



Freedom in the World 2018 - Slovenia

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Freedom Status: Free

Aggregate Score: 93 (0 = Least Free, 100 = Most Free)

Freedom Rating: 1.0 (1 = Most Free, 7 = Least Free)

Political Rights: 1 (1 = Most Free, 7 = Least Free)

Civil Liberties: 1 (1 = Most Free, 7 = Least Free)

Quick Facts

Population: 2,100,000

Capital: Ljubljana

GDP/capita: \$20,873

Press Freedom Status: Free

OVERVIEW

Slovenia is a parliamentary republic with a freely elected government, and political rights and civil liberties are generally respected. However, corruption remains a problem, and there are few convictions in high-profile corruption cases.

Key Developments in 2017:

- In January, lawmakers adopted amendments that can allow the parliament to expel foreigners from the country, without any opportunity for appeal, in instances where a national security threat is perceived. Rights activists criticized the changes as lacking appropriate guarantees against indirect refoulement.
- In July, a court ruled that key evidence in a corruption case against Ljubljana mayor Zoran Janković be thrown out, citing delays by prosecutors.

POLITICAL RIGHTS: 39 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president holds the mostly ceremonial position of chief of state, and is directly elected for up to two five-year terms. The prime minister is head of government and is elected by the National Assembly. Pahor narrowly won a second term in November 2017 in a competitive and credible election. Miro Cerar became prime minister in 2014 following that year's National Assembly elections, which were similarly well administered.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 2014 early parliamentary elections for the 90 seats in the National Assembly (Državni Zbor) were free and fair. Stranka Mira Cerarja (SMC) took 36 seats and the Slovenian Democratic Party (SDS) took 21 seats. The remaining 31 seats went to smaller parties, and two additional seats were allocated to representatives of ethnic minorities.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The National Election Commission is an independent and impartial body that supervises the elections and ensures that electoral laws are properly implemented.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

The constitutional right to organize in different political parties is upheld in practice. Seventeen parties participated in the 2014 parliamentary elections, including several that had formed that year.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Political power frequently rotates between center-left and center-right parties.

B3. Are the people's political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 4 / 4

People's political choices are free from domination by powerful groups that are not democratically accountable.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Citizens generally enjoy full political rights and electoral opportunities. In the National Assembly, one seat each is reserved for Hungarian and Italian minorities. Roma are given seats on 20 municipal councils, but are not represented in the National Assembly. About 35 percent of National Assembly seats are held by women, and women's political interests are relatively well represented. There have been national initiatives to involve men and boys in campaigns aimed at guaranteeing the full political rights of women.

C. FUNCTIONING OF GOVERNMENT: 11 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Elected officials are free to set and implement government policy without undue interference.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Corruption in Slovenia primarily takes the form of conflicts of interest involving contracts between government officials and private businesses. Anticorruption bodies do not always operate efficiently. In September, a deputy president of the Commission for the Prevention of Corruption (CPC) resigned, citing infighting among its leadership, and called for a variety of reforms at the body as well as an independent audit. Separately, Ljubljana mayor Zoran Janković is facing a number of corruption charges, including money laundering and tax evasion, and at year's end some of the cases against him had been open for roughly three years.

Former prime minister Janez Janša's conviction on corruption charges was overturned by the Constitutional Court on a technicality in 2015, opening the door for him to return to politics.

C3. Does the government operate with openness and transparency? 4 / 4

While the government usually operates with openness and transparency, recently, journalists' access to public information has been obstructed by financial fees. In response, the journalists' union and other associations in September 2017 called for reforms to the Access to Public Information Act.

CIVIL LIBERTIES: 54 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 3 / 4

Freedom of speech and freedom of the press are constitutionally guaranteed, but journalists can be legally compelled to reveal their sources. The government maintains stakes in a number of media outlets, and has been known to interfere in the operations of the public broadcaster, Radiotelevizija Slovenija. Defamation remains a criminal offense.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

The Slovenian constitution guarantees freedom of religion and contains provisions that prohibit inciting religious intolerance or discrimination. After a decades-long struggle to build a mosque in Ljubljana, a groundbreaking ceremony was held in 2013, but its construction has been delayed. There are occasional instances of vandalism of religious buildings, and hate speech by high-profile figures.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Individuals are generally free to express their personal beliefs without fear of reprisal. Defamation remains a criminal offense, though a 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.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

The rights to peaceful assembly and association are guaranteed by the constitution and respected in practice. Assemblies need to be registered with the authorities in advance, and in some instances permits are required.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Numerous nongovernmental organizations (NGOs) operate freely and play a role in policymaking.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

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

F. RULE OF LAW: 14 / 16

F1. Is there an independent judiciary? 3 / 4

The Constitution provides for an independent judiciary, but in practice the courts are susceptible to politicization, and there is widespread public skepticism about the judiciary's ability to rule impartially in high-profile cases. In 2017, one court handed down a questionable ruling that key evidence in one of the cases against Janković be thrown out, citing delays by prosecutors.

F2. Does due process prevail in civil and criminal matters? 4 / 4

The rule of law is respected in civil and criminal matters. Programs aimed at reducing court backlogs have seen some success in recent years.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

People in Slovenia are generally free from threats of physical force. Prison conditions meet international standards, though overcrowding has been reported.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

In January 2017, the National Assembly adopted legislative amendments to the Aliens Act, allowing the parliament to take extreme measures to prohibit foreigners from entering the country and to expel people who entered the country illegally without the effective right of appeal, if a threat to national security or public order is perceived. Rights activists criticized the changes as lacking appropriate guarantees against indirect refoulement, and the Human Rights Ombudsman filed a request asking the Constitutional Court to rule on the constitutionality of the amendments.

The "erased" is a group of more than 25,000 non-Slovene citizens who remained in Slovenia after independence and were removed from official records after they failed to apply for citizenship or permanent residency in 1992. Legislation adopted in 2010 reinstated the legal status of the "erased," and in 2014, the country began a national compensation scheme. Nevertheless, the court proceedings in individual cases in Slovenia continue, and the status of all the "erased" is still not resolved.

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: 14 / 16 (+1)

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Citizens enjoy the right to choose their residence, employment, and place of education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4 (+1)

Individuals may exercise the right to own property and establish private business in practice. Expropriation is an extreme measure and is legally regulated. Improvements in transportation and communications technology and relative transparency surrounding business endeavors have helped foster a free environment for business and property ownership.

Score Change: The score improved from 3 to 4 due to the lack of any significant obstacles in individuals' ability to engage in commercial activity or own property.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Individuals generally enjoy personal social freedoms. The Marriage and Family Relations Act, which was passed in 2016 and took effect in February 2017, granted people entering same-sex partnerships most of the same rights conferred by marriage, but did not grant same-sex couples the right to adopt children or undergo in-vitro fertilization procedures. Marriage is still legally defined as a union between a man and a woman. Although domestic violence is illegal, it remains a concern in practice.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Men from other countries in Central and Eastern Europe can be found engaged in forced begging, and women and children are subject to forced prostitution. However, authorities actively prosecute suspected human traffickers and work to identify victims.

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