Vol. 61, No. 1 (SI)

April 2023

Weekly Briefing

Slovenia political briefing:

The waning support for the government, the new insurance policy reform, and the problems with the implementation of the RTVS Act Gašper Pirc













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Summary

With the support seemingly waning with each passing month, now reaching critically low levels, the 15th Slovenian government has used its benefit of the doubt and the critical public will likely demand results from the many proposed changes which the government announced in their governmental agenda.

While the implementation of the one apparent success of the first year, the confirmation of the amendment to the RTVS Act is still being held by the constitutional court, and the situation is getting more desperate by the day, the government will also likely need to hasten their efforts on the other reforms, including the reform of the health insurance policy – especially after the providers announced the significant increase in the price of the supplementary insurance.

Background: the issues of the 15th Slovenian government and the question of its stability in April 2023

In April 2023, we will mark one year since the parliamentary election took place after which the right-wing government of the coalition led by Janez Janša was replaced by the moderate left-wing majority coalition under the leadership of the current Prime Minister Robert Golob. While the new government, which started its term in June 2022, 1 has been met with enthusiasm, due to several smaller controversies and lack of clear results in regard to its coalitional agenda, the support for the 15th government started to wane at the beginning of 2023.

Trust in the work of the government has been declining since the end of 2022, and in March 2023, it was recorded to be 40 points lower than the highest confidence level measured last June. The average assessment of the government's work in individual areas is also falling, especially in the field of communication with residents, as it fell from 3.1 in August last year to 2.4 in March this year. [2]

Due to the falling confidence and the rumors of disagreements in the coalition[3] there has also been speculation that the moderate right-wing opposition party New Slovenia might replace the "problematic" party the Left in the coalition composition. While there has been a

supposed break in communications with the main opposition party SDS, the New Slovenia has been on productive terms with the leading coalition party Freedom Movement. Nevertheless, as of April 2023, the leaders of the New Slovenia emphasize that they remain a critical opposition but are ready to cooperate with the government on individual projects. [4]

Regardless of what kind of shape the governmental coalition will take, the government needs to find a way to stabilize its grounding before they unveil some critical reforms that will be a likely determinant of its success, including health reform, education reform, and tax and labor reforms. [5]

The rising prices of health insurance and the acceleration of the work toward the reformation of the insurance system in Slovenia

Among the many announced reforms, likely the most comprehensive and publicly discussed has been the long-awaited health reform, in particular the reform of the health insurance policy in Slovenia. The health reform is believed to encompass the reconstruction of an insurance network in Slovenia, establish a renewed health insurance institute, and provide stable financing of the healthcare system. In place of the controversial supplementary insurance, inclusive universal health insurance is set to be instituted. [6]

After months of public speculation upon the final shape of universal insurance, the impetus for quick solutions was given at the beginning of April 2023 when one of the main insurance policy providers Generali announced the raise of the price of supplementary insurance for around 30% or more than 10 EUR per month. Specifically, they stated that by May 1, the monthly premium of supplementary health insurance will be increased by 10.39 EUR or from the current 34,5 EUR to 44,89 EUR. As the main reasons for the increase, they cite unfavorable trends in the field of health services, namely the rise in the prices of health services ("medical inflation") and the growth in the volume of health services provided during the last year. Their competitors, Vzajemna and Triglav insurance companies have also not ruled out the possibility of price increases in the near future.

A large part of the coalition, along with the critical public, warned about the predatory practices of the insurance providers and privatization of the health system which are said to be the main culprits for the current issues in the insurance sector, particularly regarding the high price of supplementary insurance, which, despite what the name implies, is a

is a condition for access to the full range of health services. [7]

On April 12, 2023, the Freedom Movement MPs submitted to the parliament an amendment to the law that would transfer supplementary health insurance into mandatory insurance, which would amount to 35 EUR at most. With this, they are believed to want to prevent price increases and the profits of private insurance companies while the contribution would be paid in accordance with the established procedure for collecting insurance contributions: thus, the payers of the employed would be the employers while Pension and Disability Insurance Institute of Slovenia would cover the fees for pensioners.

The Freedom Movement decided on what amounts to *parliamentary law* due to the danger of further increases in an already volatile economic and social environment due to the energy crisis with the intention to freeze the current amount of the contribution to supplementary health insurance.

The amendment which is believed to have support from all coalition parties foresees that mandatory health insurance will now consist of two parts - the mandatory health insurance, which is paid according to proportional shares, and the mandatory health contribution, which is set in the form of a flat rate of 35 EUR per month. The pay scheme will follow the current model of mandatory insurance. [8]

While the supporters of the governing coalition and a large part of civil society supported the intention to terminate the supplementary insurance, such a proposal was met with criticism from the largest opposition party SDS the representatives of which believe that the abovementioned solution will not have a particular effect and is not far beyond being a mere promotional activity,[9] the Slovenian Insurance Association where they denounced the proposal as a political decision which could be costlier than it is currently believed, and the Institute for Health Insurance of Slovenia where they do not directly oppose the decision (given that the pool of insurance holders will now encompass all and thus be larger) but also warn against its political nature. [10]

For years, the question of the health insurance policy has not been just a health, economic, and social issue but also a critical political point of contention. While the recent high price increases may have given the coalition the impetus to act, any changes to the current insurance scheme will likely be met with resistance from those who profit in the current situation, and will be a necessary, but risky political move.

The continuing issues with the implementation of the RTV Slovenija Act

One of the main goals and public promises of the first year of the term of the 15th Slovenian government, the confirmation of the amendment to the RTV Slovenija Act, and the consequent depoliticization of the national broadcasting institution is slowly slipping away from the grasp of realization, at least in regard to the near future.

The amendments to the RTV Act which would reduce the role of the government (and parliament) in the management of the national broadcasting organization and present a more encompassing constitution of the management of the institute, were confirmed by the National Assembly already in July 2022 and were later successfully defended in the referendum in late November 2022. [11] However, the active leadership was not keen to give up their positions and took the referendum decision to the constitutional court, citing the unconstitutionality of certain aspects of the amendment.

After the constitutional court froze the implementation of certain key provisions of the amended Act on RTV Slovenija (among others, the appointment of a new governing council and management of the institution) in February 2023,[12] both the supporters and detractors of the changes to the law have continued to challenge the credibility of the (composition of) constitutional court who is yet to provide a final decision regarding the amendment to the Act.

Thus, on March 30 Peter Gregorčič, the first signatory to the initiative for the constitutional review of the amendment to the Act on RTV Slovenija, submitted a proposal to the Constitutional Court to exclude Judge Neža Kogovšek Šalamon from the constitutional review of the amendment. The said the constitutional judge was supposed to have done complementary work at the Peace Institute, which participated in the referendum campaign on the law. [13]

Soon after that, the government send the proposal to remove constitutional judge Klemen Jaklič from the decision-making process on the initiative to assess the constitutionality of the amendment to the Law on Radiotelevizija Slovenia to the constitutional court, stating that Jaklič took explicit positions during the 2005 referendum campaign on the RTVS Act and actively and publicly defended the stipulations which were changed by the amendment. As such, there exist doubts about his subjective and objective neutrality about the matter. [14]

Finally, the Acting Director of TV Slovenija Uroš Urbanija proposed the removal of the President of the Constitutional Court Matej Accetto, supposedly due to his meeting with the vice-president of the European Commission Vera Jourova. [15]

As unusual as some of these requests seem to be, they are representative of the kind of political situation that is currently unfolding in Slovenia. As long as the government is not producing sufficient results and the economic crisis due to high prices of energy and food continues, the social and political unrest will be present and even the work of key institutions such as the constitutional court may be questioned by various parties.

The current situation regarding the national broadcasting organization however remains the source of public and international dissatisfaction, with employee strikes continuing and the credibility of the institution remaining on low levels while the shape of its future hangs in the air.

Conclusion

Despite the relative success of the first 6 months of their terms, there is little doubt that the 15th Slovenian government has now been beset with serious issues and will need to produce a relatively stellar political record in the rest of 2023 if they still intend to maintain as much credibility as possible. Otherwise, fragmentation, internal replacements, or even overturning of the government are beyond possible in Slovenian politics during the following 2 years.

In many ways, the success of the government will depend on the success of the reforms such as the above-mentioned health reform and the finalization of the amendment to the RTVS Act. However, for the full achievement of the goals, the productive rather than destructive – even if critical – cooperation of the opposition may be needed.

- [1] See e.g. "Slovenia's parliament approves a new centre-left government," Reuters, accessed April 7, 2023, https://www.reuters.com/world/europe/slovenias-parliament-approves-new-centre-left-government-2022-06-01/.
- [2] Source: G. K., "Raziskava: Nov padec podpore Golobovi vladi," *MMC Radiotelevizije Slovenije*, April 7, 2023, https://www.rtvslo.si/slovenija/raziskava-nov-padec-podpore-golobovi-vladi/664150.
- [3] For example, recently the parliamentary parties Svoboda and SD announced their support for the amendment to the governmental Foreigners Act, but the latter was explicitly opposed by the coalition party the Left, as it has no safeguards against breaking up families. See e.g. STA / N.L., "Državni zbor podprl novelo Zakona o tujcih, v Ljubljani potekal protestni shod," 24ur.com, March 28, 2023, https://www.24ur.com/novice/slovenija/levica-odrekla-podporo-noveli-zakona-o-tujcih-podprli-jo-bosta-svoboda-in-sd.html.
- [4] M. Z., "V NSi-ju zavračajo navedbe o možnosti vstopa v vlado: 'NSi je trdna opozicijska stranka'," *MMC Radiotelevizije Slovenije*, April 7, 2023, https://www.rtvslo.si/slovenija/v-nsi-ju-zavracajo-navedbe-o-moznosti-vstopa-v-vlado-nsi-je-trdna-opozicijska-stranka/664112.
- [5] Among other sources, see STA, "Premier Golob za leto reform državljanom zaželel pozitivno energijo in pogum," NI, December 30, 2023, https://nlinfo.si/novice/slovenija/golob-v-novoletni-poslanici-vlada-v-slovensko-druzbo-vrnila-obcutek-normalnosti/.
- [6] See e.g. Anže Lebinger, "Digitalizacija, prenova ZZZS, plačna reforma, ukinitev dopolnilnega zavarovanja Bešič Loredan predstavil reformo zdravstvenega sistema," *Dnevnik*, January 21, 2023, https://www.dnevnik.si/1043005360; and Al. Ma., "Golob: Osnovno in dopolnilno zavarovanje bomo združevali v univerzalno," *MMC Radiotelevizije Slovenija*, January 18, 2023, https://www.rtvslo.si/slovenija/golob-osnovno-in-dopolnilno-zavarovanje-bomo-zdruzevali-v-univerzalno/654835.
- [7] Source: STA, "Generali podražil zavarovanje, Vzajemna in Triglav opozarjata na rast stroškov," *Dnevnik*, April 5, 2023, https://www.delo.si/novice/slovenija/premija-dopolnilnega-zavarovanja-pri-generali-z-majem-visja-za-1039-evra/.
- [8] See M. Z., A. K. K., A. S., "Prispevek bi bil 35 evrov. Vsa sredstva ostanejo v javnem zdravstvenem sistemu," *MMC Radiotelevizije Slovenija*, April 12, 2023, https://www.rtvslo.si/slovenija/prispevek-bi-bil-35-evrov-vsa-sredstva-ostanejo-v-javnem-zdravstvenem-sistemu/664517.
- [9] Source: M. Z., "V SDS-u napoved odprave dopolnilnega zavarovanja označujejo za kupovanje časa in 'ceneni piar'," *MMC Radiotelevizije Slovenija*, April 12, 2023, https://www.rtvslo.si/slovenija/v-sds-u-napoved-odprave-dopolnilnega-zavarovanja-oznacujejo-za-kupovanje-casa-in-ceneni-piar/664565.
- [10] Source: Maruša Slana, STA, "Ukinitev dopolnilnega zavarovanja: obvezen prispevek bi znašal 35 evrov," 24ur.com, April 12, 2023, https://www.24ur.com/novice/slovenija/po-napovedanem-dvigu-premije-vlada-v-ukinitev-dopolnilnega-zavarovanja.html.
- [11] See "MPs pass changes to RTV Slovenija act," STA, accessed April 12, 2023, https://www.rtvslo.si/radio-si/news/constitutional-court-stops-implementation-of-new-rtv-slovenija-act/658558.; "Slovenian referendum backs RTV SLO reforms," accessed April 12, 2023, https://www.ebu.ch/news/2022/12/slovenian-referendum-backs-rtv-slo-reforms.
- [12] See K. J., "Constitutional Court stops implementation of new RTV Slovenija Act," *MMC Radiotelevizije Slovenija*, February 20, 2023, https://www.rtvslo.si/radio-si/news/constitutional-court-stops-implementation-of-new-rtv-slovenija-act/658558.
- [13] Source: STA, "Gregorčič vložil predlog za izločitev ustavne sodnice iz odločanja o zakonu RTVS," NI, March 30, 2023, https://nlinfo.si/novice/slovenija/na-mizi-ustavnih-sodnikov-znova-pobuda-za-ustavno-presojo-novele-zakona-o-rtvs/.
- [14] Source: D. K., STA, "Vlada ustavnemu sodišču predlaga izločitev Jakliča," *SiolNET*., April 5, 2023, https://siol.net/novice/slovenija/vlada-ustavnemu-sodiscu-predlaga-izlocitev-jaklica-603555.
- [15] See "V tekmo za izločanje sodnikov vstopila tudi vlada, predlaga izločitev Jakliča," N1, accessed April 5, 2023, https://n1info.si/novice/slovenija/tekmi-za-izlocanje-sodnikov-se-je-pridruzila-tudi-vlada-izlocila-bi-jaklica/.