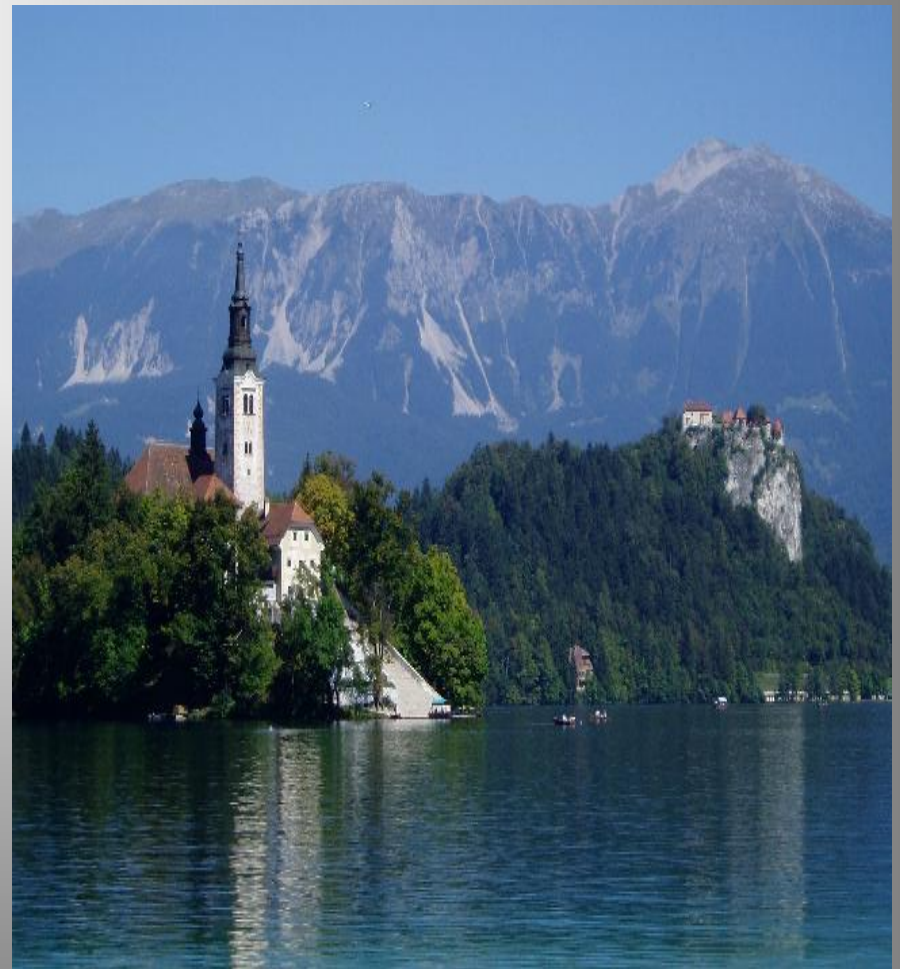


Republic of Slovenia

Commission for the prevention of corruption

Darko Stare, Head of investigation and oversight



A few facts about Slovenija



- Abt. 2 mio inhabitants
- Area 20.273 square km
- 46.6 km coastline of the Adriatic sea
- The Highest mountain is Triglav with 2.864 meters
- The capital - Ljubljana
- GDP per capita (\$27,400)
- 450 c.offences per 10.000 people
- Circa 50 police investigated corruption offences per year

Commission for the Prevention of Corruption

independent and autonomous state authority

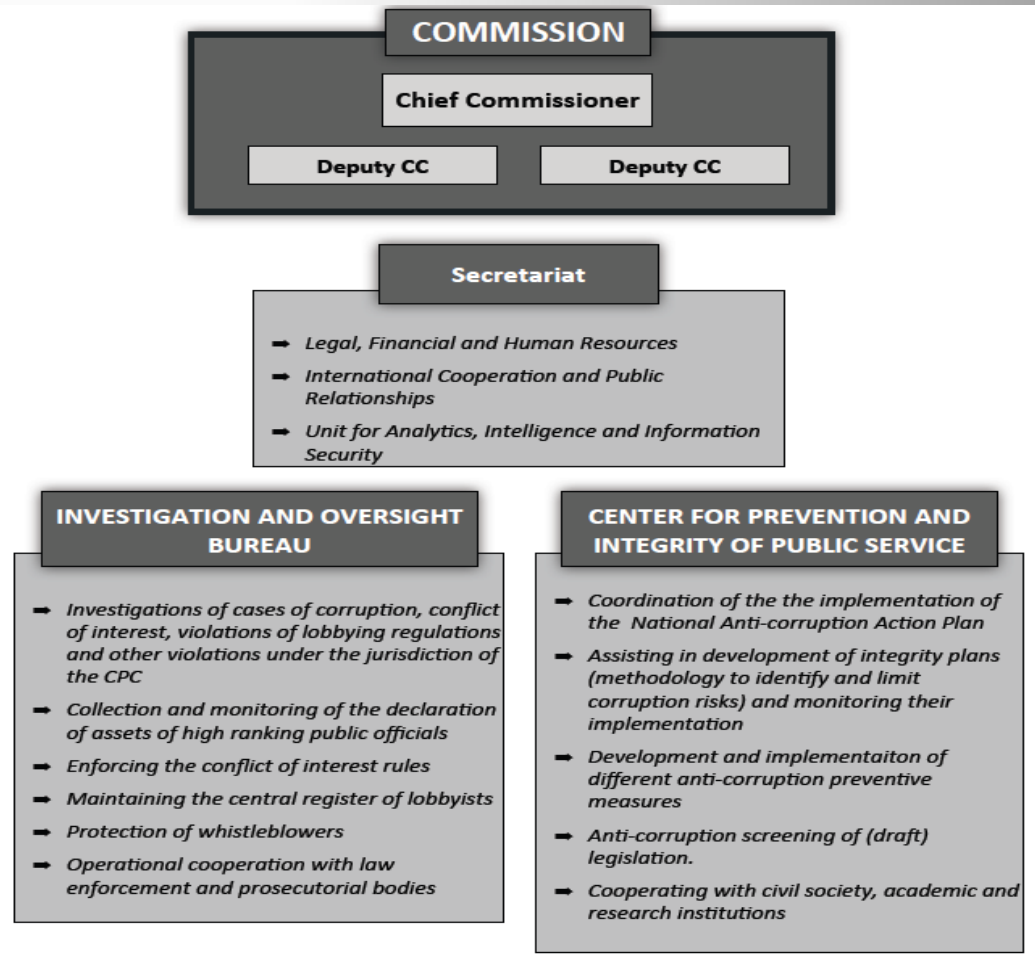
“Our mandate is

- **preventing corruption, strengthening the rule of law,**
- **integrity and**
- **transparency of public sector.**

Our moto is:

- **integrity,**
- **accountability,**
- **rule of law.”**

Organizational Structure and Staff of Commission



Field of work and jurisdiction

- Integrity and prevention of corruption Act
- Rules of Procedure
- Act about internal arrangements and systemization of working posts in Commission

Prevention of
corruption

Enhancing
integrity of
public sector

Supervision and
investigation of alleged
corruptive practices **and**
whistleblower
protection

Analysis and
research of the
corruption
phenomenon

Supervision of assets of
officials, incompatibility
of office, conflict of
interest, receiving of
gifts

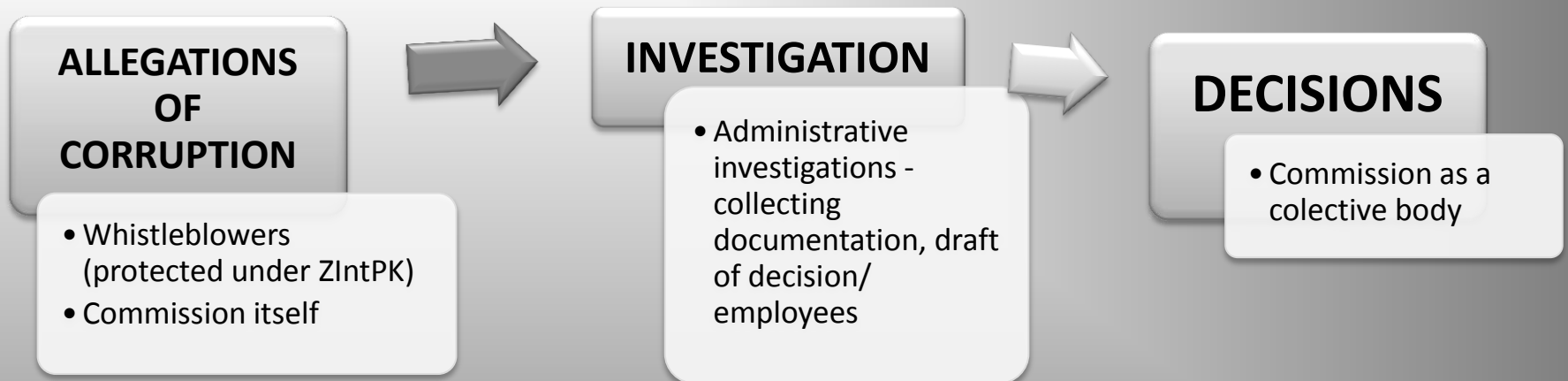
Monitoring of
lobbying activities

Cooperating in
international
projects

Misdemeanor
procedures

Investigation and Oversight Bureau

Consideration of concrete cases of alleged corruptive practices and other suspected irregularities under the Commission's jurisdiction:



- Closure of the case
- Assignment of a case/ referre to the competent authority/body
- Principle opinion, opinion, recommendation, explanation or other similar position of the final document.

INTEGRITY AND PREVENTION OF CORRUPTION ACT

MECHANISMS FOR PROTECTION

- **The identity of the reporting person** who has made a report in good faith and has reasonably believed that the information he has provided with regard to the report is true, which shall be assessed by the Commission, **shall not be established or disclosed**
- Only **the court** may rule that any information on and the identity of the persons shall be disclosed if this is strictly necessary in order to safeguard the public interest or the rights of others
- If the reporting persons have been **subject to retaliatory measures/reprisals** as a consequence of filing the report and this has had an adverse impact on them, they have **the right to claim compensation** from their employer for the unlawfully caused damage

MECHANISMS FOR PROTECTION

- The Commission may offer reporting persons assistance in establishing a causal link between the adverse consequences and retaliatory measures/reprisals
- If during the course of the procedure referred to in the preceding paragraph the Commission establishes a causal link between the report and the retaliatory measures taken against the reporting person, it shall demand that the employer ensure that such conduct is discontinued immediately
- If the reporting persons are public servants, and if they continue to be the focus of reprisals, despite the Commission's demand, making it impossible for them to continue work in their current work post, they may request that their employer transfer them to another equivalent post and inform the Commission

MECHANISMS FOR PROTECTION

- If a reporting person cites facts in a dispute that give grounds for the assumption that he has been subject to reprisal/retaliation by the employer due to having filed a report, the burden of proof shall rest with the employer.
- The public servant's employer shall ensure that the demand to transfer him to another equivalent post is met within 90 days at the latest and shall inform the Commission
- If in connection with the report of corruption, the conditions for the protection of the reporting person or his family members are fulfilled under the law on witness protection, the Commission may submit a proposal to the Commission on the Protection of witnesses Risk to include them in the protection programme or may propose that the State Prosecutor General take urgent safeguarding

Cooperation with other state authorities

Assigning a case to the competent authority/body

(Police, Prosecutor's Office, Labour Inspectorate, etc.)

Duty of other authorities and organizations to cooperate with commission

(public authorities, local authorities, public power holders and other legal persons)

Cooperation of different authorities in pre-trial procedure

(Regulation about cooperation between public prosecutor's office, police and other competent state authorities and institutions in detection and prosecution criminal offenders ...)

Principles for whistleblower protection

- The right to report (as well anonymously) provided by the statute/law
- Existence of competent state body for dealing with the reports and it has sufficient means
- Free of charge consultancy
- The right to address public
- Confidentiality
- Internal/external disclosure channels
- Cooperation with other state authorities and non governmental organizations
- The right and remedies to compensate for reprisals
- Assistance from an independent agency (CPC)
- Penal provisions



Thank you for your attention

Darko Stare, Head of investigations and oversight

Dunajska 56, Ljubljana - Slovenija

t +386 1 400 57 10

f +386 1 478 84 72

e-mail: darko.stare@kpk-rs.si

www.kpk-rs.si