

From Independence to Integration: The Role of the Slovenian Parliament in EU Accession and Institutional Adaptation

ABSTRACT: *The article deals with the accession process of the Republic of Slovenia to the European Union (EU), especially focusing on the Slovenian Parliament's role as one of the key actors along with its committees. Considering the bicameral nature of the Slovenian Parliament, the special focus is on the role of the lower house, the National Assembly (slov. Državni zbor), as the main legislative and representative body; the upper house, the National Council (slov. Državni svet), primarily has an advisory role. This article also examines the role of the Parliament in the Early Warning Mechanism (EWM) and critically assesses its activity. Using descriptive analysis, it outlines the development of the parliamentary system in Slovenia, while constitutional and legal provisions related to EU affairs are analysed through the dogmatic-legal method. Finally, the Slovenian Parliament's use of the EWM is explored.*

KEYWORDS: *National Assembly (Državni zbor), Committees of EU affairs, Constitutional amendments, the Rules of Procedure, EU accession, Early Warning Mechanism (EWM)*

1. Introduction

This article examines the constitutional and institutional trajectory of the Republic of Slovenia. It traces the country's evolution from a constituent republic within the former Socialist Federal Republic of Yugoslavia to an independent democratic state, and subsequently, a full member of the European Union (EU). The aim is to provide a systematic overview of the legal and institutional adjustments undertaken by Slovenia in the process of European integration, particularly the normative and functional transformation of its parliamentary system. By focusing on the legal foundations and

* PhD student at the Ferenc Deák Doctoral School of Faculty of Law of the University of Miskolc, Intern at the Central European Academy; ORCID ID: 0009-0000-3878-7804, e-mail: nikolina.marasovic@centraleuropeacademy.hu.



structural evolution of the Slovenian Parliament, the article evaluates the effectiveness of Slovenia's approach to accession, highlighting the most significant normative and institutional milestones that facilitated its successful alignment with EU standards.

Slovenia constitutes a notable example of a post-socialist state that achieved a relatively swift and stable democratic transition, marked by institutional innovation and progressive legislative harmonisation. Compared with other successor states of the former Yugoslavia, Slovenia distinguished itself through its early establishment of a functional parliamentary democracy, underpinned by a strong constitutional framework and clearly defined separation of powers. Central to this transformation has been the role of the Slovenian Parliament, whose structural configuration, normative competences, and legislative procedures have undergone continuous adaptation in response to both domestic political developments and the exigencies of European integration.

The article provides an in-depth legal analysis of the constitutional development of the Slovenian Parliament, particularly its bicameral structure comprising the National Assembly (*Državni zbor*) as the lower house and National Council (*Državni svet*) as the upper, primarily consultative chamber. It further explores the normative rationale underlying the establishment of bicameralism in Slovenia, recurrent constitutional debates concerning the role and necessity of the National Council, and the unsuccessful legislative initiatives aimed at its abolition. Moreover, the article critically assesses Slovenia's legal and institutional mechanisms for parliamentary oversight of EU affairs, with particular reference to interinstitutional cooperation, the competences and functioning of the Committee on EU Affairs (CEUA), and the implementation of the Early Warning Mechanism (EWM) pursuant to the Lisbon Treaty and its protocols.

Finally, the analysis situates these institutional arrangements within the broader legal-political context of Slovenia's post-socialist transformation, encompassing socio-economic reforms and progressive approximation to the *acquis communautaire*. Essentially, it examines the key constitutional amendments, legislative reforms, and administrative adaptations from the early 1990s until Slovenia's accession to the EU in 2004. Through this, the article demonstrates that the Slovenian Parliament has operated not merely as a passive institution of national representation, but as an active constitutional actor and a key stakeholder in the legal and political processes underpinning European integration.

2.

The Slovenian Parliament and European integration

Slovenia, as one of the ex-Yugoslav countries, is the best example of a successful and relatively rapid transition from an authoritarian system to a democratically governed system, as some scholars call it a stable post-communist democracy. During the 1990s, the first democratic elections in Slovenia elected a tricameral parliament, which was essentially a legacy from socialism and the Habsburg Monarchy. This elected body adopted a Constitution that established a parliamentary system characterised by a weak, directly elected president. Subsequently, a bicameral parliament was established and continues today. Herein, the lower house, the National Assembly is directly elected by the citizens, with 90 seats. Further, according to article 80 of Slovenian Constitution, it includes two representatives of Italian and Hungarian national minority.¹ Meanwhile, the upper house, the National Council, is indirectly elected. Its 40 seats represent specific interest groups, including local or socioeconomic ones. Notably, the role of the National Council is relatively weak, considering that it only has the possibility of exercising a suspensive veto. In these cases, the National Assembly can override it by a majority of all representatives.²

Before the formation of the Slovenian Constitution itself, various structures for the Slovenian Parliament were considered. The first draft of the Constitution included the idea of a unicameral system, while ideas about a bicameral parliament emerged later. The concept of a unicameral parliament entailed representatives who would represent regional interests in a special legislative process. Meanwhile, two ideas were proposed for the bicameral system: 1) establishing a Regional Assembly similar to the National Assembly, and 2) creating a weaker National Council. However, during the constitutional drafting phase, several additional proposals regarding the structure of Slovenia's representative body were presented, inspired by models from Western countries. For instance, a structure similar to that of the Bavarian Senate was suggested, entailing a second chamber (comprising employees, employers, regions and experts) that would allow for various approaches to parliamentary decision-making. For comparison, Slovenia's National Council, like the Bavarian Senate, had powers similar to those of the former Croatian Chamber of Counties. Another proposal was inspired by the Norwegian model of a kind of 'semi-chamber', comprising a Regional Assembly that would separately debate certain issues. Systems of other Western European countries, such as France, Italy, and Spain, were also considered as potential models. However, due to a lack of time for further discussion and the breadth of

1 Pegan and Krašovec, 2021, pp. 1–7.

2 Ibid., p. 2.

other issues that had to be addressed, a compromise had to be found. Eventually, it was decided to establish an upper chamber, the National Council.³

The decision subsequently attracted much criticism and many proposals to abolish the National Council. Still, only one formal proposal was submitted in 2012. Specifically, a group of Parliament members initiated a procedure to amend the Constitution concerning the organisation of the National Council. However, no final changes were adopted. The proposal for its abolition cited reasons such as improving the efficiency of the legislative process and quality of adopted legislation. These were not particularly strong arguments. Rather, abolition would likely worsen the quality of adopted laws. A second argument was that abolishing the National Council would simplify the entire political system, including state regulation. A third argument cited achieving a balance in public finances by reducing public spending. However, this latter argument is essentially unfounded, as the annual budget of the National Council is very low. Finally, some argued that abolishing the National Council would finally resolve the long-standing dilemma regarding the structure of the Parliament regarding whether it should be unicameral or bicameral. Ultimately, the National Council was not abolished. All criticisms and proposals overlooked the most crucial argument: the principle of separation of powers and the functionally balanced system of control embodied in the role of the National Council itself (i.e. the system of checks and balances). Beyond its role as a body with a suspensive veto, a functional mechanism for expressing its opinion in the legislative process, the National Council also acts as an oversight body monitoring the executive branch, particularly through its right to request parliamentary inquiries. Essentially, the most prominent strengths of the Slovenian parliamentary system lie in the representation of interest groups, which is the core characteristic of the National Council's structure, and the cooperation which the National Council fosters with civil society. These features enhance the legitimacy of legislation and improve the oversight of the legal system.⁴

3.

A short Overview of the Slovenian Parliamentary System

Every transition and change of a political system, especially from authoritarian to democratic systems, requires exceptional efforts from all state and political actors who are expected to implement progressive institutionalisation. Political scholars (Zajc) essentially state that this process can be defined as very contradictory, stating that immediately after the transition, a kind of crisis occurs that needs to be overcome.

3 Venice Commission, Council of Europe, n.d.

4 Venice Commission, Council of Europe, n.d.

After this, a parliamentary form of democracy is established or restored, where individuals are given the opportunity to choose by voting for individual officials. In political theory, two directions are distinguished that analyse the possible causes, course, and success of transitional processes: macro-sociological, which analyses social conflicts, and state organisation and activities; and micro-political, which focuses on the analysis of strategies used by all actors in the transition process. Undoubtedly, the functioning of modern political societies requires the achievement of evolutionary prerequisites: a stable legal system, bureaucracy, general free elections, the right to association, and a market economy.⁵ Likewise, as Zajc emphasises, we should not ignore the fact that to understand what kind of society we are talking about, the people must be included in the political decision-making processes. Looking back at the situation from a political view can offer interesting perspectives, with a special concentration on issues related to surplus labour (i.e. the position of workers in society): When Slovenia and Croatia were part of ex-Yugoslavia, the concentration of power was centralised. Therefore, the aim was to introduce market mechanisms that would create greater responsibility of economic entities; redistribute social power in favour of those who generate income. Examining the historical solutions can help us understand certain contemporary problems.⁶

Specific features that distinguish Slovenia from other countries of the former Yugoslavia, and Eastern and Central Europe countries are noticeable given that Slovenia maintained a high level of previous economic development. This was achieved, among other things, because the Slovenian economy was among the most developed and was well-connected to Western markets. Meanwhile, Slovenian industry also enjoyed some advantages in the Yugoslav internal market.⁷

4.

Constitutional Framework and Other Legal Bases Connected to EU Affairs

Regarding the Slovenian experience in creating a new democracy, unlike other countries of the former Yugoslavia, the focus of the process was based on the idea of a strong parliament as opposed to the government, while the president of the republic was only envisaged with a protocolary role.⁸

The creators of the Slovenian Constitution considered a system that would be structured as a parliamentary democracy with a strong Constitution containing a

5 Zajc, 1997, pp. 47–62.

6 For more on this topic see: Zajc, 1984, pp. 79–101.

7 Zajc, 2000, pp. 127–134.

8 Zajc, 1997, pp. 49–50.

detailed list of rights.⁹ Thus, the aforementioned systematic choices resulted in a special (specific) political system that had a strong influence on the work and role of the newly formed National Assembly. Meanwhile, a special neo-political body, the National Council, was also established. The Slovenian Parliament, therefore, comprises a limited bicameral system: The upper house has limited powers and is structured according to the principle of functional-territorial representation, while the composition of the lower house encompasses the party parliamentary system. The prevailing power of the Parliament concerning the government is visible from the constitutional provision which foresees that the National Assembly appoints and dismisses ministers, on the proposal of the Prime Minister, while the duty of the government is mainly focused on the implementation of policies envisaged by the National Assembly.¹⁰

Therefore, the adoption of the Slovenian Constitution was accompanied by two major changes: the transition from a socialist and undemocratic to a democratic political system based on respect for human rights and fundamental freedoms, and the parallel proclamation of independence. All these changes influenced the formation of a strong constitution, which is visible both through the establishment of a special Constitutional Court charged with the protection of the Constitution, and through explicit constitutional guarantees of human rights and the like. However, the position of the representative assembly after the Constitutional revision of 1991 still gives it a superior character compared to other branches of government, maintaining the position it had in the previous Constitution (inheritance from the 1974 Constitution, including its amendments of 1989 and 1990).¹¹

Meanwhile, amendments to the Slovenian Constitution related to the EU were primarily related to provisions on the liberalisation of land acquisition by foreigners, considering that the introduction of this provision was one of the requirements of the EU accession agreement.¹² The first reaction of the Constitutional Court to the latter amendment was to determine the association agreement as partially unconstitutional, the consequence of which was the initiation of the procedure to amend Article 68 of the 1997 Constitution. This ultimately resulted in the Constitutional reform and liberalisation of land acquisition. Its conditions were defined from that moment on by an international agreement or by law. However, a significant amendment to the Constitution again happened in 2003: the amendment of Article 47 of the Constitution. This entailed an absolute ban on the extradition of a domestic citizen in relation with a special condition provided for in the newly formed Article 3a, which in turn

9 Republic of Slovenia, 1991. The English version is available on the website of the Constitutional Court.

10 The provision was often criticized, especially by the government itself. See: Zajc, 1997, pp. 49–50.

11 Bardutzky, 2019, pp. 687–744.

12 It is a constitutional amendment from 2003, No. 24/03.

prescribes the European clause. This clause enabled the transfer of part of sovereign rights to international organisations through the process of ratification of an international treaty, with a possible previously held referendum.¹³ The fundamental basis for the relationship between the legislative and executive branches concerning EU issues is provided by the Constitution, as revised before admission.¹⁴

5.

The Role of the Slovenian Parliament and Committee on European Union Affairs

The Slovenian Parliament (particularly the National Assembly) can be credited for modernising Slovenian legislation both for its significant role in the process of democratisation of Slovenia and increasing role in the EU accession process. Namely, all processes of political democracy and modernisation that the countries of Eastern and Central Europe faced are closely related to the processes of re-parliamentarisation. This entailed the establishment of a traditional democratic order, which required a strong role of legislative bodies (i.e. parliaments). In this sense, the process of transition and selection of essential constitutional solutions predetermined the future role of the parliament. Slovenia, unlike, say, Croatia, which chose a semi-presidential system after secession from the former Yugoslavia, opted for a relatively pure parliamentary system. Even during the previous assembly, at the end of 1989, a new law on elections was adopted, which enabled the first free elections in Slovenia in April 1990.¹⁵

The Provisional Assembly established after the elections, including the first National Assembly, became a key body that influenced the further disintegration of the Yugoslav socialist federation, prescribing a referendum (with the main question of whether Slovenia should become independent) in December 1990. After the Assembly became a legitimately elected representative body, the first modern independent constitution was adopted on 23 December 1991, although independence had been gained half a year earlier. Furthermore, in terms of political representation, the new constitution foresaw a unicameral classical parliament. Still, the National Council was established as a special representative body that represented the interests of individual groups (i.e. territorial and functional interests). Moreover, it had relative

13 Bardutzky, 2019. p. 690.

14 Republic of Slovenia, 1991. The English version is available on the website of the Constitutional Court.

15 Zajc, 2005, pp. 111–132.

control functions such as the right to a suspensive veto on adopted laws and right of legislative initiative.¹⁶

From 1991, when the Slovenian Constitution was adopted, the National Assembly has held a strengthened position within the country's political system. It has successfully overseen the formation of the government, including the appointment of ministers following recommendations by the President. In line with the provisions of the Government Act, the Assembly has dealt not only with domestic issues but also with matters falling under the executive's jurisdiction and foreign policy topics. As such, the Assembly is considered the key body that facilitated Slovenia's successful integration into the EU and helped build consensus on EU membership. Compared to other countries that joined the EU in the same wave, Slovenia's National Assembly stands out as the only parliament where all governmental negotiating positions were addressed and discussed within its standing committees. The success of these committees in aligning national legislation with the EU *acquis* was exceptional and further strengthened the role of the Assembly. This was also supported by the adoption of a new Rules of Procedure in 2002, which modernised and made the legislative process more efficient so much so that it inspired the European Commission to consider the Slovenian model in improving the EU's own legislative process.¹⁷

A constitutional amendment, specifically Article 3, further encouraged the institutional adaptation of the Assembly to its evolving roles. This article imposed an obligation on the executive to inform the Assembly about key legal acts and decisions adopted at the EU level that affect national sovereignty. In turn, the Assembly was granted the right to reshape Slovenia's positions on all matters within its competence. This right was later explicitly defined and guaranteed by the Law on Cooperation between the National Assembly and the Government (LRNAG).¹⁸ The latter law was inspired by the Swedish and Finnish models. LRNAG allows the Assembly to participate in the EU decision-making process through the activities of the government. Here, the government's role includes the mandatory provision of information to the Assembly about EU legislative proposals, the assessment of their impact on Slovenia, and enabling the Assembly to discuss and shape the national positions before they are presented at the EU level.¹⁹ This law was crucial later because in 2010, it included provisions after the adoption of the Treaty of Lisbon. This resulted in a more effective involvement of the National Assembly in decisive European processes. The latter consequently contributed to a more engaged activity of the working bodies responsible for discussing EU affairs.

16 *Ibid.*, p. 115.

17 *Ibid.*, p. 116.

18 Official Gazette of the Republic of Slovenia: Nos. 34/04, 43/10, 107/10 and 30/15.

19 *Zajc*, 2005, p. 116.

While the main role of the National Council lies in its consultative function, its participation and coordination with the National Assembly are regulated by the internal rules of procedure of both institutions. Between Slovenia's independence and prior to EU accession, a special body was established in 1992 within the National Council to deal with EU and international affairs, called the Commission for International Relations and European Affairs (CIREA). CIREA's main task was to review and discuss positions proposed by the government (with documentation forwarded by the President of the National Assembly), particularly concerning EU legislation and policies. Thus, CIREA did not discuss or analyse the original EU laws or acts, but exclusively focused on the government's position regarding them. While its opinion on these government positions was not binding, an obligation existed to forward it to other relevant bodies. Within the Commission, discussions were organised so that the chairperson set the agenda and invited the government representatives to the sessions. This is because the plenary of the National Council never debated legislative proposals.²⁰ Furthermore, the Commission does not have the authority to deliberate on original legislative proposals, but is only responsible for reviewing and discussing the government's positions. Once it adopts its opinion on such a position, it forwards it to the CEUA of the National Assembly. In certain cases, the Committee on Foreign Policy (CFP), another Assembly Committee, may also be involved. Ultimately, CIREA is unable to engage in deeper analysis because of the limited institutional affirmation on the National Council, reflected in weak administrative support (with only a minimal number of staff per committee), tight deadlines, and generally low engagement of National Council members.²¹

CEUA, the successor to CIREA after Slovenia's accession to the EU, plays a central role in adopting Slovenia's official positions on EU matters, while the CFP handles foreign and security policies. Discussions are typically held behind closed doors. However, at the request of a group of MPs, the Assembly may open a debate on any EU-related issue. At least once a year, the Prime Minister presents a report on the state of EU affairs and Slovenia's position within them. The government is obliged to follow general guidelines set by the Assembly in its annual resolutions. The legal basis for this practice was established in 2004 through amendments to the Rules of Procedure, which institutionally strengthened the National Assembly for more effective management of EU affairs. The system distinguishes three categories of EU-related matters: 'U' issues, where the Assembly retains decision-making authority if sovereign rights have not been transferred; 'S' issues, referring to government reports on EU activities; and 'E' issues, which cover general matters within the government's jurisdiction. This classification ensures the comprehensive democratic oversight of

20 Kajnč Lange, 2015, pp. 649–667.

21 Ibid., p. 658.

European affairs.²² The detailed legal provisions significantly enhanced the institutional capacity of the National Assembly in handling EU matters. They allow the Assembly to take a proactive role, replacing the earlier reactive approach, and create a clear institutional channel from the government to the EU institutions. New rules and specific instructions have been introduced to define the roles of key actors, from parliamentary group leaders to the Council of Presidents of the Assembly. Thanks to constitutional provisions, the Act on Cooperation with the EU, and amendments to the Rules of Procedure, the National Assembly enjoys a relatively strong position compared to the government in EU-related matters. Its ongoing, ex-ante cooperation with the government throughout all stages of the legislative process, combined with the active involvement of CEUA and other standing committees, places the Slovenian Parliament among the more advanced legislative bodies in Europe. However, implementing this enhanced role was not without challenges, particularly during the initial period following EU accession (2004–2008). An analysis of the work of CEUA, other committees, and plenary sessions is essential to assess the gap between the formal institutional model and the actual parliamentary practice in managing EU affairs.²³

Regarding its history, CEUA was established in May 2004. The activities of this committee were not particularly extensive, considering that only eight sessions were held. During them, discussions were primarily focused on the activities and composition of government representatives in the Council of Ministers. However, a few months later in November, a second CEUA was established, which actually achieved significant results during its four-year mandate. Perhaps contributing to the improved results was the fact that this latter committee, especially in terms of assessing the impact and objectives of EU acts concerning national legislation, supported the government's positions in a large number of cases. However, in matters concerning the participation of Slovenian representatives at meetings of the Council of Ministers ('Type S' issues), this committee contributed to strengthening the role of the legislative authority in relation to the executive by giving its consent to the proposal of the previous government regarding Slovenia's presidency of the EU Council in 2008.²⁴ CEUA also performed substantial work in relation to many other important EU documents, including preparing the policies and strategies of the National Assembly regarding meetings of national parliaments concerning the Lisbon procedure and formulating positions on the accession of other candidate countries, among others. Meanwhile, CEUA took some time to adjust and develop working methods, considering that it faced new and inexperienced members who had to deal with an

²² Zajc, 2008, pp. 3–22.

²³ *Ibid.*, pp. 3–22.

²⁴ *Ibid.*

overwhelming volume of EU documentation and draft acts, attempting to learn from the mistakes of the previous committee's members. Therefore, the approach to the procedures for considering the priorities and elaborating on the topics of the EU Presidency countries remained the same as the previous committee. The efficiency of the committee was also aided by the fact that it had access to the government's database, which provided better insight into EU documentation, and the contribution of parliamentary services, which created a special database for this purpose (EU Affairs; slov. Zadeve EU). Later, thanks to the aforementioned Cooperation Act, the committee gained a pivotal role in addressing EU matters, taking over all responsibilities that had previously belonged to other standing bodies. The committee's contribution was especially visible in the period following Slovenia's accession to the EU, acting innovatively in relation to government legislative proposals concerning the Declaration on the Activities of the Republic of Slovenia, and operating efficiently by not overburdening the legislative agenda with topics it did not consider highly relevant.²⁵

Furthermore, specialised committees also play a role in resolving EU issues, especially in relation to the role in discussing and preparing positions. These committees deal with union issues (subjects marked U) and all other EU-related issues (marked S). However, the overall role of these committees was not overly significant due to the limited scope of their activities. Thus, the most active were the Committee on Internal Policy, which discussed slightly more than a hundred issues marked U, while the others were mostly represented in discussions and formation of Slovenia's position on the EU, including issues of the Lisbon Strategy. The weak role and influence of these committees is justified by the lack of experience, the increased complexity of EU policy, the limited institutional support, and, ultimately, the slowdown of EU legislative activity after enlargement.²⁶

6.

Mechanism of Government Oversight and Activities Under the Early Warning Mechanism

Amendments to the LRNAG and Rules of Procedure of the National Assembly (RoPNA) were necessary steps after the Lisbon Treaty entered into force. The most important changes regarding the role of EU national parliaments were the introduction of provisions on the EWM in connection with violations of the principle of subsidiarity. The latter was provided for in Protocol 1 of the Lisbon Treaty, including the transitional

²⁵ Ibid.

²⁶ Ibid.

clauses (prescribed by Article 48(7) of the Treaty on European Union).²⁷ The changes included the provisions of family law with cross-border effect, including the supervision of the implementation of EU policies in the area of freedom, security, and justice. The RoPNA also provides for a procedure for the annulment of an EU act if the National Assembly establishes a violation of the principle of subsidiarity, and procedures in the case of a third country's application for EU membership. However, the National Council is excluded from these proceedings, despite the clear provisions of the Lisbon Protocol 1, which mandates the participation of all houses in bicameral parliaments. Importantly, all these updates excluded the National Council. This was because the LRNAG regulates only the interactions between the government and lower house, while the RoPNA, addresses the roles of both houses in overseeing the government's EU activities mainly by empowering the National Assembly. This is despite Protocol 1 of the Lisbon Treaty stating that in bicameral systems, all chambers of Parliament should have the right to participate in subsidiarity checks. Feeling marginalised, the National Council challenged the LRNAG in the Constitutional Court, arguing that both houses should be equally involved in overseeing EU affairs. The court, however, ruled in October 2012 that the LRNAG did not violate the Constitution or Treaties, emphasising that the Lisbon Treaty protocols govern the relationship between national parliaments and EU institutions, and not how member states internally structure their parliamentary processes.²⁸

Next, consider the steps of the subsidiarity check procedure. Notably, since January 2011, only the National Assembly has had a formal process to evaluate whether EU proposals violate the subsidiarity principle. Specifically, the process starts when at least a quarter of MPs, or a relevant committee (sectoral, CEUA, or CFP) initiates a request. The Parliament's legal service must prepare an opinion within seven days. If the legal opinion supports the review, the issue moves to the sectoral committee, and CEUA or CFP. The sectoral committee evaluates the matter and forwards its opinion to the CEUA. CEUA reviews the case and makes a decision. If a breach is found, CEUA or a quarter of MPs can request a plenary vote. The usual parliamentary process follows, allowing for amendments. CEUA adopts a final position. The plenary votes by a simple majority. If subsidiarity is deemed breached, a reasoned opinion is sent to the EU institutions. The National Council is only informed but not involved. Previously, subsidiarity checks were done informally using simplified procedures aligned with guidelines of the Conference of Community and European Affairs Committees of Parliaments of the EU.²⁹

27 Kajnč Lange, 2015, p. 658.

28 Ibid., pp. 658–659.

29 Ibid., p. 659.

Since the institutionalisation of the process, it was first used in 2012 regarding the Monti II proposal entailing the European Commission regulation on the exercise of the right to take collective action. Here, when the CEUA initiated a review, no breach was found. Thus, the process ended there.

The second time was in the case of the second yellow card in 2013, which was concerning the European Commission's proposal on the establishment of the European Public Prosecutor's Office, where the Slovenian National Assembly also submitted its reasoned opinion. Differing views existed on the EU legislative proposal, marked by a lack of consensus between parliaments. Despite the objections, the European Commission kept the proposal unchanged initially. However, the final version was significantly revised, showing that parliamentary scrutiny influenced the outcome.

Finally, the third time was the EWM procedure, which was launched in the context of the directive on posted workers in 2016, where a reasoned opinion of the Slovenian National Assembly was provided together with other parliaments, albeit mainly from Central and Eastern Europe. These countries were expressing concerns over its negative impact on their citizens' ability to provide cross-border services.³⁰

7.

Accession Period and Institutional Adjustments

Slovenia signed the Cooperation Agreement with the EU in 1993. The Europe Agreement on the Path to Accession was signed in June 1996. The application for EU membership was submitted shortly after the signing of the Europe Agreement, while the negotiation process began at the end of 1997. At that time, the European Commission prepared an opinion regarding the degree to which the six countries that requested membership (Czech Republic, Cyprus, Estonia, Hungary, Poland, and Slovenia) fulfilled the Copenhagen criteria. The Commission advised member states to initiate accession negotiations with all six countries given its conclusions. It concluded that Slovenia met the appropriate degree of compliance with the first two Copenhagen criteria and could be considered a stable democracy. However, before Slovenia could be granted full EU membership, it would need to put in substantial work to be able to adopt and implement the *acquis*, especially in the areas of the internal market, the environment, employment, social affairs, and energy. Finally, if Slovenia wanted to have the systems in place to properly implement and enforce the acquisition, more administrative changes would be essential.³¹

30 Cygan, 2021, pp. 421–435.

31 Potočnik and Garcia Lombardero, 2004, pp. 367–380.

Other instruments that significantly contributed to the accession process included the European Agreement (Association Agreement), the Accession Partnership, the National Program for the Adoption of the Acquis, and, ultimately, the Poland and Hungary: Assistance for the Restructuring of the Economy (PHARE) program. Through the latter partnership and based on the European Commission's opinion, legislative and structural reforms were defined as priorities. Concerning the partnership, the specified national program provided a detailed description of how Slovenia would adopt and implement the EU's legislative requirements, serving as a guide throughout the entire process. Both instruments established a link between Slovenia's progress in legislative and institutional reforms, and the financial assistance provided by the EU. Another key instrument was the PHARE program, which initially focused on economic development, namely, reforms and privatisation. However, it later proved to be a crucial tool for strengthening legislative and administrative capacities necessary for implementing the acquis. Judicial reform was essential for the application of EU law, considering that it involved key areas of legislative changes, backlog reduction, and judicial training. Significant progress was also achieved in internal market-related areas. As with other former candidate countries, the most challenging step in the process was the transposition and implementation of the acquis into national legislation. In Slovenia's case, this was particularly evident in the implementation of measures in areas such as internal market liberalisation, the Common Agricultural Policy, labour market regulation, and environmental legislation. All these efforts required substantial institutional and financial investment. In the area of justice, Slovenia also adopted the Schengen Action Plan, which involved harmonisation with the Schengen acquis, particularly legislation concerning border control, migration, and asylum. Slovenia also achieved macroeconomic stability, although some challenges remained in the privatisation process. Ultimately, from a legislative perspective, by the time of accession, Slovenia had achieved a high degree of legislative alignment with the acquis, made significant institutional improvements for the implementation and enforcement of EU law, and ultimately, demonstrated continuity in fulfilling its accession commitments.³²

Therefore, since Slovenia was included in the negotiation process simultaneously as the other nine countries of the group, negotiations with the group began at the beginning of 1998 and were concluded at the Copenhagen summit at the end of 2002. A referendum on Slovenia's accession to the EU was held in early 2003, with 88.6% of voters voting in favour of joining the EU. Final accession took place on 1 May 2004, together with all other countries in the group.³³

32 Potočnik and Garcia Lombardero, 2004, pp. 371–374.

33 Kajnc Lange, 2015, pp. 649–650.

8. Conclusion

Slovenia's parliamentary evolution and its path towards European integration represent a unique blend of post-socialist transition, democratic consolidation, and institutional adjustment. The Slovenian Parliament, especially the National Assembly, has played a decisive role in shaping the country's modern political identity, leading its transformation from a republic within a socialist federation to a fully sovereign parliamentary democracy integrated into the EU. Its commitment to representative governance, legal reform, and constitutional accountability has been crucial for the country's political stability and legislative efficiency.

Despite ongoing debates about the relevance and functionality of the National Council, Slovenia's limited bicameral system has provided a framework for the inclusion of both political and functional interests, increasing the legitimacy and inclusiveness of the legislative process. The establishment of strong procedural and legal mechanisms, such as the Act on Cooperation with the Government, the Rules of Procedure, and the work of the EU Affairs Committee, has empowered the National Assembly to significantly influence EU-related decisions and ensure the effective oversight of the government.

Crucially, Slovenia's success in aligning with the EU *acquis*, adapting its legal infrastructure, and meeting the Copenhagen criteria was not only the result of external pressure, but also of a domestic political culture that prioritised parliamentary debate, institutional resilience, and civic engagement. Although challenges remain in balancing the roles of the two chambers and deepening the functional participation of the upper house in EU affairs, the Slovenian parliamentary model represents a strong example of democratic adaptability in a rapidly changing European context. Ultimately, the main features of the Slovenian Parliament's experience demonstrate the necessity of early parliamentary involvement in the EU integration process. The formation of committees and subcommittees has also significantly advanced more effective adaptation. Overall, the Slovenian experience demonstrates both the necessity and significance of the role of parliament, and the transparency of the entire process to the public. As such, the Slovenian experience underscores the ongoing significance of robust legislative institutions in facilitating national reforms and supranational integration.

Bibliography

- Bardutzky, S. (2019) 'The Future Mandate of the Constitution of Slovenia: A Potent Tradition Under Strain' in Albi, A., Bardutzky, S. (eds.) *National Constitutions in European and Global Governance: Democracy, Rights, the Rule of Law. National Report*. Cham: Springer Open, pp. 687–744; https://doi.org/10.1007/978-94-6265-273-6_15.
- Cygan, A. (2021) 'Participation by national parliaments in the EU legislative process', *ERA Forum*, 22, pp. 421–435; <https://doi.org/10.1007/s12027-021-00675-5>.
- Kajnič Lange, S. (2015) 'Slovenian Parliament and EU Affairs: Strong Formal Powers Awaiting Interest and Capacity to Be Used' in Heffttler, C. et al. (eds.) *The Palgrave Handbook of National Parliaments and the European Union*. London: Palgrave Macmillan, pp. 649–667; https://doi.org/10.1007/978-1-137-28913-1_34.
- Pegan, A., Krašovec, A. (2021) *Slovenian Parliament* [Online]. Available at: <https://psaparliaments.org/wp-content/uploads/2021/03/Slovenia-1.pdf>. (Accessed: 13 September 2025).
- Potočnik, J., Garcia Lombardero, J. (2004) 'Slovenia's Road to Membership in the European Union', in Mrak, M., Rojec, M., Silva-Jáuregui, C. (eds.) *Slovenia: From Yugoslavia to the European Union*. Washington, D.C.: The World Bank, pp. 367–380; <https://doi.org/10.1007/s11300-004-0018-8>.
- Venice Commission, Council of Europe (n.d.) *Report on Bicameralism: Slovenia*.
- Zajc, D. (1984) 'Križa odlučivanja o proširenoj reprodukciji. Rasprava', *Politička misao*, 21(3), pp. 79–101.
- Zajc, D. (1997) 'Slovenski parlament – pluralizam i stvaranje koalicija', *Politička misao*, 34(1), pp. 47–62.
- Zajc, D. (2000) 'Political Transition and Democracy in Slovenia', *Croatian International Relations Review*, 6(20–21), pp. 127–134.
- Zajc, D. (2005) 'Uloga slovenskog parlamenta u procesu tranzicije, prilagođavanja zakonodavstva i učlanjivanja u EU', *Politička misao*, 42(1), pp. 111–132.
- Zajc, D. (2008) 'National Parliaments of the New Member Countries in the EU – Adaptation of the Slovene National Assembly to the New Challenges', in *Europeization in East Central Europe. Politička misao*, 45(5), pp. 3–22.

Legal Sources

- Republic of Slovenia (1991) *Constitution of the Republic of Slovenia (Ustava Republike Slovenije)*. Official Gazette of the Republic of Slovenia, Nos. 33/91-I, 42/97 – UZS68, 66/00 – UZ80, 24/03 – UZ3a, 47, 68, 69/04 – UZ14, 69/04 – UZ43, 69/04 – UZ50, 68/06 – UZ121, 140, 143, 47/13 – UZ148, 47/13 – UZ90, 97, 99, 75/16 – UZ70a and 92/21 – UZ62a.

From Independence to Integration

- Republic of Slovenia (2004) *Law on Cooperation between the National Assembly and the Government (LRNAG)*. Official Gazette of the Republic of Slovenia, Nos. 34/04, 43/10, 107/10 and 30/15.

