

The Slovenian government is threatening RTV Slovenia with imminent bankruptcy if its law is not passed.

Dear Madam Vice-President of the EU Commission Vera Jourova

Dear Chairwoman of the Democracy, Rule of Law, and Fundamental Rights Monitoring Group Sophie in 't Veld,

I am once again writing to convey to you my deepest concerns about the worrying signs indicating that the current Slovenian Government is involved in systematic attempts to bring RTV Slovenia—the Slovenian public broadcaster—under its control.

In the previous letter I explained in detail how the proposed Zakon o radioteleviziji Slovenije (the RTV Slovenia Act) introduced by the new Government would radically alter the structure of RTV Slovenia's Programming Council of the, effectively allowing the ruling party and its proxies to have free ideological and editorial reign over the public broadcaster and its programming.

Since then, numerous former politicians from both sides of the political aisle, academics and distinguished **jurists have spoken out against proposed changes (among them former PM Miro Cerar). Furthermore, 52,669 people signed a petition for a public referendum on the Act proposed by the Government.** This support is more than sufficient to trigger a referendum, which will be held on 27th of November. It would appear this has completely enraged the Government whose plans to decapitate the current leadership of RTV Slovenia has been foiled by the voting public.

It has become blatantly clear that the Government is trying to starve RTV of sustainable finances to muscle it into submission. Similar to many institutions in current turbulent financial climate—which is a combination of energy crisis and rampant inflation—RTV Slovenia is currently in financial dire straits. **The Government has publicly stated that it will only help RTV financially if and once its new Act, which would decapitate the current leadership, is passed.** This is seen by many as a form of extortion by the executive branch, which is under constitutional obligation to provide adequate funding to RTV Slovenia (as stated in the Constitutional court's ruling from 2001).

The Director General of RTV Slovenia has sent a letter to the Prime Minister on 19th of September 2022, with support of the Supervisory Board as well as the Programming Board of RTV. In the letter he points out that the public broadcaster has been making a financial loss since 2017 onwards, yet the current leadership was able to reverse this trend and make a €2.5 million profit for the first half of 2022 through general cost reductions and planned retirement schemes. This will save RTV a grand total of 5 million per annum. **However, the Director General also warned that the road to recovery has been cut short by the ongoing energy crisis, giving an example of skyrocketing cost of electricity, which has ballooned from 3 million in 2021 to 11 million in 2022.** This not only immediately erased all efforts of restoring RTV's financial stability, but also threatens jobs of at least 300 RTV employees the public broadcaster will not be able to keep on board if the current situation continues. As such, the Director General appealed to the Prime Minister to intervene and either raise the RTV fee or help with a one-time financial injection, as the Government did with other public institutions.

In his response to this appeal, the Prime Minister stated that all questions regarding financing of RTV Slovenia can only be addressed after the new RTV Slovenia Act has been implemented. The Director General wrote another letter to the Prime Minister as well as to the Ministry of Infrastructure, and the Ministry of Culture, reminding him that the Government is obligated under the Constitution to tend to the finances of RTV. He received no response. Following this ordeal, he rightfully concluded that it seems like the Government believes that financial weakening of RTV Slovenia is a justifiable price to pay if it will eventually result in a leadership politically faithful to the Government's cause.

All this while other public institutions received generous one-off payments and subsidies to tackle the energy crisis. It would seem that the Government is using its executive powers to coerce the current leadership of RTV into stepping down even before the referendum on RTV Slovenia Act will take place. As I have explained in the previous letter, the current RTV Slovenia Act has withstood the referendum test twice, first when it was implemented in 2005 and once more in 2011 when the Government tried to replace it with an act that was very similar to the current proposal. **The latent threats that RTV's financing will only get resolved after the Act comes in to force also puts pressure on the leadership and employees, who are forced to support the new Act, or risk losing their jobs, as well as voters, who are being led to believe that RTV Slovenia will go bankrupt if the new Act is not upheld in the referendum.**

I urge you to use all powers available to dissuade the Slovene Government from attempts at starving RTV Slovenia to death if its own Act, which would cement its perennial foothold over the public broadcaster, is not upheld.

Sincerely,

Romana Tomc MEP