- ☐ Gabon
- ☐ Gambia
- ☐ Georgia
- ☐ Germany
- ☐ Ghana
- ☐ Greece
- ☐ Grenada
- ☐ Guatemala
- ☐ Guinea
- ☐ Guinea Bissau
- ☐ Guyana
- ☐ Haiti
- ☐ Honduras
- ☐ Hungary
- ☐ Iceland
- ☐ India
- ☐ Indonesia
- ☐ Iran
- ☐ Iraq
- ☐ Ireland
- ☐ Israel
- ☐ Italy
- ☐ Jamaica
- ☐ Japan
- ☐ Jordan
- ☐ Kazakhstan
- ☐ Kenya
- ☐ Kiribati
- ☐ Kuwait
- ☐ Kyrgyzstan
- ☐ Laos
- ☐ Latvia
- ☐ Lebanon
- ☐ Lesotho
- ☐ Liberia
- ☐ Libya
- ☐ Liechtenstein
- ☐ Lithuania
- ☐ Luxembourg

- ☐ Madagascar
- ☐ Malawi
- ☐ Malaysia
- ☐ Maldives
- ☐ Mali
- ☐ Malta
- ☐ Marshall Islands
- ☐ Mauritania
- ☐ Mauritius
- ☐ Mexico
- ☐ Micronesia
- ☐ Monaco
- ☐ Mongolia
- ☐ Montenegro
- ☐ Morocco
- ☐ Mozambique
- ☐ Myanmar
- ☐ Namibia
- ☐ Nauru
- ☐ Nepal
- ☐ Netherlands
- ☐ New Zealand
- ☐ Nicaragua
- ☐ Niger
- ☐ Nigeria
- ☐ North Korea
- ☐ North Macedonia
- ☐ Norway
- ☐ Oman
- ☐ Pakistan
- ☐ Palau
- ☐ Panama
- ☐ Papua New Guinea
- ☐ Paraguay
- ☐ Peru
- ☐ Philippines
- ☐ Poland
- ☐ Portugal
- ☐ Qatar
- ☐ Republic of Moldova
- ☐ Romania
- ☐ Russian Federation
- ☐ Rwanda
- ☐ Saint Kitts and Nevis
- ☐ Saint Lucia
- ☐ Saint Vincent and the Grenadines
- ☐ Samoa

- ☐ San Marino
- ☐ Sao Tome and Principe
- ☐ Saudi Arabia
- ☐ Senegal
- ☐ Serbia
- ☐ Seychelles
- ☐ Sierra Leone
- ☐ Singapore
- ☐ Slovakia
- ☐ Slovenia
- ☐ Solomon Islands
- ☐ Somalia
- ☐ South Africa
- ☐ South Korea
- ☐ South Sudan
- ☐ Spain
- ☐ Sri Lanka
- ☐ Sudan
- ☐ Suriname
- ☐ Sweden
- ☐ Switzerland
- ☐ Syrian Arab Republic
- ☐ Tajikistan
- ☐ Tanzania
- ☐ Thailand
- ☐ Timor-Leste
- ☐ Togo
- ☐ Tonga
- ☐ Trinidad and Tobago
- ☐ Tunisia
- ☐ Turkey
- ☐ Turkmenistan
- ☐ Tuvalu
- ☐ Uganda
- ☐ Ukraine
- ☐ United Arab Emirates
- ☐ United Kingdom
- ☐ United States of America
- ☐ Uruguay
- ☐ Uzbekistan
- ☐ Vanuatu
- ☐ Venezuela
- ☐ Viet Nam
- ☐ Yemen
- ☐ Zambia
- ☐ Zimbabwe

First name

Oliver

Surname

Money-Kyrle

Email Address of the organisation (this information will not be published)

[REDACTED]

*** Publication of your contribution and privacy settings**

You can choose whether you wish for your contribution to be published and whether you wish your details to be made public or to remain anonymous.

- ☐ Anonymous - Only your type of respondent, country of origin and contribution will be published. Organisation name, URL, transparency register number, first name and surname given above will not be published. **To maintain anonymity, please refrain from mentioning the name of your organisation and any details from which your organisation can be identified in the rest of your contribution.**
- ☒ Public - Your personal details (name, organisation name, transparency register number, country of origin) will be published with your contribution).
- ☐ No publication - Your contribution will not be published. Elements of your contribution may be referred to anonymously in documents produced by the Commission based on this consultation.

☒ I agree with the personal data protection provisions.

[Specific privacy statement targeted stakeholder consultation 2023 rule of law report.pdf](#)

Questions on horizontal developments

In this section, you are invited to provide information on general horizontal developments or trends, both positive and negative, covering all or several Member States. In particular, you could mention issues that are common to several Member States, as well as best practices identified in one Member State that could be replicated. Moreover, you could refer to your activities in the area of the four pillars and sub-topics (an overview of all sub-topics can be found below), and, if you represent a Network of national organisations, to the support you might have provided to one of your national members.

Overview topics for contribution

[list of topics 2023 Report.pdf](#)

Please provide any relevant information on horizontal developments here

5000 character(s) maximum

Questions for contribution

The following four pillars (I.-IV.) are sub-divided into topics (A., B., etc.) and sub-topics (1., 2., 3., etc.). For each of the topics and sub-topics, you are invited to provide (1) information on measures taken to implement the recommendations addressed to the Member States in the 2022 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2022 Rule of Law Report and (2) any other significant developments since January 2022[1]. Please include a link to and reference relevant legislation/documents (in the national language and/or where available, in English) if relevant. Significant developments can include challenges, positive developments and best practices, covering both legislative developments or implementation and practices.

If there are developments you consider relevant under each of the four pillars that are not mentioned in the sub-topics, please add them under the section "other - please specify". Only significant developments should be covered.

Information provided in reply to the first question under each pillar, related to the follow-up to the recommendations, does not need to be repeated in subsequent parts of the questionnaire, but can be cross-referenced in the subsequent questions, where relevant. All other questions are not limited to the recommendations, but as in previous years, cover the entire scope of the Report.

[1] Unless already covered in the input for the previous Rule of Law Reports.

Member State covered in contribution [only one choice possible]

If you wish to submit information concerning several Member States, please fill in the questionnaire separately for each Member State. There is no limit to the number of contributions submitted by a single participant.

- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☐ France
- ☐ Germany
- ☐ Greece
- ☐ Hungary
- ☐ Ireland
- ☐ Italy
- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Netherlands
- ☐ Poland
- ☐ Portugal

- ☐ Romania
- ☐ Slovak Republic
- ☒ Slovenia
- ☐ Spain
- ☐ Sweden

I. Justice System

Please provide information on measures taken to follow-up on the recommendations received in the 2022 Report regarding the justice system (if applicable)

3000 character(s) maximum

A. Independence

Appointment and selection of judges, prosecutors and court presidents (incl. judicial review)

(The reference to 'judges' concerns judges at all level and types of courts as well as judges at constitutional courts)

3000 character(s) maximum

Irremovability of judges, including transfers, (incl. as part of judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors (incl. judicial review)

3000 character(s) maximum

Promotion of judges and prosecutors (incl. judicial review)

3000 character(s) maximum

Allocation of cases in courts

3000 character(s) maximum

Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e.g. Council for the Judiciary)

3000 character(s) maximum

Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (incl. judicial review)

3000 character(s) maximum

Remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year), transparency on the system and access to the information

3000 character(s) maximum

Independence/autonomy of the prosecution service

3000 character(s) maximum

Independence of the Bar (chamber/association of lawyers) and of lawyers

3000 character(s) maximum

Significant developments capable of affecting the perception that the general public has of the independence of the judiciary

3000 character(s) maximum

B. Quality of justice

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined under section 2)

Accessibility of courts (e.g. court/legal fees, legal aid, language)

3000 character(s) maximum

Resources of the judiciary (human/financial/material)

(Material resources refer e.g. to court buildings and other facilities)

3000 character(s) maximum

Training of justice professionals (including judges, prosecutors, lawyers, court staff)

3000 character(s) maximum

Digitalisation (e.g. use of digital technology, particularly electronic communication tools, within the justice system and with court users, including resilience of justice systems in COVID-19 pandemic)

3000 character(s) maximum

Use of assessment tools and standards (e.g. ICT systems for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals)

3000 character(s) maximum

Geographical distribution and number of courts/jurisdictions ("judicial map") and their specialization, in particular specific courts or chambers within courts to deal with fraud and corruption cases

3000 character(s) maximum

C. Efficiency of the justice system

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined under section 2)

Length of proceedings

3000 character(s) maximum

Other - please specify

3000 character(s) maximum

II. Anti-Corruption Framework

Where previous specific reports, published in the framework of the review under the UN Convention against Corruption, of GRECO, and of the OECD address the issues below, please make a reference to the points you wish to bring to the Commission's attention in these documents, indicating any relevant updates, changes or measures introduced that have occurred since these documents were published.

Please provide information on measures taken to follow-up on the recommendations received in the 2022 Report regarding the anti-corruption framework (if applicable)

3000 character(s) maximum

A. The institutional framework capacity to fight against corruption (prevention and investigation / prosecution)

List any changes as regards relevant authorities (e.g. national agencies, bodies) in charge of prevention detection, investigation and prosecution of corruption and the resources allocated to each of these authorities (the human, financial, legal, and technical resources as relevant), including the cooperation among domestic authorities. Indicate any relevant measure taken to effectively and timely cooperate with OLAF and EPPO (where applicable)

3000 character(s) maximum

Safeguards for the functional independence of the authorities tasked with the prevention and detection of corruption

3000 character(s) maximum

Information on the implementation of measures foreseen in the strategic anti-corruption framework (if applicable). If available, please provide relevant objectives and indicators

3000 character(s) maximum

B. Prevention

Measures to enhance integrity in the public sector and their application (including as regards incompatibility rules, revolving doors, codes of conduct, ethics training). Please provide figures on their application

3000 character(s) maximum

General transparency of public decision-making, including rules on lobbying and their enforcement, asset disclosure rules and enforcement, gifts policy, transparency of political party financing

3000 character(s) maximum

Rules and measures to prevent conflict of interests in the public sector. Please specify the scope of their application (e.g. categories of officials concerned)

3000 character(s) maximum

Measures in place to ensure whistleblower protection and encourage reporting of corruption.

3000 character(s) maximum

List the sectors with high-risks of corruption in your Member State and list the relevant measures taken /envisaged for monitoring and preventing corruption and conflict of interest in these sectors (e.g. public procurement, healthcare, citizen investor schemes, risk or cases of corruption linked to the disbursement of EU funds, other), and, where applicable, list measures to prevent and address corruption committed by organised crime groups (e.g. to infiltrate the public sector)

3000 character(s) maximum

Any other relevant measures to prevent corruption in public and private sector

3000 character(s) maximum

C. Repressive measures

Criminalisation, including the level of sanctions available by law, of corruption and related offences, including foreign bribery

3000 character(s) maximum

Data on investigation and application of sanctions for corruption offences, including for legal persons and high level and complex corruption cases and their transparency, including as regards to the implementation of EU funds

(Please include, if available the number of (data since 2019): indictments; first instance convictions; first instance acquittals; final convictions; final acquittals; other outcomes (final) (i.e. excluding convictions and acquittals); cases adjudicated (final); imprisonment / custodial sentences through final convictions; suspended custodial sentences through final convictions; pending cases at the end of the reference year)

3000 character(s) maximum

Potential obstacles to investigation and prosecution as well as to the effectiveness of criminal sanctions of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning)

3000 character(s) maximum

Information on effectiveness of non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders

3000 character(s) maximum

Other - please specify

3000 character(s) maximum

III. Media Freedom and Pluralism

Please provide information on measures taken to follow-up on the recommendations received in the 2022 Report regarding media freedom and pluralism (if applicable)

3000 character(s) maximum

On July 14, 2022 the Slovenian parliament adopted the law on the reform of the public broadcaster, Radiotelevizija Slovenia (RTV SLO). The law was then put on hold after the opposition forced a national referendum on the progress of the law. The referendum took place on November 27 and passed by 62.5 % allowing the law to pass onto the statute books. The law introduces the following changes

- The merging of the two governing councils into a single 17-member RTV Council
- Appointments will be made by representatives of civil society and RTV SLO employees. The parliament would no longer appoint council members.
- The council will be led by a four-member management board to oversee financing and programming.
- The mandates of the current members of the board end but they remain in place until the new council is established
- Editors remain in their post unless they do not enjoy the confidence of the majority of their editorial teams.

IPI sees the law as a much needed and principled reform to depoliticize the broadcaster that significantly limits the ability of any government to use its parliamentary majority to fill the councils and control the public media. The changes revise an outdated legislative framework and foster a more enabling environment for the free exercise of RTV SLO's journalistic mission. The new management model outlined is representative and would reflect a broad range of civil society groups.

In our assessment, the draft amendments align with European standards on public service media governance and should have an overall positive impact. However, some concerns remain. To ensure the new system functions well, appointees must meet strict professional criteria, be committed to public service media and selected under transparent rules. Candidates should have no direct links to political parties.

This legislative amendment represents a move towards fulfilling a key recommendation of the European Commission's Rule of Law report 2022 on Slovenia, which called for stronger mechanisms to enhance independent governance at public service media.

IPI supports this reform and calls for it to be followed by new legislation that will guarantee long-term sustainable financing for Radiotelevizija Slovenija.

A. Media authorities and bodies

(Cf. Article 30 of Directive 2018/1808)

Measures taken to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies

3000 character(s) maximum

At the beginning of 2021, UKOM, the Government Communications Directorate, suspended the financing of the Slovenian Press Agency (STA), in an attempt to destabilise the agency. The PM and government officials continued to discredit the agency and called for the STA's director general to step down. In May the PM Janez Janša, even accused the DG of involvement in the "murder" of a former STA editor-in-chief.

STA was driven into an economic crisis and had to operate without state funding for 312 days, narrowly avoided bankruptcy. This crisis left the STA, the lifeblood of the Slovenian media ecosystem, drained psychologically as well as financially. Numerous journalists left. After the new contract for 2022 was finally signed, STA emerged from the crisis in a severely weaker position. The manufactured dispute was driven primarily by the government to exert control over the STA.

Since the change in government and the replacement of Uros Urbanija as the head of UKOM, the STA has undergone a period of stability and institutional rebuilding. No pressure on its editorial policies or journalistic output have been reported to IPI.

In 2021, the Slovenian public broadcaster RTVS also came under sustained pressure. Politicised appointments continued to stack decision-making bodies and RTV management with government-aligned figures. DG Andrej Grah Whatmough appointed in April 2021 dismissed the Director of Televizija Slovenija in August 2021.

Months of internal disputes followed as senior editors were forced out and news programming was slashed. A letter criticizing the scale of the changes was signed by over 90 percent of staff, saying it would limit their ability to produce quality public service reporting.

Following the April elections and the change of government, the SDS controlled supervisory board appointed Uroš Urbanija, former head of UKOM, the government communications office, as the new Director of RTV Slovenia in June. Urbanija had, under SDS, been responsible for the campaign against STA and RTV SLO. In early 2022 UKOM had been accused of attempting to manage the editorial lines of RTV SLO by issuing weekly reports criticizing the broadcaster's output. The journalists' organizations that signed the letter accused UKOM of a gross encroachment on the independence of journalistic and editorial work in RTV Slovenia. Urbanija's appointment was strongly opposed by the vast majority of RTVS staff and the country's leading journalist associations and unions.

The appointment led to months of further unrest and turmoil pitting the new management against newsrooms leading to repeated protests and strikes, cancellations of programmes, many departures and, most worryingly, a collapse in public confidence in RTV Slovenia that it may take years to recover from. Under the change in RTVS law passed in a referendum in November 2022, Urbanija faces being removed from his post.

Conditions and procedures for the appointment and dismissal of the head / members of the collegiate body of media regulatory authorities and bodies

3000 character(s) maximum

The highest and individual decision making organ – the Director General of the Agency for communication networks and services of the Republic of Slovenia (AKOS) – is appointed by the government at the proposal 16 of the AKOS Council and after a public competition held by a special competition commission appointed by the official council.

Existence and functions of media councils or other self-regulatory bodies

3000 character(s) maximum

The main self-regulatory body in Slovenia is the Journalists' Ethics Council, jointly managed by the Slovene Association of Journalists and the Slovenian Union of Journalists. The Council is completely independent in its process of examining the complaints lodged due to alleged violations of the Ethics Code. It consists of nine journalists and two representatives of the public. All members of the Council are elected by assemblies of both organizations and are volunteers.

Much smaller Association of Journalists and Publicists manages their own Court of Honour, but according to their website it hasn't examined any complaints in years. The strengthening and eventual unification of the system for self-regulation between journalists' organisations and publishers would help raise professional standards.

B. Safeguards against government or political interference and transparency and concentration of media ownership

Measures taken to ensure the fair and transparent allocation of state advertising (including any rules regulating the matter)

3000 character(s) maximum

There remains an overall lack of transparency in the distribution of state advertising to the media. The conflict of interests between owners of media and the ruling parties, partisan groups or politicians is not specifically regulated within media laws, the general Integrity and Prevention of Corruption Act applies. The Mass Media Act states that any person who enjoys immunity under the constitution or the law may not be the editor-in-chief. Political figures and individuals connected to political parties own and manage a number of media outlets.

There are many examples of how the government abused its economic powers in recent years, practice the new government has vowed to end. Examples include the following:

In 2021, state advertising funding was increasingly channelled to media supportive of the SDS government. In the 2021 co-financing scheme by the Ministry of Culture, state subsidies increased markedly for media founded by members of the ruling SDS party, majority owned by Hungarian businessmen, or aligned with the Catholic church, where much of SDS core support can be found. Meanwhile, lucrative advertising budgets from the Ministry of Defence and Telekom Slovenije were increasingly awarded to Nova24TV and other SDS-affiliated media. Advertisements from state-owned companies can also be found on small, pro-government portals with tiny readership figures, indicating the selection process for advertising budgets ran contrary to market logic. The government faced accusations of manipulating state resources to fund friendly media outlets in return for positive coverage.

In December 2021 Necenzurirano published documents revealing that Telekom Slovenije pays Nova24TV five times the broadcast rate that it offers other comparable broadcasters suggesting it is being covertly subsidized under the instruction of Telekom's Director, Cvetko Sršen, a former SDS mayoral candidate

Safeguards against state / political interference, in particular:

- safeguards to ensure editorial independence of media (private and public)
- specific safeguards for the independence of heads of management and members of the governing boards of public service media (e.g. related to appointment, dismissal), safeguards for their operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions
- information on specific legal provisions and procedures applying to media service providers, including as regards granting/renewal/termination of licenses, company operation, capital entry requirements, concentration and corporate governance

3000 character(s) maximum

The Mass Media Act requires the media to disclose information on their ownership structures to the Ministry of Culture. The information is later published in the Media Register, which is public, but does not always include the information about the ultimate owners. The law does not contain an article which would require the disclosure of ownership details to the public by the media itself. Publishers may not disseminate programmes via a mass medium that is not entered in the mass media register. The Mass Media Act requires disclosure of 5% or higher individual ownership or management stakes in the publishing or broadcasting company. Slovenia has an online Register of ultimate owners, where the beneficial owners of media can be found.

Stated by the European Commission (2020 Rule of Law Report): "Certain information is made publicly available on the website of the Ministry of Culture. Particularly in the case of multiple cascading owners, the current legislation may make it difficult to identify if decision-making is being concentrated in the background."

There was deep concern about the role of Hungarian companies in the Slovenian media scene since three companies Ridikul, Ripost and Modern Media Group – first bought 45.44 % of Slovenia's Nova24TV in 2017. Under the mass media act any investment of over 20% shares needs the consent of the Ministry of Culture. By spreading their investment they each fell below the 20% and avoided scrutiny. Nova24 TV is part of the SDS political media that broadcasts SDS propaganda and further investments have been made in Nova obzorja which publishes Demokracija, the SDS political weekly.

This flow of Hungarian money into the country's media landscape was seen as part of a wider effort by Fidesz to support ideologically aligned allies in the region. Necenzurirano revealed in December 2021 that up to €12 million of Hungarian funds have been channelled to SDS media between 2017 and 2020, of which €2.5 million went on to North Macedonia since 2018. A police investigation into the possible misuse of these funds to illegally support the election campaign of SDS was opened by the previous government but has stalled under the Jansa government.

In 2022, the Hungarian company R-Post-R sold its majority stake in Demokracija to Nova24TV, 45 percent of which is still owned by three different Hungarian companies. The remaining shares are controlled by SDS and one of the party's members of parliament. Observers are divided as to whether this represents the start of a withdrawal of Hungarian capital from Slovenia's media market or a consolidation of assets.

The new RTV SLO reform law passed in 2022 will help depoliticize the public broadcaster by ending the role of parliament to appoint members of the supervisory council and instead introducing a system of appointments by civil society organizations and RTV SLO employees.

Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners, as well as any rules regulating the matter

During the country's democratic transition in the 1990s, formerly state-owned newspapers were privatised and shares were bought by predominantly left of centre entrepreneurs and companies. Many of these media, including influential dailies Delo, Dnevnik and Večer, suffered from direct or indirect interference from new owners who sought to use the newspapers as leverage for political or commercial interests. Repeated changes in ownership at these titles has resulted in cycles of editorial changes and influence buying by politically-connected owners.

While the situation for media ownership has improved significantly over the last three decades, segments of the daily newspaper market continue to suffer from ownership structures which occasionally serve private business interests of their owners at the expense of journalistic integrity. In 2022, problems remain most acute at daily newspapers whose owners also hold business interests in industries tied to lucrative state contracts, particularly construction and infrastructure.

While the majority of reporting remains unrestricted, certain topics or individuals are still considered "off limits". At some newspapers, editors-in-chief have to avoid challenging reporting involving the business interests of the owners and their associates. Delo, the country's largest daily newspaper, has been accused of blunting its coverage of the Mayor of Ljubljana. In rare cases, journalists have been transferred to different beats after stepping over an editorial line or investigating an off-limit topic or "special relationship", while other reporters claim to have had salary or bonuses withheld. While unregulated privatisation and cross-ownership of media with other industries continue to pose legitimate challenges, overall, the majority of the mainstream print, television and radio media adhere to journalistic ethics and standards and retain their role as watchdogs, regardless of ownership.

In 2022, concerns about pressure on the editorial lines at Slovenian media house Pro Plus, which owns the country's two biggest commercial TV stations, Pop TV and Kanal A, by its parent company the Central European Media Enterprises (CME), itself owned by Czech PPF Group, subsided. Journalists working at the media outlets reported to IPI that after the death of PPF owner Petr Kellner in 2021 and the shift in ownership of the media portfolio, CME's approach changed. They reported less oversight and interference by CME in editorial decisions.

C. Framework for journalists' protection, transparency and access to documents

Rules and practices guaranteeing journalist's independence and safety, including as regards protection of journalistic sources and communications

3000 character(s) maximum

Article 26 of the Code of Journalism Ethics states: "For the journalist to avoid real or perceived conflicts of interest, he must refuse gifts, favors, awards and other benefits. He must avoid work outside the journalistic profession, which reduces his credibility or the credibility of the journalistic community." Article 50 of the Mass Media Act states: "(2) The person that commissions an advertisement may not influence the programme concept and editorial independence of a mass medium." Article 53 states: "(1) A sponsor may not influence sponsored programmes and its distribution in the programme scheme and thereby restrict the editorial independence of the mass medium."

Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists

3000 character(s) maximum

11 alerts were reported on the Mapping media freedom index in 2022, see: <https://www.mappingmediafreedom.org> of which eight involved threats or harassment against journalists of one form or another.

Many media professionals in Slovenia feel online threats and intimidation against journalists are not taken seriously enough by prosecutors. Indictments over hateful comments directed at journalists are extremely rare.

Access to information and public documents (incl. transparency authorities where they exist, procedures, costs/fees, timeframes, administrative/judicial review of decisions, execution of decisions by public authorities, possible obstacles related to the classification of information)

3000 character(s) maximum

The right to information is explicitly recognised in the Constitution and defined in the Access to Public Information Act. The process of obtaining public information is often prolonged – and response time was even longer during the epidemic – as with public administrations waiting the maximum amount of time until denying the access, the applicant then appeals and the Information Commissioner has a big number of requests due for re-decision. The legitimacy of the confidential label also presents an issue and has been misused in the past. Overall, the system for Freedom of Information (FOI) requests remains robust. However, journalists can face discrimination in access to information from public officials and certain government institutions.

Lawsuits (incl. SLAPPs - strategic lawsuits against public participation) and convictions against journalists (incl. defamation cases) and measures taken to safeguard against manifestly unfounded and abusive lawsuits

3000 character(s) maximum

There is no anti-SLAPP legal framework. Investigative journalists are also facing pressure from criminal defamation lawsuits and Strategic Lawsuits Against Public Participation (SLAPP).

While progress has been made in repealing criminal defamation laws, journalists still face the threat of imprisonment for defamation of the head of state or state symbols, provisions which violate international standards on freedom of expression.

In May 2021, weekly Mladina was asked by police to provide information on how it acquired classified documents revealing the government's plan for the country's post-Covid economic recovery that had been submitted to the EU.

In February 2022, one of the country's most well know journalists, Blaž Zgaga was facing criminal defamation charges after the Slovenian Police Director, Anton Olai, took criminal complaint against 35 of Zgaga's tweets where he accuses the police director of fascism and corruption. Zgaga claims that he was expressing a legitimate opinion as a journalist on a matter of public interest.

Other - please specify

3000 character(s) maximum

IV. Other institutional issues related to checks and balances

Please provide information on measures taken to follow-up on the recommendations received in the 2022 Report regarding the system of checks and balances (if applicable)

3000 character(s) maximum

A. The process for preparing and enacting laws

Framework, policy and use of impact assessments and evidence based policy-making, stakeholders'[1] /public consultations (particularly consultation of judiciary and other relevant stakeholders on judicial reforms), and transparency and quality of the legislative process

[1] *This includes also the consultation of social partners*

3000 character(s) maximum

Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency/urgent procedure compared to the total number of adopted decisions)

3000 character(s) maximum

Regime for constitutional review of laws

3000 character(s) maximum

COVID-19: provide update on significant developments with regard to emergency regimes/measures in the context of the COVID-19 pandemic

- judicial review (including constitutional review) of emergency regimes and measures in the context of COVID-19 pandemic
- oversight (incl. ex-post reporting/investigation) by Parliament of emergency regimes and measures in the context of COVID-19 pandemic
- processes related to lessons learned/crisis preparedness in terms of the functioning of checks and balances

3000 character(s) maximum

B. Independent authorities

Independence, resources, capacity and powers of national human rights institutions ('NHRIs'), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions

(Cf. the website of the European Court of Auditors: <https://www.eca.europa.eu/en/Pages/SupremeAuditInstitutions.aspx#>)

3000 character(s) maximum

Statistics/reports concerning the follow-up of recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies and supreme audit institutions in the past two years

3000 character(s) maximum

C. Accessibility and judicial review of administrative decisions

Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data)

3000 character(s) maximum

Judicial review of administrative decisions:

- short description of the general regime (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of judicial review)

3000 character(s) maximum

Follow-up by the public administration and State institutions to final (national/supranational) court decisions, as well as available remedies in case of non-implementation

3000 character(s) maximum

D. The enabling framework for civil society

Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice incl. registration and dissolution rules)

3000 character(s) maximum

Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures for protection from attacks – verbal, physical or on-line –, intimidation, legal threats incl. SLAPPs, negative narratives or smear campaigns, measures capable of affecting the public perception of civil society organisations, etc. It also includes measures to monitor threats or attacks and dedicated support services.

3000 character(s) maximum

Organisation of financial support for civil society organisations and human rights defenders (e.g. framework to ensure access to funding, and for financial viability, taxation/incentive/donation systems, measures to ensure a fair distribution of funding)

3000 character(s) maximum

Rules and practices on the participation of civil society organisations and human rights defenders to the decision-making process (e.g. measures related to dialogue between authorities and civil society, participation of civil society in policy development and decision-making, consultation, dialogues, etc.)

3000 character(s) maximum

E. Initiatives to foster a rule of law culture

Measures to foster a rule of law culture (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, contributions from civil society etc.)

3000 character(s) maximum

Other - please specify

3000 character(s) maximum

Contact

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