



# Civic Space Report 2024

# SLOVENIA



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center za informiranje, sodelovanje  
in razvoj nevladnih organizacij







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## About the author

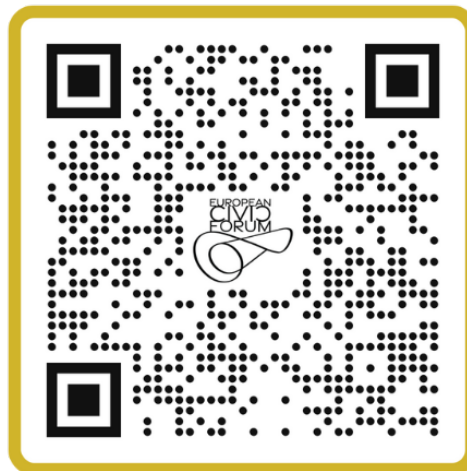
CNVOS is a national NGO umbrella network in Slovenia. It serves as a national information, training, advocacy and re-granting centre for NGOs in Slovenia. In over 20 years of existence CNVOS has participated in all major achievements for NGO enabling environment, while also serving as the main protector of civic space. CNVOS is through cooperation with EU platforms and directly active on the EU level and in the regions of the Western Balkan and Eastern Neighbourhood.

## About this report

This analysis was published as part of the European Civic Forum's Civic Space Report 2024. The full report contains chapters written by its secretariat, by member organisations, or by partner organisations and individuals. Much of the content originally appeared as part of ECF's submission to the European Commission's Rule of Law consultation. Each chapter reflects the views and analysis of its respective author. For more information about the European Civic Forum, please visit [www.civic-forum.eu](http://www.civic-forum.eu)

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# Key trends

- 🔍 **A vast majority of funds from the NGO fund remain undistributed due to corruption scandal**
- 🔍 **Support measures in the Law on NGOs have not been implemented thus hampering an enabling environment**
- 🔍 **Online hate speech and smear campaigns from the opposition party against civic actors remain a significant concern.**

# Summary

Civic space is rated as “Narrowed” in Slovenia.<sup>1</sup> In the last two Rule of Law Reports by the European Commission (2023, 2022) there were no recommendations for Slovenia linked to civic space. Since the new government came into power in 2022, the environment for civil society and civic actors has become stronger as serious threats to basic freedoms and fundamental rights ceased, but there are some new emerging concerns for civic actors. While there has been cooperation, dialogue, and participation between civil society and government, there is room for further improvement. For example, the government does not respect consultation deadlines for draft legislation which are prepared in a rushed and non-transparent manner. Online attacks and smear campaigns against civic actors by opposition members on X (formerly Twitter) and their media outlets remain a crucial concern for civil society.

There has been a deterioration of the enabling environment for NGOs as the implementation of support measures in the Law on NGOs has come to a halt. The mandate of the Government Council for Cooperation development of voluntarism, voluntary and non-governmental organisations has ended and is yet to be renewed. The draft for the new Government Strategy for the development of NGOs has not been prepared or finalised.

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<sup>1</sup> <https://monitor.civicus.org/country/slovenia/>

Funding remains a concern, with a vast majority of funds from the NGO fund remaining undistributed, while coalition parties in the Parliament prevented two attempts by the opposition parties to abolish the national NGO fund.

# Institutional, political and socio-economic landscape

As predicted by the current government, 2023 was a year for the development of new reforms in health care, tax, and education. However, the government has failed to prepare new proposals and resignations of ministers followed in some cases (e.g. health minister<sup>2</sup>).

In August 2023, Slovenia faced tremendous floods, damaging significant parts of the country, including infrastructure, private houses, and businesses. Similarly, as during the Covid-19 pandemic, several intervention laws for damage recovery were passed. Due to the natural disaster, the main focus of politics and the public for some time shifted from reforms to recovery.

In September, the media focused on the former Minister of Public Affairs who later resigned due to alleged corruption. During the media frenzy, two other ministers left as well (one resigned after the Prime Minister demanded so, the other refused to resign, but she was removed by the parliament). Thus, in the course of one year, the Prime Minister replaced four ministers. Public opinion polls for the current government are rapidly decreasing.

In the media sector, significant efforts went into the normalisation of the national broadcaster RTV Slovenia. After the public voted for a new law which addresses the governance of RTVSLO via a referendum, the Constitutional Court temporarily suspend the article on the establishment of the

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<sup>2</sup> Kos, S., Eržen, B. and Žgajnar, B.F. (2023) Danijel Bešič Loredan Odstopil, Erik Brecej Se Mu Zahvaljuje. *Delo*. <https://www.delo.si/novice/slovenija/neuradno-danijel-besic-loredan-odstopa/>

new RTV Council<sup>3</sup>. Later, the Court withdrew the suspension, the council was established, and a new board was appointed<sup>4</sup>. Currently, the broadcaster is struggling due to its poor financial situation. Moreover, other forms of media, especially daily newspapers, are facing a similar financial situation. Their owners (mostly different companies) demand reorganisation, budget cuts, etc. In December 2023, the Ministry of Culture published a new draft Law on media for public consultation which tackles several issues including state aid, political and state advertising and more transparency in media ownership. However, this draft does not include subventions for newspapers distribution as proposed by different media. Thus, it can be concluded that media freedom is still steadily deteriorating.

# Civic freedoms: regulatory environment and implementation

## Freedom of peaceful assembly

As part of the new government key coalition commitments, in September 2023, the Parliament passed a law which halts all misdemeanour procedures linked to legislation which were deemed as unconstitutional by the Constitutional Court.<sup>5</sup> The law also provides a legal basis for the return of all

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<sup>3</sup> <https://www.ebu.ch/news/2022/12/slovenian-referendum-backs-rtv-slo-reforms>

<sup>4</sup> <https://europeanjournalists.org/blog/2023/06/05/slovenia-efj-welcomes-court-ruling-on-rtv-slo-reform/>

<sup>5</sup>Portal GOV.SI. (2023) Zakon o Ureditvi Vprašanj V Zvezi Z Določenimi Prekrški V Času Covid-19 Sprejet V Državnem Zboru. <https://www.gov.si/novice/2023-09-20-zakon-o-ureditvi-vprasanj-v-zvezi-z-dolocenimi-prekrski-v-casu-covid-19-sprejet-v-drzavnem-zboru/>

finances already paid. Namely, the law repaired the damage of all unconstitutional government decrees and legislation passed during the COVID-19 pandemic, under the previous government.

Throughout 2023, several protests took place, some of which were quite large and led by people who are close to the opposition.<sup>6</sup> Several counter protests were also staged for example, by those for and against the right to abortion.<sup>7</sup> The police were always present, but there was no interference or interactions with the police. All protests were peaceful.

However, there was one protest where the police used tear gas against protesters.<sup>8</sup> An autonomous community that previously occupied the Rog factory in Ljubljana staged a protest during the opening of a new art centre that was built where the factory once stood. This comes after an eviction by the municipality of Ljubljana of those occupying the Rog factory in 2021.<sup>9</sup> Protesters stuck stickers and graffiti and wanted to enter the building during the opening but were met with excessive force.<sup>10</sup>

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<sup>6</sup> K, G. (2023) Upokojenci Na Protestu Za Višje Pokojnine in Novo Stranko. *RTV Slovenija*. <https://www.rtv slo.si/slovenija/upokojenci-na-protestu-za-visje-pokojnine-in-novo-stranko/685333>

<sup>7</sup>Sta, A.I. (2023) V Središču Ljubljane Shoda Za in Proti Pravici Do Splava. *Delo*. <https://www.delo.si/novice/slovenija/v-srediscu-ljubljane-shoda-za-in-proti-pravici-do-splava/>

<sup>8</sup>Pervanje, A. (2023) Na Protestu Ob Odprtju Centra Rog Policija Med Prerivanjem s Protestniki Uporabila Solzivec. *RTV Slovenija*. <https://www.rtv slo.si/kultura/drugo/na-protestu-ob-odprtju-centra-rog-policija-med-prerivanjem-s-protestniki-uporabila-solzivec/686162>

<sup>9</sup> <https://siol.net/novice/slovenija/na-obmocju-nekdanje-tovarne-rog-evikcije-stanovalcev-in-vzpostavlanje-gradbisca-543835>

<sup>10</sup> <https://sloveniatimes.com/39936/new-ljubljana-creative-hub-opens-amid-protests>



# Safe space

Online attacks on civic actors continue daily and are mostly initiated by members of the opposition Slovenian Democratic Party (SDS) party. Additionally, SDS media outlets continue to smear prominent civic actors, such as Nika Kovac (director of 8th of March Research Institute), Jasa Jenull (key figure in protests against the previous government), Barbara Rajgelj (Legal Network for the Protection of Democracy) and Goran Forbici (director of CNVOS). The person responsible for physically attacking Nika Kovac in 2022 was convicted.<sup>11</sup> Additionally, some other persons/media were already convicted of online hate speech. For example, the courts are also issuing temporary decisions for removal of articles (e.g. case of Barbara Rajgelj, known lawyer and LGBT activist, against right-wing media outlets that accused her of sexual harassment).

Various segments of the population, including ethnic, racial, religious, gender, LGBTQI+, and other excluded groups, are able to exercise rights and freedoms in the public space offline and online. However, civil society has witnessed an increase of different incidents in connection to the pride (physical attacks<sup>12</sup>) and even the burning of the LGBT flag at the beginning of the LGBT film festival<sup>13</sup>). The police are investigating all incidents.

The government established a Strategic Council for fighting hate speech with several NGO representatives as members. The council completed its work in July and presented 57 recommendations to the government. So far, recommendations have not yet been realised.

# Funding for civil society

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<sup>11</sup> <https://n1info.si/novice/slovenija/napadalec-na-niko-kovac-pogojno-obsojen-na-pet-mesecev-zapora/>

<sup>12</sup>R., M., and M. Z. (2023) Skupina Neznancev Po Paradi Ponosa Pretepla Aktivista, Nasilje Obsodilo Več Političnih Predstavnikov. *RTV Slovenija*. <https://www.rtv slo.si/crna-kronika/skupina-neznancev-po-paradi-ponosa-pretepla-aktivista-nasilje-obsodilo-vec-politichnih-predstavnikov/681663> ; Bezljaj, M. (2023) Parada Ponosa Tarča Homofobnih Napadov. *Delo*. <https://www.delo.si/novice/slovenija/v-prestolnici-povorka-pod-geslom-vec-skupnosti-en-boj/>

<sup>13</sup>Sta, N. (2023) Policija Išče Najstnike, Ki so v Centru Ljubljane Zažgali Mavrično Zastavo. *N1*. <https://n1info.si/novice/slovenija/po-zazigu-mavricne-zastave-na-festivalu-lgbt-filma-se-vrstijo-obsodbe-dejanja/>

In general, the NGO sector is doing quite well financially. Its annual income and public funding have increased year on year.<sup>14</sup>

Similarly to COVID-19 intervention laws, NGOs (after significant advocacy towards the Ministry of Public Administration and the Parliament) are now recognised as recipients of damage recovery after the floods in the same manner as companies. The initial Natural Disaster Recovery law was passed in 2005 and a lot of entities (e.g. foundations, associations, farmers) were not included in it. While farmers and others were added immediately, significant advocacy was needed to add associations and foundations as well.

Public funding for NGOs from ministries and other public institutions is now running smoothly again and according to the rules.

However, in March 2023, the Ministry of Public Administration published a call for proposals for strengthening active civil rights and empowering non-governmental organisations in this area.<sup>15</sup> The purpose of the call for proposals (CfP) was to support organisations that work in the field of democracy, transparency, and human rights, on national and local levels (in short, equated to a national CERV programme). The ministry dedicated 10 million EUR over the next four years from the national NGO fund. In August 2023, it published the list of recipients. However, as reported by the media there were several concerns about the recipients: The largest recipient, out of the three projects granted, was an organisation that does not fulfil the formal requirements of the application, i.e. applicants must be an NGO as prescribed by law, even though the Ministry of Infrastructure granted them public benefit status in 2021.

A consultancy company previously co-owned by the Minister of Public Administration, Sanja Ajanović Hovnik, wrote several project proposals for several different applicants for the success fee of seven per cent (the fee paid if the project application is successful). All projects were supported. The company is presently co-owned by the minister's mother and her friend. The minister's friend is also a director of one of the awarded organisations. This organisation also received core-funding from the CfP, but only after the minister decided to move some funds to the core-funding LOT. The minister claimed that she didn't know that the organisation had applied, however prior to this she had signed a letter of support for this particular application.

Following this, the minister resigned. The Anti-corruption commission concluded its preliminary investigation and launched an official investigation in December 2023. Police are investigating the case as well. The ministry also ordered an internal revision of the call. As a result, the CfP was initially suspended and in January 2024, the newly appointed minister abolished the call for proposal. Several

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<sup>14</sup>CNVOS (2024) NGO Sector: Facts and Numbers. Cnvos. <https://www.cnvos.si/en/ngo-sector-slovenia/>

<sup>15</sup>Uradni List. (2023) Glasilo Uradni List Rs. *Uradni List*. <https://www.uradni-list.si/glasilo-uradni-list-rs>

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NGOs are preparing lawsuits with a claim that there is no legal basis or explanation for the ministry's decision, since the internal investigation has not yet been finalised.

The NGO fund was established for the development of the sector in line with the law on NGOs. Each year, approximately €10 million is dedicated to the fund from an undistributed share of personal income tax (each taxpayer can distribute one per cent of personal income tax to publicly benefit NGOs, trade unions, churches, or political parties). If the share is not distributed, it goes directly to the NGO fund.

Apart from the above-mentioned CfP, the Ministry of Public administration in 2023 concluded one CfP that was published in 2022 and published only one additional CfP in July 2023. The application deadline was at the beginning of September and there are no results to date. As a result, a vast majority of funds from the NGO fund remains undistributed.

# Civil dialogue and the right to participation

The framework for civil dialogue has remained the same for quite some time. However, the level of implementation differs. The current government established many consultative or working bodies in which NGO representatives are included. However more time is required to assess their activities and efficiency.

The main consultation body for an enabling environment for civil society is the Government Council for Cooperation for the development of voluntarism, voluntary and non-governmental organisations. The mandate of the previous council ended in October 2023. Even though the Ministry of Public Administration announced in September that it will start a procedure for the appointment of the new Council, this has not yet happened. Similarly, the Ministry of Public Administration started the preparations for the Government Strategy for the development of NGOs for 2024- 2028 in the Spring of 2023 with two strategic workshops. However, there is no progress to date on the draft of the new strategy.

## Gaps remain with the right to participation

The general rule for public consultation deadlines is 30 days. However, the current government breaches this rule in 65 per cent of cases<sup>16</sup>, fewer breaches than the previous Jansa government (70%) but slighter more than the Sarec Government (60%).<sup>17</sup>

Even though the Resolution on Legislative Regulation clearly states that stakeholders should be involved in the process of drafting at early stages, this is usually not the case. For example, the current government prepared the first Healthcare Intervention law without any involvement of the stakeholders. They also prepared and sent changes to the Parliament on the Law on Institutes that could affect thousands of public institutes, as well as more than 3,000 NGOs. After outrage from the

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<sup>16</sup>CNVOS. (2024) Števec Kršitev Rendej. <https://cnvos.si/stevec-krsitev/>

<sup>17</sup>CNVOS. (2024) števec kršitev Arhiv Prejsnjih Vlad. <https://cnvos.si/nvo-vseved/stevec-krsitev/arhiv-prejsnjih-vlad/>

stakeholders, the government withdrew the law from the Parliament.<sup>18</sup> Moreover, in the same manner, the Ministry of Public Administration prepared guidelines for Government Cooperation with NGOs<sup>19</sup> and only opened public consultations after the guidelines were already drafted. After receiving criticism from the other ministries about the closed process and low quality of the guidelines, NGOs and the Government Council for Cooperation development of voluntarism, voluntary, and non-governmental organisations rewrote the guidelines in cooperation with NGOs. However, in the end, the government did not pass the guidelines.

All in all, on paper the government appears to be very open and participative. However, in practice, the level of civil dialogue and the state of enabling environment has decreased in the last year.

# Civil society resilience

The public image of the civic sector improved due to the understanding that civic actors were the key factor in changing the government and in preventing several poor decisions. Civic mobilisations achieved between 2020 – 2022 are still active (e.g. the number of laws submitted to the Parliament with the signatures of people increased tremendously). State authorities foster trust in the sector. However, members of SDS continue their smear campaigns on X (formerly Twitter), while pro-SDS media outlets publish false stories about civic actors on a daily basis, which portray NGOs as one of the biggest enemies of the state.

Even though the media are generally supportive of civic actors (with the exception of right-wing media), during and after the alleged corruption case of the Minister of Public Administration, the focus of the debate was on whether or not NGOs should receive public funding at all and whether the NGO fund should be abolished. The same harsh narrative does not apply when there are scandals involving the business sector. Legal networks for the defence of democracy are still actively responding to cases of hate speech, for example.

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<sup>18</sup> STA. (2023a) Po Ostrih Kritikah Vlada Umaknila Predlog Novele Zakona O Zavodih. *N1*. <https://n1info.si/novice/slovenija/po-ostrih-kritikah-vlada-umaknila-predlog-novele-zakona-o-zavodih/>

<sup>19</sup> Portal GOV.SI. (2024). Smernice Za Sodelovanje Vlade Republike Slovenije Z Nevladnimi <https://www.gov.si/assets/ministrstva/MJU/SNVO/Smernice-za-sodelovanje-Vlade-RS-z-NVO.pdf>

While cooperation between different actors, e.g. NGOs and journalists, NGOs and trade unions, have increased as they are seen as natural allies, it remains ad hoc – and only takes place in specific concrete cases.

# Recommendations

## Targeted recommendation:

- 🔍 Urgently prioritise the transparent distribution of the National NGO funds.

- 🔍 Immediately and fully implement the Law on NGOs by appointing new members of the Government Council for Cooperation development of voluntarism, voluntary and non-governmental organisations.
- 🔍 Engage with the process of developing a new Government Strategy for the development of NGOs.
- 🔍 Implement the recommendations of the Strategic Council for fighting hate speech to counter online attacks and smear campaigns against civic actors.
- 🔍 Increase state funding for watchdog, monitoring and advocacy activities, as well as support to civic activism.



### **About European Civic Forum**

European Civic Forum (ECF) is a pan-European network of more than 100 associations and NGOs across 30 European countries,

Founded in 2005 by our member organisations, we have spent nearly two decades working to protect civic space, enable civic participation and build civil dialogue for more equality, solidarity and democracy in Europe.

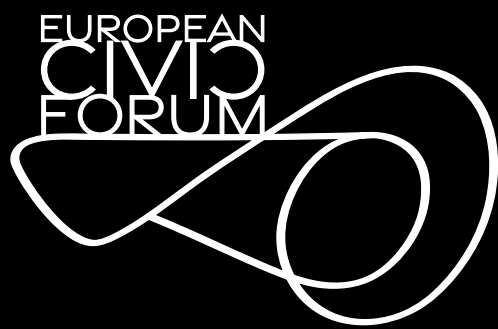


### **About Civic Space Watch**

Civic Space Watch collects findings and analyses from actors in Europe on the conditions for civil society to operate, capturing national and trans-European trends in civic space. Through ongoing monitoring of social media and regular contact and interviews with a strong network of members and partners on the ground, we strive to provide easy access to resources and improve information sharing within civil society across Europe.







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