

Slovakia

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Capital: Bratislava
Population: 5.4 million
GNI/capita: US\$17,060

The social data above was taken from the European Bank for Reconstruction and Development's *Transition Report 2007: People in Transition*, and the economic data from the World Bank's *World Development Indicators 2008*.

Nations in Transit Ratings and Averaged Scores

	1999	2001	2002	2003	2004	2005	2006	2007	2008
Electoral Process	2.50	2.25	1.75	1.50	1.50	1.25	1.25	1.50	1.50
Civil Society	2.25	2.00	1.75	1.50	1.25	1.25	1.25	1.50	1.50
Independent Media	2.25	2.00	2.00	2.00	2.25	2.25	2.25	2.25	2.50
Governance*	3.00	2.75	2.25	2.25	2.25	n/a	n/a	n/a	n/a
National Democratic Governance	n/a	n/a	n/a	n/a	n/a	2.00	2.00	2.25	2.50
Local Democratic Governance	n/a	n/a	n/a	n/a	n/a	2.25	2.00	2.00	2.25
Judicial Framework and Independence	2.50	2.25	2.00	2.00	2.00	2.00	2.00	2.25	2.50
Corruption	3.75	3.75	3.25	3.25	3.25	3.00	3.00	3.25	3.25
Democracy Score	2.71	2.50	2.17	2.08	2.08	2.00	1.96	2.14	2.29

* With the 2005 edition, Freedom House introduced separate analysis and ratings for national democratic governance and local democratic governance to provide readers with more detailed and nuanced analysis of these two important subjects.

NOTE: The ratings reflect the consensus of Freedom House, its academic advisers, and the author(s) of this report. The opinions expressed in this report are those of the author(s). The ratings are based on a scale of 1 to 7, with 1 representing the highest level of democratic progress and 7 the lowest. The Democracy Score is an average of ratings for the categories tracked in a given year.

EXECUTIVE SUMMARY

After the collapse of the Communist regime in 1989, Slovakia embarked on a long and complicated transition to democracy. Milestones included systemic changes within the former Czechoslovakia between 1990 and 1992, the emergence of an independent Slovakia in January 1993, a struggle to preserve the country's democratic regime under nationalist and populist forces between 1994 and 1998, the elimination of authoritarian characteristics, and pro-democratic and pro-market reforms between 1998 and 2006. Following its accession to the Organization for Economic Cooperation and Development (2000), World Trade Organization (1995), European Union (EU), and NATO (2004), Slovakia may be considered a country with a consolidated democracy and functioning market economy.

Winning parliamentary elections in 2006, the self-declared social democratic Smer–Social Democracy (Smer-SD), radical nationalist Slovak National Party (SNS), and national populist People's Party–Movement for a Democratic Slovakia (ĽS-HZDS) formed a broad-spectrum coalition government. The inherited economic development created comfortable conditions for the new government led by Robert Fico, chairman of Smer-SD. In 2007, Fico's cabinet was not forced to adopt any austerity measures. The ruling coalition enjoyed a comfortable majority in the Parliament and put through its legislative proposals.

The following trends could be observed during 2007: increased state interventionism; deepening of the government's role in the economy, social policy, education, health care, and culture; appointments to government and public institutions based on political connections and party loyalty; increased ethnocentric elements in domestic politics; and changes in the government's declared foreign policy priorities, such as playing down the transatlantic dimension.

National Democratic Governance. In 2007, the system of power division in Slovakia remained sufficiently stable, and government institutions performed their duties relatively effectively. At the same time, the ruling coalition strove to use its dominant position to concentrate power and weaken opposition parliamentary parties, rejecting *a priori* all proposals submitted by opposition colleagues. The quality of adopted legislation was reduced indirectly by amending laws. Most top personnel changes in government institutions at central and regional levels were politically motivated, reflecting party loyalty or family bonds. To facilitate these sweeping personnel changes, the ruling coalition passed an amendment to the Civil Service Act. It also tried repeatedly to amend the law to restrict public access to information on government decisions. *Owing to nonconsensual elements in Parliament, concentration of power in the ruling coalition, politically motivated*

personnel changes in state institutions, and the overall confrontational relationship between the ruling coalition and the opposition, Slovakia's rating for national democratic governance worsens from 2.25 to 2.50.

Electoral Process. In 2007, Slovakia did not hold any nationwide elections and no changes were made to electoral legislation, which provides adequate conditions for fair competition. Seats in the legislative assembly are divided among six political parties, three ruling and three opposition. Caucuses of parliamentary parties showed remarkable stability, and the opposition in the assembly has remained unchanged since the 2006 elections. The dominant ruling Smer-SD party failed to restore its affiliate membership in the Party of European Socialists (PES), which was suspended in 2006 as a result of the party's governmental cooperation with the radically nationalistic SNS. *Slovakia's rating for electoral process remains unchanged at 1.50.*

Civil Society. Slovakia's civil society is vibrant, and its public image is mostly positive. The legal and regulatory environment is free of excessive state pressures and bureaucracy; however, the current government is less open to nongovernmental organizations (NGOs) than previous administrations. While there are favorable taxation conditions for most NGOs, civil society actors in environmental protection and human rights lost the 2 percent tax support for more than a year (but restored in November 2007 under successful NGO pressure). The civic sector has a well-developed infrastructure, with competent training and research capacities; however, the incumbent government is not receptive to policy institutes, advocacy, and watchdog groups. Slovakia's education system is free of political influence, but the ruling coalition's efforts to foster "Slovak patriotism" are worrying. *Slovakia's rating for civil society remains at 1.50.*

Independent Media. Media outlets and journalists in Slovakia were free in 2007, although a court ruling threatened to undermine one leading periodical's financial stability and there was an assault on a journalist. The Slovak Supreme Court set a disturbing precedent in ignoring a European Court of Human Rights (ECHR) decision by sticking to its ruling that found a Slovak journalist guilty of libel. Tensions between government and public service media increased as well; after the new management of Slovak Television took office, one-third of its news employees quit, citing interventions in their editorial work. There is a trend toward increasing influence by the political elite over media content and operations, particularly in public service media. *Owing to persistent and even deepening problems (that is, deficient legislation, pressure on public service media, and attempts to undermine financial stability of media), Slovakia's rating for independent media worsens from 2.25 to 2.50.*

Local Democratic Governance. Thanks to reforms carried out between 2001 and 2005, Slovakia became a decentralized state with a relatively effective system of

regional and local self-governance. The positive effects of decentralization continued to show throughout 2007, particularly as tax revenues of regional and local self-governments continued to increase. Yet the government failed to adopt legislation that would further strengthen local democracy and extend executive powers of self-governments; on the contrary, it passed amendments that cemented the position of central government institutions. Most legislative changes aimed to strengthen the ruling parties' power at regional and local levels. The administration adopted measures that undermined the principle of subsidiarity in Slovakia, provoking criticism from self-governance associations. *Owing to problematic trends in public administration and local democracy, Slovakia's rating for local democratic governance worsens from 2.00 to 2.25.*

Judicial Framework and Independence. While Slovakia saw some positive developments in human rights in 2007, negative trends prevailed. On the one hand, Parliament passed an amendment to the Antidiscrimination Act in compliance with EU Council recommendations; also, another amendment was drafted to this law that seeks to restore the principle of affirmative action for disadvantaged population groups; finally, the cabinet announced its intention to establish a special Council for Gender Equality. On the other hand, the Slovak Supreme Court ignored a ruling of the European Court of Human Rights, and Parliament introduced stricter conditions for registering churches and religious associations and establishing citizenship. There was evidence of government pressure on the Constitutional Court. Representation of ethnic Hungarians and Roma in the cabinet's advisory body was reduced in 2007. Experts say the code of criminal procedures drafted by the Ministry of Justice may impair government efforts to fight organized crime. *Owing to the above-mentioned negative developments, Slovakia's rating for judicial framework and independence worsens from 2.25 to 2.50.*

Corruption. Corruption continues to rank among the most pressing social problems in Slovakia. While earlier measures created favorable institutional conditions to fight corruption, the intensity of the government's anticorruption efforts declined in 2007. State interventionist actions extended the space for clientelism. The Parliament did not pass any anticorruption legislation, nor did the cabinet articulate a clear policy. Cabinet members involved in corruption scandals remained in office, thanks to strong political support. The government increased spending without strengthening anticorruption mechanisms. Consequently, transparency and competition in public tenders and procurements declined. *Slovakia's rating for corruption stagnates at 3.25.*

Outlook for 2008. It is likely that the etatist socioeconomic policies pursued by the ruling coalition of Smer-SD, SNS, and ĽS-HZDS will grow stronger in 2008. The incumbent administration will likely strive to make Slovakia part of the Eurozone; however, there are misgivings about Slovakia's ability to comply with Maastricht convergence criteria in the long term. Ethnocentric elements and tensions in Slovak-

Hungarian relations are likely to grow stronger in the country. Political parties will begin to prepare for the upcoming presidential elections scheduled for May 2009. It is likely that the incumbent president, Ivan Gašparovič, will announce his decision to run for reelection. Efforts by the opposition to nominate a joint candidate to challenge Gašparovič may eventually fail owing to strong party differences.

MAIN REPORT

National Democratic Governance

1999	2001	2002	2003	2004	2005	2006	2007	2008
n/a	n/a	n/a	n/a	n/a	2.00	2.00	2.25	2.50

The Slovak Republic is a stable democracy with a generally effective system of governmental checks and balances. The cabinet reports to the legislative assembly, which has the right to recall it. The president can veto laws adopted by the Parliament; in order to pass vetoed legislation, the Parliament must subsequently muster a qualified majority. The Constitutional Court acts as an independent judicial body. Citizens enjoy direct participation in the political process through elections and political party activities.

The Slovak Constitution guarantees the right to free retrieval, collection, and dissemination of information. In 2000, the Parliament passed the Law on Free Access to Information, but citizens often encounter bureaucratic resistance. Furthermore, since its inauguration in 2006, the administration has tried to restrict the law with respect to state administrative organs. In February 2007, a member of Parliament (MP) from Smer–Social Democracy (Smer-SD) proposed to amend the law so authorities could refuse to provide information in “apparently unreasonable” requests, but the proposal was successfully blocked by opposition parties and nongovernmental organizations (NGOs).

More than 90 percent of Slovakia’s gross domestic product is produced by the private sector. Since 1998, the drive toward liberalization has been the chief development trend within Slovakia’s economy. However, the current coalition government led by Prime Minister Robert Fico has championed a different approach by halting the privatization of state property and pursuing a policy of state interventionism, strengthening the position of executive organs, and limiting the space for market mechanisms. This was most perceptible in the areas of pensions and health insurance. While no cases of direct nationalization of private property were recorded in 2007, the cabinet-initiated amendment to the Law on Health Insurance, passed by Parliament in October 2007, bans private health insurance companies from generating profit. According to legal experts, this law creates conditions for indirect confiscation of private property by the government.

After parliamentary elections in June 2006, a new ruling coalition was formed comprising Smer-SD, People’s Party–Movement for a Democratic Slovakia (ĽS-HZDS), and the Slovak National Party (SNS); the latter two parties were directly responsible for authoritarian tendencies from 1994 to 1998. The ruling coalition shows signs of using its dominant position to concentrate power and weaken the position of opposition parties. The administration repeatedly clashed with a broad

spectrum of players in 2007, including opposition parties, businesses, the media, NGOs, civic initiatives, and self-governance associations.

The National Council (Parliament) is the sole legislative assembly and autonomous from the executive. It has sufficient resources and capacities for the creation and enactment of bills, as well as adequate control powers. Parliamentarians frequently interpellate cabinet members and exercise oversight of state and public institutions. Between January and December 2007, Parliament passed 143 pieces of legislation; a vast majority were amendments to existing laws. During the same period, President Ivan Gašparovič vetoed eight laws; seven were subsequently re-enacted by the Parliament.

Parliamentary deliberations are open to the public and media except for closed sessions on sensitive matters (such as intelligence and secret service issues). Public representatives may be present during deliberations of parliamentary committees if invited by their members. The entire legislative process is made public via the Parliament's website.

In 2007, Parliament rejected almost all legislative proposals submitted by opposition parties. Another disturbing trend was the use of so-called indirect law amending, where Parliament alters laws by amending provisions of other, often unrelated laws. Since the 2006 parliamentary elections, the assembly has frequently resorted to this practice. Examples include: the altered law on the Social Insurance Company through the amended pension system law, the altered competence and collective negotiations laws through the amended tripartite law, the altered law on public procurement through the amended commercial advertisement law, and the altered communities law through the amended trade and emission quotas law.

When deliberating on procedural issues, the ruling coalition also used “majority rule,” as in the action against Justice Minister Štefan Harabin initiated by opposition deputies for his suspected violation of the Law on Conflict of Interest. The assembly's Committee for Incompatibility of Functions twice abandoned the action against Harabin when opposition proposals failed to muster sufficient support among committee members—a privilege used openly by the ruling coalition's majority on the committee.

Personnel changes in state administration at central and regional levels, as well as supervisory boards of government-supported enterprises, also continued in 2007. Most were politically motivated, and many appointments were based on party loyalty or family ties. In May, Parliament passed an amendment that gave the cabinet a free hand to make personnel changes in leading state administration posts. After taking office, Prime Minister Fico proposed to reduce the number of civil servants by 20 percent (about 30,000 jobs), but the number of state employees declined by only 2.5 percent in 2006 and held steady in 2007.

All state agencies are subject to control by the Supreme Bureau of Supervision (NKÚ), which regularly publishes violations of laws and bylaws. The Parliament elects the NKÚ chairman and vice chairmen for seven-year terms. Though funded by the state budget, the NKÚ is free from political influence. In March 2007, Parliament passed an amendment to the Law on the Supreme Bureau of Supervision

that strengthened the NKÚ's financial independence. There were no attempts to politically restrict or influence the NKÚ's supervisory roles or question its findings during the year.

The reform of the armed forces implemented during the past decade has introduced civilian controls that are in line with NATO, which Slovakia joined in 2004. Judicial oversight of the military and security services is effective, and the Slovak army uses a system of martial prosecution with martial courts. The Parliament approves the military and security services budget, and spending is supervised by the Parliamentary Defense and Security Committee. Deputies, media, and the general public may access information on the activities of the military and security services, but certain types of information are classified.

Electoral Process

1999	2001	2002	2003	2004	2005	2006	2007	2008
2.50	2.25	1.75	1.50	1.50	1.25	1.25	1.50	1.50

The authority of the Slovak government is based on freely-exercised universal suffrage. Since 1989, Slovakia has held six parliamentary elections, five municipal elections, two regional elections (2001 and 2005), two presidential elections (1999 and 2004), and one election to the European Parliament (2004). International and domestic election monitors declared all of these elections free and fair.

The legislative framework provides for free and democratic competition, equal campaigning, fair voting, and the transparent scrutiny of votes. Election regulations create favorable conditions for political parties to perform their traditional functions: mobilizing public participation in democratic processes, mediating between civil society and the state, representing the interests of a variety of groups in society (including national minorities), and recruiting personnel for support within legislative and executive functions.

In Slovakia, the legitimacy of the government is based on the results of elections. Generally speaking, special interest groups respect this principle; however, some have attempted to influence policy making, building on their close ties with political parties. Most active in this respect are commercial groups that lobby individual representatives of political parties. The Confederation of Trade Unions of the Slovak Republic (KOZ), the largest trade union organization in Slovakia, openly supported Smer-SD before the 2006 elections; after the incumbent administration was formed, KOZ leaders positively evaluated its program goals. Representatives of the Catholic Church also encouraged citizens to support political parties that promoted "Christian values" (that is, primarily conservative parties).

Parliamentary elections are based on a proportional system with qualifying thresholds: 5 percent for single parties, 7 percent for coalitions of two or three parties, and 10 percent for coalitions of four or more parties. The electoral rules

also include a system of preferential votes. A candidate who receives more than 3 percent of preferential votes is treated preferentially in the allocation of mandates. Elections to the European Parliament use a proportional system. The minimum quorum to qualify for the assembly is 5 percent of the popular vote, which applies to both individual parties and party coalitions. Elections to local and regional self-governments use a modified majority electoral model. Slovakia's president and regional governors are elected using a majority model with two rounds. In 2005, the Parliament passed the Law on Political Parties, which requires a party to submit a petition of 10,000 signatures to register for elections.

The Supreme Court may dissolve political parties whose statutes, program, or activities violate the Constitution, constitutional laws, or international treaties. Motions to dissolve a political party must be filed by the attorney general. In 2006, the Supreme Court ordered the dissolution of the Slovak Community–National Party, the first political party to be dissolved in Slovakia since 1989. The party advocated removing Slovakia's democratic system of government and openly promulgated racial discrimination.

The most recent parliamentary elections were held in Slovakia in June 17, 2006. Smer-SD, which portrays itself as a social democratic political force, received the most votes and won 50 seats in the Parliament. The new ruling coalition comprises parties formerly with the opposition (Smer-SD, SNS, and ĽS-HZDS) and currently controls 85 out of 150 seats, which gives it a comfortable majority.

The decision of Smer-SD to form a government with the nationalist SNS provoked harsh criticism from the Party of European Socialists (PES), which unites socialist and social democratic parties from European Union (EU) member states and prohibits its member parties from cooperating with far-right, extremist, and nationalistic parties. Smer-SD became a PES affiliate member in 2005 but was suspended in October 2006.

All parliamentary parties have functioning structures at the national, regional, and local levels and are represented in regional and local self-governments. Currently, five Slovak parties are represented in the European Parliament. The most recent presidential elections in Slovakia were held in April 2004. Ivan Gašparovič, a joint candidate of the Movement for Democracy (HZD), Smer (before the party became Smer-SD), and the SNS, obtained 59.9 percent of the popular vote in the second round and was elected president.¹

Although citizens are quite active in Slovakia's political life, there has been an overall decline in voter participation. Traditionally, the highest turnout is recorded in parliamentary elections. The turnout in 2006 (54.7 percent) represented the lowest voter participation in parliamentary elections since 1990. In 2004, the presidential elections recorded turnouts of 47.9 percent (first round) and 43.5 percent (second round). Municipal and regional elections typically show lower voter turnout than national elections. In the 2005 municipal elections, the turnout was 18 percent (first round) and 11 percent (second round)—the lowest in Slovakia's modern history. Turnout of only 17 percent was recorded in the first elections to the European Parliament in 2004.²

Ethnic minorities encounter no institutional obstacles to participating in political processes. About 15 percent of Slovak citizens belong to various ethnic minorities. Ethnic Hungarians form the largest minority, making up nearly 10 percent of the total population.³ Traditionally, ethnic Hungarians have a high rate of political mobilization; as a result, this minority is represented effectively, mainly through the Party of Hungarian Coalition (SMK). The party also enjoys a solid position in some regional and local self-governance organs. Following the parliamentary elections, SMK found itself in opposition, and many of its representatives have been removed from state administration posts by the new ruling coalition. Following a leadership change in 2007, SMK began to present its views more openly and radically. Recently, the party focused on evaluating certain historical events that have affected ethnic Hungarians in Slovakia.

By contrast, the Roma minority is under-represented. This is due to a number of social factors (such as low economic status, and inadequate education) and a virtual absence of political leaders, as well as the inability of the mainstream political parties to cooperate with Romany organizations. No Romany political parties have gained a foothold in executive or legislative organs at the national or regional level, but there are Roma representatives in local self-governance organs. The only registered political party, the Romany Initiative of Slovakia, struggles with a lack of credibility among Roma and a history of conflicts among Romany leaders.

Civil Society

1999	2001	2002	2003	2004	2005	2006	2007	2008
2.25	2.00	1.75	1.50	1.25	1.25	1.25	1.50	1.50

The Slovakian state respects the independent civic sector, which is dynamic and vibrant. Yet the mutual cooperation between government institutions and NGOs that had existed since 1998 started to disappear after the 2006 parliamentary elections. Still, the professionalism of Slovak NGOs continued in 2007, and the civil society sector can be described as heterogeneous and pluralistic, while relations between particular segments were complicated and sometimes tense.

In October 2007, the Ministry of the Interior listed 23,064 organizations that may be considered NGOs in a broad sense. Of these, 92.5 percent were civil associations (societies, clubs, associations, movements, trade unions, international NGOs, and various sports clubs), 1.4 percent were foundations, 2.5 percent were non-investment funds, and 3.6 percent were nonprofit organizations. The public opinion of NGOs is positive.

Most national minorities are represented by cultural and civic organizations. While the Hungarian minority is well represented at all levels, the number of Roma organizations is much lower (almost 20 times less than mainstream organizations). Churches play an important role in charitable activities, with all major religious

groups (that is, Catholics, Greek Orthodox, Protestants, Jews) involved in these activities.

Openly extremist and racist organizations operate illegally in Slovakia. During 2007, the Slovak police continued systematic monitoring of neo-Nazi, right-wing, and left-wing extremist groups, yet racist attacks occurred frequently. Discussions were heated during the year over how to fight all forms of extremism, which proliferated on the Internet with discriminatory, racist, and biased content against minorities.

The legal and regulatory environment for civil society is free of excessive state pressures and unnecessary bureaucracy. The basic legislative framework is provided by the Constitution and guarantees freedom of expression (Article 29), freedom of assembly (Article 28), and freedom of association (Articles 29 and 37). NGO registration is easy, and both legal entities and private persons may establish nonprofit organizations. The Ministry of the Interior serves as both registry and supervising institution.

NGOs are exempt from gift and income taxes. In 2007, the government reduced opportunities to support domestic NGOs operating in policy development and democracy assistance abroad, creating instead more favorable conditions for private companies.

The Slovak civic sector has a well-developed infrastructure with adequate training and research, but there is a lack of technical resources. Numerous NGOs provide training for civil society activists by way of informal coalitions and networks (platforms) formed on an ad hoc basis. Information services for NGOs are provided via the Internet portal ChangeNet. NGOs receive mostly positive coverage from public and private media.

Assistance from Western democracies was instrumental in developing a vital Slovak civil society, and EU structural funds brought new opportunities as well as new challenges. One of the most pressing problems—that of cash flow—improved slightly. NGOs often must advance their own money for projects and then wait sometimes more than a year or two for reimbursement from the EU. As a result, the prevailing opinion of most NGOs is that the European Commission (EC), in spite of significant contributions, does not possess a sustainable model for supporting civil society activities. NGOs have worked to raise more money from local businesses, but the results are modest. Corporate social responsibility and philanthropy are relatively low, but in 2007, businesses and citizens could begin dedicating 2 percent of their income tax to benefit the public.

Restrictions on the types of NGOs approved to receive 2 percent tax contributions demonstrated the government's distrust toward some types of NGOs. Groups working in environmental protection and human rights were excluded in 2006, but their eligibility was restored in 2007 under pressure from a massive NGO campaign. The incumbent government is not receptive to policy advocacy activities. Think tanks and watchdog groups were perceived as a threat and verbally attacked by officials, including Prime Minister Fico. During 2007, there were attacks on environmental organizations that criticized the government's environmental policies.

Trade unions in Slovakia are free. *Konfederácia Odborových Zväzov Slovenskej Republiky* [KOZ SR], the country's largest trade union, represented 390,000 employees in 2007, but membership is shrinking annually. The image of trade unions was predominantly negative in all segments of the population in 2007, which might be attributed to KOZ SR's problematic involvement in politics and leadership style.

The country's education system is free of political influence and propaganda. The Ministry of Education continues, albeit rather slowly, to implement multicultural measures into primary and secondary school curricula. Prime Minister Fico speaks frequently about the need to strengthen patriotic feelings in Slovak youth. The nationalist SNS, one of the ruling parties, advocated changing the curricula in order to strengthen the "Slovak national identity," but these plans have not yet affected the nonpartisan character of Slovakia's education system.

Independent Media

1999	2001	2002	2003	2004	2005	2006	2007	2008
2.25	2.00	2.00	2.00	2.25	2.25	2.25	2.25	2.50

Freedom of speech is embodied in the Slovak Constitution and regulated by the (unsatisfactory) Press Act of 1966. A cabinet-initiated Press Act proposed in 2007 features provisions that strengthen the right to correction and the right to respond. While the former requires media to publish corrections of untruthful information, the latter requires them to publish reactions to any information without regard for its truthfulness. Furthermore, the bill lacks provisions to protect journalists, such as the right to pardonable error.

Slovak journalists are protected from victimization by powerful state or nonstate actors, and the country's legal system does not punish "irresponsible" journalism with respect to government organs. Yet 2007 brought a disturbing precedent when the Slovak Supreme Court ignored a ruling by the European Court of Human Rights (ECHR) by sustaining a decision against former journalist Martin Klein. In 2006, the ECHR ruled that the Slovak courts had violated Klein's freedom of speech by sentencing him to pay 15,000 Slovak koruna (US\$650) or serve one month in prison after deeming his article "The Falcon Is Sitting in the Maple Tree: Larry Flint and Seven Slaps to the Hypocrite" to be defamation of nation, race, and religion. The ECHR subsequently indemnified Klein in the amount of 380,000 Slovak koruna (US\$16,000).

Journalists and editorial offices are partly free of interference from government or private owners. While formal dependence of public service media on the government has not increased, their economic dependence has deepened with the government's hesitation to tackle financing issues. Shortly after the administration's inauguration, it proposed a redivision of public service media; in response to new Slovak Television management, more than one-third of the news department's

employees quit, citing political and incompetent intervention in their editorial work.

In September 2007, the cabinet convened a special session to discuss the issue of “unethical behavior and unlawful practices of some journalists.” In a resolution, the cabinet expressed astonishment that neither the Press Council nor the Council for Broadcasting and Retransmission had dealt with suspicions of journalists allegedly receiving gifts from subjects in the pension and insurance fields. The Slovak Syndicate of Journalists (SSN), the largest professional organization of journalists in Slovakia, rejected the cabinet’s sweeping accusations and its efforts to usurp the regulation of media ethics.

Regional media inadequacies and the recent tendency to replace broadcast news with “infotainment” are both increasingly outweighed by the fast development of Internet news portals. Blogs and video news have significantly broadened the space for participation, including nonprofessionals as well. These developing platforms provide an alternative source of information that can be rebroadcast on more mainstream communication channels for a greater impact.

In Slovakia, all relevant media are in private hands. The only exceptions are public service media—Slovak Television (STV) and Slovak Radio (SRo)—which are controlled by councils appointed by Parliament and the state press agency TASR. In the private sphere, ownership concentration among Slovakia’s top television outlets during 2007 could potentially jeopardize fair economic competition on the broadcast media market. The financial stability of nationwide private media in Slovakia is free of political intervention, but is affected by the size of media and advertising markets.

By contrast, in print media, a 2007 court ruling against the economic weekly *Trend* for failing to publish a correction may lead to the financial collapse of this respected periodical. Press distribution is controlled by the private sector and the state-run Slovak Post and showed no fundamental problems in 2007.

In the public service media, Parliament failed to pass a long-awaited bill on license fees to improve collections. As a result, STV piled up debt of approximately 300 million Slovak koruna (US\$13 million) in 2007. This increased STV’s and SRo’s financial dependence on the ruling political elite, which began to treat the public service media “possessively.” For instance, the cabinet announced plans to build a new complex that would place public service media under one roof, against the objections of STV, SRo, and both media councils (the only bodies lawfully empowered to make decisions regarding public service media property). In terms of successes, the Association of Independent Radio and Television Stations in 2007 incorporated provisions into the recently passed Law on Digital Broadcasting that will enable the two largest TV broadcasters to transition toward terrestrial digital broadcasting.

Access to the Internet is unregulated in Slovakia. The total number of Slovaks who use the Internet continues to grow in relation to the increasing availability of ever more affordable broadband services. According to a survey by GfK in August 2007, better than 40 percent of Slovak citizens regularly used the Internet. Almost

half (46 percent) of all Slovak households own computers, but most Internet usage is limited to young people (93 percent for ages 15–19). In contrast, most Slovaks over 60 (94 percent) do not use the Internet.

Local Democratic Governance

1999	2001	2002	2003	2004	2005	2006	2007	2008
n/a	n/a	n/a	n/a	n/a	2.25	2.00	2.00	2.25

The Slovak Constitution and legislation provide an adequate framework for self-governance, with a dual system of public administration—state administration (organs of executive power) and self-governments (elected bodies). There are three levels of elected bodies: central (Parliament), regional (regional assemblies), and local (municipal councils). Public administration is based on the principle of “subsidiarity,” or keeping public administration functions with smaller units when no major advantage exists for transferring them to larger ones.

The establishment of state and self-governance institutions is subject to laws passed by the Parliament. However, local self-governments may initiate non-state organizations that focus on aiding local development, such as agencies, associations, funds, and so forth. To communicate with central government institutions and present their priorities, self-governments use various associations, such as the Association of Slovak Towns and Villages, the Union of Slovak Towns, and the Association of Regional Capitals K–8.

As part of public administration reform, a massive set of powers was transferred in 2001–2005 from central government organs to local and regional self-governance bodies. These bodies now address issues in education, health care, social affairs, transportation, and the environment. In order for local and regional self-governments to perform their delegated responsibilities, the central government provided them with necessary funding through fiscal decentralization—in other words, the right to collect so-called local taxes. In the case of municipalities, this is the real estate tax; for regional self-governments, this is the motor vehicle tax. In 2004, the government began distributing income tax revenues to local and regional self-governments.

Although government institutions and self-governance organs cooperate in tackling many local and regional problems, in 2007 they differed on certain issues. For instance, representatives of local self-governments criticized the cabinet for the way it delegated responsibility to local self-governments for administering and financing the education system. The Union of Slovak Towns declared that the “cabinet measures jeopardize stability of the existing model of public administration and are aimed at undermining sovereignty of territorial self-governments.”⁴ In August, local representatives launched a petition to protest the cabinet’s plans to reduce the number of registries and other local state administration offices and

change the scope of their powers. In response, the Ministry of the Interior withdrew the amendment from cabinet deliberations.

In May, the Parliament passed legislation abolishing regional state administration offices. Property of the cancelled regional offices along with some employees were transferred to district state administration offices, while approximately 150 employees were laid off. In June, the ruling coalition passed a law that strengthened powers of regional governors with respect to regional assemblies. The amendment granted regional governors discretion to circumscribe their deputies' powers; previously, this discretion rested with the assemblies. Regional governors were also granted a power to alter already-approved regional budgets.

In the 2005 regional elections, representatives of ruling parties clinched all eight governor posts; however, five of them coexist with assemblies controlled by opposition parties. In June 2007, Parliament passed a bill to extend the powers of regional self-governments in the field of housing development at the expense of local self-governments; this was a clear intrusion upon the principle of subsidiarity, perhaps intending to strengthen regional governors close to the incumbent administration. An amendment to the legislation on budgetary rules passed in June strengthened the position of the central government by extending the scope of allocated items in self-governments' budgetary expenditures.

In 2002, the cabinet established the 25-member Government Council for Public Administration as an advisory body in public administration issues, with representatives of central and local state administration organs, regional and local self-governments, associations of towns and villages, regional assemblies, and academic experts. The council's chairman is the minister of the interior, and detailed information on council deliberations is published on the ministry website. The council analyzes implemented measures and assesses the potential impact of proposed legislation.

The Constitution allows citizens to exercise their right to suffrage at regional and local levels. Representatives of self-governments (deputies of municipal councils and regional assemblies, mayors of villages and towns, and regional governors) are elected in direct, free, and democratic competitions, which are open to political party candidates as well as independent candidates. Elections to local and regional self-governments are held every four years and are open to independent observers. Candidates represent a broad spectrum of opinions, and political parties play an important role in local elections. Apart from elections, local and regional governments give citizens a chance to take a much more active part in the administration of public affairs. Direct public participation in decision-making processes is regulated by the Law on the Municipal System of Government and the Law on Self-Governance of Higher Territorial Units.

The level of public participation in regional and local politics is similar to that in national politics; in the case of women and ethnic minorities (especially Roma), the rate of participation is higher locally than at the national level. In recent years, Slovak media have paid relatively close attention to issues of local democracy and self-governance. The most active in this respect are regional and local media outlets.

The increased attention reflects the greater social relevance and political importance that self-governance organs gained as a result of the public administration reform.

Regional and local self-governments do not have the power to pass laws, but they can pass bylaws and regulations that apply exclusively to them. Self-governance bodies may turn to the courts to enforce their decisions. The law allows self-governments to form associations with other domestic and foreign self-governance institutions to cooperate in representing their interests and assisting one another to tackle local problems. Self-governance organs, especially the regions and larger municipalities, frequently cooperate with partners from abroad, particularly from neighboring countries.

Internal control of self-governments is entrusted to chief comptrollers who are appointed for six-year terms. Externally, the NKÚ controls all funds spent by self-government organs and supervises the financial management of legal entities established by self-government organs. Meetings of local and regional self-governance bodies are open to the public; results are posted on public notice boards, via the media, and increasingly on the Internet.

Judicial Framework and Independence

1999	2001	2002	2003	2004	2005	2006	2007	2008
2.50	2.25	2.00	2.00	2.00	2.00	2.00	2.25	2.50

The Slovak Constitution, Bill of Fundamental Rights and Freedoms, and other laws provide a framework for the protection of human rights. The Constitutional Court accepts complaints regarding violations of human rights and issues verdicts. An extensive 2001 amendment of the Constitution introduced a public defender of human rights.

As a member of the Council of Europe, Slovakia is part of the European system of human rights protection and has ratified all important international human rights documents. Citizens may turn to the ECHR if they believe their rights have been violated and Slovak judicial institutions have been unable to take action or provide a remedy to an alleged human rights violation. In 2007, the ECHR issued a number of rulings in favor of Slovak citizens. Most frequently, these cases involved drawn-out proceedings that violated citizens' constitutional right to a lawsuit without unnecessary delays.

In 2007, Parliament passed amendments that might improve implementation of human rights for certain population groups; at the same time, it adopted several laws that might make the exercise of certain civil rights and freedoms more difficult. The former include an amendment to the Antidiscrimination Act (the Law on Equal Treatment and Protection Against Discrimination), an amendment that simplified citizen access to criminal records, and an amendment reducing court fees for citizens. The latter includes an amendment to the Law on Freedom of Worship that introduces stricter conditions for registering churches and religious associations.

In June 2007, Parliament passed an amendment to the Citizenship Act that introduced stricter conditions for obtaining Slovak citizenship. Now, persons applying for citizenship must live in Slovakia uninterrupted for at least eight years. When justifying the need for tightening these conditions, the Ministry of the Interior cited its campaign against organized crime and international terrorism. Security arguments were also cited by initiators of an amendment to the Law on the Right of Assembly approved by Parliament in September 2007. The amendment forbids participants at public rallies from covering their faces to allow police to identify rally participants during police interventions.

The Constitutional Court is an independent institution, and its verdicts are legally binding. The right to appeal to the Constitutional Court rests with parliamentary deputies (at least 30 are required to launch an appeal), the president, the cabinet, courts of justice, the attorney general, and the ombudsman for human rights; in certain cases, local self-governments also enjoy this right.

Prime Minister Robert Fico has repeatedly urged the Constitutional Court to begin adjudication on the constitutionality of legislation on demonstrating the origin of property, arguing that the legislation is “important to the government.” These public statements by Fico could be interpreted as indirect political pressure. As of December 2007, the Constitutional Court had not issued a ruling. Also during the year, some legal experts criticized the Constitutional Court for failing to comply with a law that obliges all courts of justice in Slovakia to assign cases randomly via electronic registry.

The Constitution guarantees all citizens equality before the law regardless of sex, race, skin color, language, religion, political preference, nationality, ethnicity, property status, or other categories. However, women and other groups are inadequately represented in public posts. While the general standard of minority rights in Slovakia did not deteriorate in 2007, Slovak relations with some minority groups, in particular the ethnic Hungarians, worsened. This can be attributed to the radical nationalist SNS, whose representatives became part of the incumbent administration in 2006.

In July 2007, on the occasion of the fifteenth anniversary of adopting the Declaration of Sovereignty of the Slovak Republic, Prime Minister Fico mentioned “loyal” minorities, which drew criticism from ethnic minorities, particularly ethnic Hungarians, as it suggested there were also “disloyal” minorities. The tension further escalated in September when Parliament passed a resolution initiated by the SNS that proclaimed the Beneš Decrees as “unalterable”; many ethnic Hungarians interpret these post–World War II decrees as the state’s adoption of the principle of collective guilt, discriminating against Czechoslovakia’s population of Hungarian origin.

By joining the EU in 2004, the Slovak Republic undertook all related human rights obligations and passed the Antidiscrimination Act. According to the European Commission, the Slovak law features inaccurate terms and provisions that may restrict EU Council directives regarding the issue of equal treatment; the EC announced it would initiate an action for violation of the Treaty on Establishing the

European Community owing to these deficiencies, which meant that Slovakia could be brought before the European Court of Justice and face applicable sanctions. In reaction to the EC criticism, the Slovak government swiftly drafted an amendment to the Antidiscrimination Act that was passed by Parliament in June 2007. Dušan Čaplovič, deputy prime minister for European affairs, human rights, and minorities, subsequently announced that the cabinet would draft yet another amendment to the law to restore temporary equalization measures for certain population groups by exercising the principle of affirmative action on a social, not an ethnic, basis.

At the end of October, the cabinet approved an amendment that was positively evaluated by NGOs specializing in human rights. In the same month, the cabinet also endorsed a proposal to establish the Government Council for Gender Equality, which should begin to operate in January 2008. This time, NGOs criticized the council's inadequate civil society representation (only 3 out of 39 members).

Slovakia's Constitution guarantees the presumption of innocence, and the state is obliged to provide a defender to those who cannot afford one. Investigation of criminal offenses in Slovakia is conducted under a prosecutor's supervision. An accused person may be detained and arrested only if a judge has issued a written warrant. International conventions and other legal acts banning torture and maltreatment form an integral part of Slovakia's legal system. No cases of maltreatment were reported in 2007. However, there were several cases of racially motivated violence against Roma and physical assaults on civil society activists, mostly from neo-Nazi "skinhead" movements.

Slovakia has a three-level judicial system—the Supreme Court, 8 regional courts, and 45 district courts—administered jointly by the president, Parliament, Ministry of Justice, Judicial Council, and Supreme Court. The president appoints judges acting on proposals from the Judicial Council, which is the principal organ of self-governance within the judiciary. The Ministry of Justice appoints the chairmen and vice chairmen of particular courts. Slovakia's judicial system also includes three regional military courts and a higher military court, as well as the Special Court to Combat Corruption and Organized Crime.

International monitors have confirmed that the Slovak judiciary is independent to a satisfactory degree. However, the public's sense of legal safety continued to be impaired by court inefficiency, exacerbated by an overwhelming backlog of cases. Public trust is also undermined by a common belief that the judiciary is plagued by corruption.

Corruption

1999	2001	2002	2003	2004	2005	2006	2007	2008
3.75	3.75	3.25	3.25	3.25	3.00	3.00	3.25	3.25

Corruption ranks among the most pressing and deeply rooted social problems in Slovakia. Yet a positive turnaround can be observed since the end of the 1990s,

when the country's leadership was replaced by democratic and pro-reform political forces. Administrations between 2002 and 2006 took a number of steps, including incorporating an anticorruption policy into the government's program framework; establishing the Special Court and Office of the Special Attorney; adopting a constitutional Law on Conflict of Interest; extending the supervisory powers of the NKÚ; increasing transparency in the public procurement process; improving the Corporate Register and enhancing its availability to the general public; improving the performance of judicial management; adopting legislation on labor in the public interest; strengthening supervision over regional and local self-governance organs; enhancing general awareness of the courts' activities; and increasing the number of exposed corruption cases.

The constitutional Law on Conflict of Interest bans the president, cabinet members, Constitutional Court justices, and other top officials from pursuing any business activities, receiving pay for brokering deals between the government and private entities, or receiving income generated by a side job or contract that exceeds the minimum wage. Other bills have sought to introduce the principle of zero tolerance for corruption among notaries and marshals, compulsory disclosure for customs officers, protection of whistle-blowers in the workplace and witnesses in court cases, and the post of comptroller in bodies of local and regional self-governance. All Slovak institutions financed from public funds are subject to the supervisory authority of the NKÚ, and its findings are made public via the media and Internet and often become the focus of vivid public debate.

Legislative activities aimed at combating corruption declined in 2007. The incumbent administration, formed in July 2006, presented a vague anticorruption strategy in its program manifesto, and Parliament did not pass any legislative measures aimed at curbing the space for corrupt practices during the year. Corruption and clientelism scandals involving high government officials did not result in personnel changes apart from the case of agriculture minister Miroslav Jureňa and chief of Slovak Land Fund Branislav Bríza, who were fired in November following a scandal related to restitutions.

The government increased public spending in 2007 without strengthening anticorruption mechanisms. Consequently, transparency and competition in public procurement declined rapidly, as many government contracts were awarded without proper public tenders. Most of these business subjects were clearly connected to representatives of ruling parties, particularly the dominant Smer-SD. The cabinet used excessive discretion in distributing subsidies to individual municipalities, allocating them in a nontransparent way and often based on the political closeness of local self-government representatives to ruling parties.

When making personnel changes at state posts, the administration often refused to advertise the post in a public competition and appointed family members of government officials. At the end of 2006, Parliament passed an amendment to the Civil Service Act that took effect in 2007; the amendment allows cabinet members to remove heads of state institutions without stating a reason and loosens the obligation to announce selection procedures when filling state posts.

The ruling coalition repeatedly attempted to amend the Law on Free Access to Information, provoking harsh criticism and protests from NGOs. Additionally, the administration's efforts to increase government regulation in certain economic sectors threatened to make clientelism and corruption more prevalent. The Ministry of Justice has drafted an amendment to the code of criminal procedures that seeks to abolish the institution of police *agents provocateurs* and the practice of sting operations; according to legal experts and the Office of the Attorney General, if approved, this will make combating corruption more difficult.

A handful of corruption scandals in 2007 involved cabinet members, members of regional parliaments and local councils, representatives of political parties, and functionaries of government agencies. In March, several of these functionaries were all caught taking bribes: Vladimír Wänke, secretary general of the Slovak Football Association; Jozef Molnár, member of a Bratislava district council (Smer-SD); and Ján Bukaj, head of the SNS district branch in Tvrdošín. In February, Minister of the Economy Ľubomír Jahnátek, in an interview for *Trend* weekly, attempted to justify corrupt methods used by state-run firms when selling arms to third world countries. Opposition parties called on Jahnátek to resign, but he was backed by Prime Minister Fico and MPs. The cabinet expressed full confidence in Jahnátek and called his activities a “mirror of political maturity, professional and life experience, and moral integrity.”⁵ The ruling coalition's majority in the Parliament rejected a motion of no confidence against Jahnátek in April.

Perhaps the greatest political furor in 2007 involved Viera Tomanová, minister of labor, social affairs, and family. The ministry wrongfully allotted a state budget subsidy to an organization, Privilégium, that had not paid contributions to the state-run Social Insurance Company for several years and also had tax arrears. Tomanová worked as a project manager at Privilégium prior to her appointment, and statutory representatives of the organization were connected to Smer-SD. Prime Minister Fico dismissed all accusations against Tomanová. Opposition deputies proposed a motion of no confidence, but that was rejected by the ruling coalition.

A number of independent NGOs are very active in fighting corruption and promoting transparency and accountability in public life, including Transparency International–Slovakia, the Alliance for Transparency and Fighting Corruption, the Alliance to Stop Conflicts of Interest, and Fair Play Alliance. There were no attempts by the state or private individuals to hinder the activities of these groups in 2007, although senior government officials questioned the accuracy and objectivity of their findings.

The police encourage citizens with information on corrupt civil servants or a personal experience of corruption to participate in exposing concrete cases. According to available statistical data from January to October 2007, a total of 186 criminal offenses of corruption were reported; 122 cases of corruption were cleared, and 9 persons were convicted.⁶ Slovakia scored 4.9 in Transparency International's 2007 Corruption Perceptions Index (where 10 is least corrupt).⁷

Corruption is a frequent issue of public debate in Slovakia, and in opinion polls it trails only after living standards, unemployment, and health care as the

most pressing social problem. A survey carried out by the FOCUS agency in August 2007 suggested that 22 percent of respondents recently gave bribes to public service officials; 74 percent said they did not bribe anybody; and 4 percent refused to answer the question.⁸ According to a 2006 FOCUS survey, most citizens believe that excessive corruption exists in health care, the judiciary, ministries, police, and other sectors of public and private life.⁹

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¹ See website of the Statistic Office of the Slovak Republic, <http://www.statistics.sk>.

² For electoral statistics, see website of the Statistic Office of the Slovak Republic, <http://www.statistics.sk>.

³ See *Sčítanie obyvateľov, domov a bytov 2001* [Population and Housing Census 2001], <http://www.statistics.sk/webdata/slov/scitanie/namj.htm>.

⁴ “Samospráva: Únia miest Slovenska je znepokojená krokmi vlády” [*Self-Government: The Union of Slovak Towns Is Concerned by the Steps of the Cabinet*], SITA news agency, February 2, 2007.

⁵ “Vláda: Aktivity Jahnátka sú zrkadlom politickej zrelosti a charakteru” [*Government: Jahnátek Activities are the Mirror of His Political Maturity and Character*], SITA news agency, April 11, 2007).

⁶ Emília Sičáková–Beblavá, “Korupcia,” in Miroslav Kollár, Grigorij Mesežnikov, Martin Bútora, eds., *Slovensko 2007: Súhrnná správa o stave spoločnosti* [Slovakia 2007: A Global Report on the State of Society], Bratislava: Institute for Public Affairs, 2008, p. 663.

⁷ *Corruption Perception Index 2007*, Transparency International, http://www.transparency.org/policy_research/surveys_indices/cpi/2007.

⁸ “Každý piaty Slováč priznal, že dal úplatok” [One in Five Slovaks Admits to Having Given a Bribe], *Hospodárske Noviny* daily, August 15, 2007.

⁹ *Percepcia korupcie na Slovensku. Prieskum verejnej mienky pre Transparency International –Slovensko, Marec 2006* [Perception of Corruption in Slovakia. Public opinion poll for Transparency International–Slovensko, March 2006], http://www.transparency.sk/prieskumy/060424_perce.pdf.

