

Slovakia

by Benjamin Cunningham

Capital: Bratislava
Population: 5.4 million
GNI/capita, PPP: US\$17,810

Source: The data above were provided by The World Bank's, *World Development Indicators 2014*.

Nations in Transit Ratings and Averaged Scores

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Electoral Process	1.25	1.50	1.50	1.50	1.75	1.50	1.50	1.50	1.50	1.50
Civil Society	1.25	1.50	1.50	1.75	1.75	1.75	1.75	1.75	1.75	1.75
Independent Media	2.25	2.25	2.50	2.75	3.00	3.00	2.75	2.75	2.75	3.00
National Democratic Governance	2.00	2.25	2.50	2.75	3.00	2.75	2.75	2.75	3.00	3.00
Local Democratic Governance	2.00	2.00	2.25	2.50	2.50	2.50	2.50	2.50	2.50	2.50
Judicial Framework and Independence	2.00	2.25	2.50	2.75	3.00	2.75	2.75	3.00	3.00	3.00
Corruption	3.00	3.25	3.25	3.25	3.75	3.50	3.50	3.75	3.75	3.75
Democracy Score	1.96	2.14	2.29	2.46	2.68	2.54	2.50	2.57	2.61	2.64

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

In 2012, center-left Direction–Social Democracy (Smer-SD) became the first political party to form a one-party cabinet since Slovakia attained full independence in 1993. Smer-SD has reasserted the state’s role in the economy, social policies, public administration, and health care. The party has enhanced central authority at the expense of self-governments operating at regional and municipal levels. The right-leaning political opposition remained weak and divided in 2014.

In a surprise upset, Prime Minister Robert Fico lost the March 2014 presidential run-off election to businessman Andrej Kiska. The victory of an independent candidate over Smer-SD’s powerful leader may be a sign of a maturing political culture, as voters chose not to concentrate all political authority in the hands of a single party. Prime Minister Fico and Smer-SD remained popular throughout 2014.

Cronyism, clientelism, and corruption persist in the public sphere, but parliamentary speaker Pavol Paška’s resignation late last year in the wake of a corruption scandal was a significant milestone. The judiciary continues to struggle with independence and efficiency, but the ousting of Štefan Harabín as the head of the Supreme Court and the Judicial Council is, at minimum, a symbolic victory for reformers who are working to purge the judiciary of politically motivated actors. Further reforms are, however, still necessary.

National Democratic Governance. With their outright parliamentary majority, Smer-SD deputies showed little inclination to cooperate with opposition parties, which remain divided, disorganized, and largely unable to pose an electoral threat. Smer-SD repeatedly blocked opposition-proposed legislation from any discussion in parliament. Since his election in March, President Andrej Kiska has challenged Smer-SD over some legislation and judicial appointments, providing a rhetorical check on the ruling party. *Slovakia’s rating for national democratic remains unchanged at 3.00.*

Electoral Process. Voters participated in three separate elections in 2014—presidential elections in March, European Parliament elections in May, and municipal elections in November. A series of electoral reforms adopted in May seeks to consolidate rules for various types of elections and increase scrutiny of campaign spending, but the laws will not come into effect until mid-2015. Smer-SD made gains at the expense of opposition parties in November’s municipal election, but the elections were also marked by strong showings from independent candidates. Political party membership remains low, and the strong showing of independent

candidates, combined with the continued splintering of right-wing parties, is indicative of continued fragmentation. In the European Parliament elections, Slovakia's participation was the lowest in Europe. *Slovakia's rating for electoral process remains unchanged at 1.50.*

Civil Society. Slovakia's civil society remains independent and diverse. Leaders in the nongovernmental sector generally remain skeptical of the current government's willingness to consult with civil society groups when drafting legislation, and ruling party deputies were notably disrespectful to Human Rights Ombudswoman Jana Dubovcová during the year. However, the appointment of Martin Giertl to fill the vacant role of liaison with civil society is a positive development. Changes to the tax code that will come into effect in 2015 will likely create additional difficulties in fundraising for nongovernmental organizations. Conservative groups mobilized by the Alliance for Family (AZR) umbrella successfully petitioned for a referendum on three potential constitutional amendments, to be held in 2015. *Slovakia's rating for civil society remains unchanged at 1.75.*

Independent Media. Press freedom in Slovakia is constitutionally guaranteed and generally respected, though public figures (including judges) regularly use defamation suits to gag critical outlets and journalists. In June, a Bratislava district court ordered Ringier Axel Springer, as publisher of the daily *Nový Čas*, to apologize to a Supreme Court judge for harming his personal integrity with an article and accompanying photos printed by the tabloid in 2011. The year 2014 witnessed a concerning increase in media-outlet acquisitions by local financial groups, most notably the Penta group. The Penta group's numerous acquisitions raise serious questions, both about Penta's intentions and the future editorial independence of publications that provide important critiques of politics, business, and power in the country. As a result of the increased concentration of media ownership, *Slovakia's rating for independent media declines from 2.75 to 3.00.*

Local Democratic Governance. In 2014, municipalities' share of personal income tax revenues was increased to 67 percent following negotiations between the Fico government and ZMOS the previous year. A greater number of voters backed independent rather than party-affiliated candidates at municipal elections in November. Smer-SD also increased the number of mayoralties it controls to 847, up from 599 in 2010. Lawmakers discussed but have yet to introduce legislation that would prevent officials from drawing salaries for more than one elected post at a time. *Slovakia's rating for local democratic governance remains unchanged at 2.50.*

Judicial Framework and Independence. A backlog of cases, nepotism, and low levels of trust continue to pose problems for Slovakia's judiciary. A constitutional amendment in June sought to introduce new screening procedures for judges—including background checks conducted by the National Security Office with Judicial Council oversight—but was suspended in September pending a ruling by

the Constitutional Court. In what is considered to be a positive development for judicial independence, another provision of the June amendment separated the posts of Supreme Court chairman and Judicial Council chief. Stefan Harabin, who held both of these positions for years and was known for his bullying tactics, was not reelected in 2014. For the second time, the Parliamentary Assembly of the Council of Europe (PACE) rejected all three of Slovakia's judicial candidates to the European Court of Human Rights (ECHR), citing their lack of professional qualifications. *Slovakia's rating for judicial framework and independence remains unchanged at 3.00.*

Corruption. Nontransparent, clientelist, and corrupt practices persisted in 2014, resulting in no notable prosecution of high-level offenders. A major scandal related to tenders for medical equipment outraged the general public and led to the resignation of Parliamentary Speaker Pavol Paška and his deputy. Following an amendment to the Public Procurement Act in 2013, in 2014 the government tested a so-called e-marketplace project meant to bring greater transparency to the public procurement of goods. In November, the parliament adopted a law aimed at protecting whistleblowers. Pending evidence of greater accountability for high-level corruption, *Slovakia's rating for corruption remains unchanged at 3.75.*

Outlook for 2015. The defeat of Prime Minister Robert Fico in March 2014 and Pavol Paška's resignation as parliamentary speaker in November 2014 may indicate some cracks in Smer-SD's monolithic hold on power and portend a shift back towards a more pluralist political system. However, the weakness of the right-leaning political opposition will still limit its ability to challenge and provide checks on the current government. President Andrej Kiska has subtly intervened during his early months in office and appears to be a constructive figure who provides some corrective to an otherwise unbalanced political environment. As new owners assert their control of key media outlets, it will be important to monitor whether they attempt to intervene in editorial content.

MAIN REPORT

National Democratic Governance

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
2.00	2.25	2.50	2.75	3.00	2.75	2.75	2.75	3.00	3.00

The 2012 parliamentary elections brought a landslide victory for Robert Fico and his center-left Direction–Social Democracy (Smer-SD), and Fico became the prime minister of a one-party government. Since its victory, Smer-SD has increasingly concentrated power in its hands, capturing independent institutions and sidelining the parliament as a mechanism of control on numerous occasions. While these tendencies continued in 2014, the results of the European Parliamentary elections suggest that the party’s appeal is weakening, even as no obvious challengers have emerged. In March, Fico himself was defeated in a presidential runoff by independent candidate Andrej Kiska, a political novice. Kiska replaces Ivan Gašparovič, who had, in practice, been an ally to Fico and Smer-SD.¹

Opposition lawmakers have heavily criticized the manner in which Smer-SD dominates parliament functions, including instances when proposals by opposition parties are simply kept off the parliamentary agenda. Smer-SD parliamentary deputies swept 10 different opposition proposals from the agenda of the first parliamentary session after the 2014 summer recess. Party officials insisted that the proposed bills had no genuine chance of passage and that they were intended to drum up support for opposition parties in the run-up to November’s municipal elections.²

Smer-SD’s tactics led to the opposition’s boycott of the remainder of the parliamentary session, as well as accusations that party officials had violated the constitution by preventing members of parliament (MPs) from proposing laws—the opposition argued that, while parliament had no obligation to pass the laws in question, MPs have a right to have their proposals discussed.³ In its quarterly survey of the quality of democracy in Slovakia, the Institute for Public Affairs (IVO) cited such tactics as a significant factor in what it called a decline in overall democratic conditions during the third quarter of 2014.⁴

Only 12 of 150 MPs attended the June 2014 parliamentary session at which Human Rights Ombudswoman Jana Dubovcová delivered her annual report. The government has been criticized previously for its poor treatment of Dubovcová, which is taken as a sign that it does not take human rights issues seriously.⁵ The situation prompted a letter from the European Board of the International Ombudsman Institute that condemned parliament’s behavior.⁶

Parliament Speaker Pavol Paška played a key role in guiding Smer-SD’s parliamentary agenda in 2014. However, he resigned from office and parliament altogether in November in the wake of a scandal involving a questionable tender at a public hospital (see Corruption section).

Renewing a debate about the constitutional role of presidency, one of President Kiska's first decisions in office was to decline the appointment of Constitutional Court judges from among a group of nominees presented to him by the parliament.⁷ Some compared the move to former president Gašparovič's controversial refusal to nominate the parliament's choice for prosecutor general throughout 2011 and 2012.⁸ As a result, two seats on the Constitutional Court remained vacant at year's end.

Kiska exercised his presidential veto in November, rejecting a law that would have banned junk food in schools on the grounds that it was poorly constructed and contained vague definitions.⁹ Rather than overriding Kiska's veto with a simple majority vote, the ruling party acknowledged Kiska's objections and agreed to discard the law.¹⁰

Parliament again failed to elect a new chairman to the Supreme Audit Office (NKÚ) in 2014. Although Smer-SD had promised that the opposition would be allowed to nominate the officeholder and that it would support the opposition's joint candidate, none of the nominees garnered enough support. At the end of the year, the NKÚ was still headed by former chair Ján Jasovský, who was nominated by Vladimír Mečiar's Movement for a Democratic Slovakia (HZDS). Jasovský's term officially ended in February 2012. The post traditionally goes to someone from the political opposition; Pavol Hruol of the Christian Democratic Movement (KDH) has long been rumored to be a likely compromise candidate, but no names have been proposed yet.¹¹

Electoral Process

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
1.25	1.50	1.50	1.50	1.75	1.50	1.50	1.50	1.50	1.50

Elections held in Slovakia since the collapse of the Communist regime in 1989 have been assessed as free and fair by domestic and international monitors. Citizens freely exercise their political rights and elect representatives to the National Council (parliament), European Parliament, regional assemblies, and city and community councils every four years. Presidential elections are held every five years.

Three separate elections—a presidential election in March, European elections in May, and municipal elections in November—likely contributed to voter fatigue in 2014. Turnout for the second round of the presidential election exceeded 50 percent,¹² and the municipal elections drew 48 percent of eligible voters.¹³ However, Slovakia posted the lowest turnout of the 28 member states in the European Parliamentary elections, with just 13 percent of voters reporting.¹⁴ In November's local elections, 5 municipalities fielded no candidates for mayor, 3 had no candidates for municipal council, and 14 had fewer candidates for municipal council than seats available.

Though the present Smer-SD government comprises one party, parties have often had to form coalition governments in the past. There are no significant

obstacles to the registration of newly established parties. New movements need to submit a petition with at least 10,000 signatures to the Ministry of Interior in order to create a new party. In 2014, there were 154 political parties registered with the Ministry of the Interior.¹⁵ Parties or coalitions of parties running in the parliamentary elections must submit a candidate list to the Central Election Commission (CEC) and pay a deposit of €16,596.¹⁶

Candidates to the parliament are elected according to a proportional representation system, which stipulates a 5 percent threshold for parties running alone, a 7 percent threshold for coalitions of two or three parties, and a 10 percent threshold for coalitions of four or more parties. Local and regional candidates are elected according to a modified majoritarian system. In May 2014, parliament passed significant reforms to existing election law, although they will not go into effect until July 2015.¹⁷ The changes are intended to unify rules for all types of elections.

Among the biggest electoral reforms in 2014 were the creation of a state body charged with monitoring elections and party financing; new spending caps on campaigns; and the extension of a 48-hour media moratorium before elections to parliamentary races. Party spending for election campaigns will be capped at €3 million for parties, while the upper limit for presidential, regional, and municipal candidates will be set at €500,000. Fines of up to €300,000 will be imposed for exceeding these limits. A new 14-member committee will monitor campaigning, with 10 members appointed by political parties (five by the ruling coalition and five by the opposition) and the rest comprising the chairs of the Constitutional Court and the Supreme Court, the general prosecutor, and the head of the Supreme Audit Office.

Parties and candidates must maintain transparent election accounts, which will aid the process of monitoring transactions and donors. A 48-hour media moratorium will be introduced for all types of elections, and, two weeks prior to each election, there will be a ban on publishing the results of public opinion polls. In the event that an election has two rounds, the ban takes effect two weeks before the first round and one week before the second. In the future, mayoral candidates will be required to have a completed degree from a secondary school.

The final provision of the electoral reforms is viewed by some as targeting the Roma minority and faces a challenge in the Constitutional Court that was still pending at year's end. In general, however, the reforms are thought to have the potential to increase transparency and simplify election campaign rules. There is hope that a truly politically balanced monitoring body will strengthen enforcement of campaign finance rules, which has long been a problem.

Since Smer-SD's sweeping electoral victory in 2012—it won 44.41 percent of the vote and received 83 seats in parliament, enabling it to form the country's first non-coalition government since 1990—the dominant left faces a fragmented right in the parliament. The rest of the seats went to five other parties: the conservative Christian Democratic Movement (KDH); the new center-right populist group Ordinary People and Independent Personalities (OLaNO); Most-Híd, one of the parties that represents ethnic Hungarians living in Slovakia; the center-right Slovak

Democratic and Christian Union–Democratic Party (SDKÚ-DS); and the liberal Freedom and Solidarity party (SaS).¹⁸

Two MPs left KDĤ to establish the New Majority (NOVA) party in October 2012, while a third former MP became independent. In June 2013, five SaS MPs joined New Majority, raising the number of parties without a parliamentary caucus to two.¹⁹ Including the two other MPs that left OĽaNO during the year, the total number of independent MPs increased to 16 and accounted for more than 10 percent of all MPs at the end of 2014.²⁰ More divisions followed in 2014 when several members left the New Majority party. Lucia Žitňanská, a former justice minister, left SDKÚ-DS in April 2014 and joined the Most-Híd party.

The most significant change to the political scene in 2014 was the founding of the Sieť (Network) party in March. Following his surprisingly strong third-place finish in the presidential election, Radoslav Procházka, a former member of KDĤ, founded the party. He gave up his KDĤ seat in the parliament, along with another KDĤ MP, Andrej Hrinčiar.²¹ The party launch was somewhat marred by allegations that Procházka had improperly financed his presidential campaign, but he was not prosecuted in 2014.²² The proliferation of opposition parties perpetuates the disorganization that has characterized the right half of the political spectrum in recent years, but it may also offer the opportunity for an eventual reorientation toward more pluralist electoral competition.

Political party membership in Slovakia is low: fewer than 40,000 out of more than 4 million eligible voters—or roughly 1 percent of the electorate—belongs to parties currently represented in parliament. Of those, Smer-SD is the largest, followed by KDĤ. The Hungarian minority is represented by two political parties: Most-Híd, an interethnic party that entered parliament for the first time in 2012, and the Party of the Hungarian Community (SMK-MKP), which was a member of the government between 1998 and 2006 but lost its parliamentary representation in 2012. The country's second-largest ethnic minority, the Roma, is underrepresented in party politics and public administration. The three officially registered Romany political parties are weak and politically insignificant. Vote buying and clientelist practices that target the Roma minority are common, with politicians from mainstream parties directly paying cash for votes or bribing Roma community leaders to deliver their constituencies.

Civil Society

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
1.25	1.50	1.50	1.75	1.75	1.75	1.75	1.75	1.75	1.75

The basic conditions for Slovak civil society did not change significantly in 2014—the sector remains independent and diverse, operating in a favorable legal environment and respected for challenging the authorities and advocating public interest. Besides registered nonprofit organizations, many new informal initiatives and projects, often of limited scope, have emerged and become more visible.

However, changes to the tax code in 2014 will likely damage the sector's already precarious financial health.

The position of governmental plenipotentiary for the development of civil society remained vacant for much of 2014 following Filip Vagač's resignation from the post in October 2013. However, in November 2014, Martin Giertl, who previously worked as a human rights expert for both the Foreign Affairs Ministry and the Charter 77 Foundation, finally filled the position.

In 2013, parliament passed an amendment to the criminal code that defined new punishments for extremism and related crimes. For the first time, the code included sexual orientation as a possible motivation for a hate crime. The changes were widely praised as an example of policymaking with meaningful input from civil society. However, a report published by the European Commission Against Racism and Intolerance (ECRI) in September 2014 found that the Slovak National Center for Human Rights, the body empowered to monitor the implementation of antidiscrimination measures, does not function properly and is subject to political manipulation by the ruling party.²³

That same ECRI report praised the work of Human Rights Ombudswoman Jana Dubovcová, in particular for her proactive role in confronting discrimination against Slovakia's Roma minority. However, the current Smer-SD government has displayed extreme reluctance to cooperate with her office, and, in many cases, treated her with outright hostility. In one particularly egregious incident, Dubovcová was invited to a cabinet meeting at which she was not allowed to speak and was reprimanded by Prime Minister Fico for speaking out of turn. Among other things, Dubovcová had attempted to voice disagreement with the Interior Ministry's opinion over whether the rights of Roma citizens in the settlement of Budulovská had been violated during a police raid in June 2013.²⁴ Her reports regularly go ignored and fail to get hearings before the entire parliament. Racism targeting the Roma minority remains a major issue in Slovakia; one survey of Roma children published in March 2014 found that more than 70 percent report facing discrimination on a monthly basis.²⁵

Leaders in the NGO sector generally remain skeptical of the current government's willingness to consult with civil society groups when drafting legislation.²⁶ A lengthy dialogue between civil society groups and the Smer-SD government that was meant to lead to the formation of a national strategy for human rights yielded provisions dealing with minorities and LGBT (lesbian, gay, bisexual, and transgender) rights that were heavily watered down for political expediency.

Private donations constitute a substantial source of revenue for the civil society sector. However, international funds are moving elsewhere, and it is difficult to raise money domestically since there is not a well-established tradition of donating to nonprofit causes.²⁷ In an interview with the daily *Sme* shortly before he took office, Giertl emphasized the need to bolster the financial and legal framework for NGOs.²⁸

For the last few years, the Slovak tax code has allowed individuals and businesses to divert up to 2 percent of their taxes to a nonprofit civil society group. This

optional deduction generated an estimated €24.7 million for the nonprofit sector in 2013, but Gierl says this amount is not enough to sustain the third sector.²⁹ At present, 10 percent of companies take advantage of the provision. Changes to the tax code effective in 2015 will grant eligibility for such a diversion to only 1 percent of corporate income tax.

Trade unions operate openly in Slovakia, and many are closely allied with the current government and the Smer-SD party. The trade union movement enjoyed a significant legislative victory with the passage of a new law in 2013 that extends high-level collective-bargaining agreements to all companies in a given business sector, regardless of their participation in the original collective bargaining process.³⁰ Labor strikes are not common. In June, the Volkswagen plant in Bratislava narrowly avoided a strike action by workers when it agreed to raise wages and reduce working hours.³¹

The past few years have witnessed a growing clash in public discourse between LGBT rights advocates and individual and groups, often affiliated with the Catholic Church, that espouse what they contend are traditional values. In fall 2014, the Alliance for Family (AZR)—an umbrella organization that oversees more than 100 pro-life and traditional-values-oriented groups—successfully gathered about 400,000 signatures in support of a referendum on same-sex marriage and three other constitutional amendments. President Kiska responded by referring the proposed referendum questions to the Constitutional Court, which ruled that three of them were permissible under the constitution.³² In November, Kiska announced that the referendum would take place in February 2015. He also said he would support two of the initiatives himself: one that seeks to further limit the definition of marriage and another that prevents same-sex couples from adopting children.³³

LGBT rights advocates view the planned plebiscite as an anti-gay referendum and contend that its passage would have encroached upon minority rights. During the annual 2014 LGBT pride march in Bratislava, organizers adopted a family theme in order to emphasize the community's traditional values.³⁴

Independent Media

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
2.25	2.25	2.50	2.75	3.00	3.00	2.75	2.75	2.75	3.00

Press freedom in Slovakia is constitutionally guaranteed and generally respected and independent media outlets freely disseminate diverse views. However, prominent public figures still regularly attempt to limit critical media coverage through civil or criminal libel suits against journalists, media outlets, and publishers. The most significant threat to independent media in 2014 came from a growing trend of media-outlet acquisitions by influential local investment groups. This is a shift from recent years, when foreign-owned companies with fewer vested interests in domestic politics played a prominent role in media ownership. Given the background of many of these new investors, and the consolidation of the media market into fewer

hands, there are many who are concerned that these newly acquired outlets will lose editorial independence.

Slovakia's media legislation is generally in line with European standards but susceptible to misinterpretation in the judiciary.³⁵ The Act on Free Access to Information (2000) has been amended 11 times since it was created and obtaining information from state offices can require substantial paperwork, though not enough to affect journalists' work.³⁶ In general, documents and recordings leaked to the media are a more common source of information on official wrongdoing than formal requests.³⁷

Members of the judiciary and political and business elites have frequently brought civil defamation suits against journalists and media outlets. Former Supreme Court chairman Štefan Harabin and Prime Minister Fico have each collected hundreds of thousands of dollars from successful libel lawsuits over the past several years. In some cases, powerful people have been able to extract financial damages that far exceed even the amounts awarded in civil suits related to murder or manslaughter, though such large awards are less common in recent years.

In June 2014, a Bratislava district court ordered Ringier Axel Springer, as publisher of the daily *Nový Čas*, to apologize to Supreme Court Justice Daniel Hudák for harming his personal integrity with an article and accompanying photos printed by the tabloid in 2011. Eight current and former judges sued Ringier Axel Springer in March 2013, demanding a total of €940,000 (\$1.23 million) in damages. The photos in the article showed the judges at a private meeting at Penzion Bonanno in Rajecské Teplice wearing blue ear protectors and sporting mock assault rifles; the gathering took place a few months after seven people had been murdered by a gunman wearing blue ear protectors. Responding to the June ruling, Pavol Múdry, the head of the Slovak branch of the International Press Institute, said, "Judges of the Bratislava II District Court have demonstrated solidarity among judges in the wrong place and condemned the *Nový Čas* daily for publishing facts about the inappropriate behavior of judges, prosecutors, and other people from the judiciary."

Jaroslav Dujava, a former employee of the Slovakia's organized crime taskforce (ÚBOK), filed a criminal libel case against journalist Dušan Karolyi in 2014.³⁸ The charges related to Karolyi's August 2013 article for *Trend* newsmagazine on a recent court decision to drop charges against an agent described only as "Jaroslav D." for alleged abuse of power while detaining a suspect 12 years earlier. Karolyi's article focused on the Slovak business community's frustration with perceived judicial corruption and law enforcement failures in the country, highlighting the procrastination of the Prešov District Court, which had been dealing with the Dujava case since August 2005. Following heavy criticism from domestic and international media freedom watchdogs,³⁹ Prosecutor General Jaromír Čaromí dropped the charges against Karolyi in October.

Except for public television and radio and a few local journals and TV stations owned directly by local governments, Slovak media outlets are in private hands. Some 78 percent of citizens regularly use the internet but only 15.5 percent of households have a fixed broadband connection.⁴⁰ Television remains the main

source of information for most Slovaks. In recent years, sensationalist journalism has replaced more investigative and analytic pieces.

Prominent media acquisitions by the investment group Penta in 2014 raised concerns about the future editorial independence of several high-circulation titles. The most significant of Penta's acquisitions were shares in Petit Press, which publishes the prominent daily *Sme*: the country's Hungarian-language daily, *Új Szó*; the daily *Korzar* in Slovakia's second-largest city, Košice; and the country's only English-language newspaper, *The Slovak Spectator*. Penta initially sought to purchase 50 percent of Petit Press's shares but—following some bad publicity about the acquisition—settled for 45 percent ownership. Nonetheless, the five top editors at *Sme* resigned, citing an inability to work for a company partially owned by Penta,⁴¹ which has faced numerous allegations of corruption—most prominently in connection with the infamous “Gorilla” file.⁴²

The acquisition of shares in Petit Press came just weeks after Penta announced it had acquired the Trend Holding and Spoločnosť 7 Plus publishing houses in concert with the Dutch investment firm V-3 Media Holdings. This acquisition gives Penta control of several other prominent titles, such as the business weekly *Trend*, the daily tabloid *Plus 1 Deň*, and its sister weekly, *Plus 7 Dní*.

Penta's acquisitions are the latest in a general trend of increased media control by prominent individuals and private firms.⁴³ Andrej Babiš, a billionaire of Slovak origin who is now the Czech Republic's finance minister, owns the publisher of the daily *Hospodárske noviny*. Another business tycoon, Ivan Kmotrík, controls the news-only TV channel TA3, and the influential investment group J&T owns the TV JOJ network and has an interest in the daily *Pravda*. Though these powerful interests likely acquired the popular media brands in the hopes of influencing public discussion in their favor, the objectivity of the newly purchased outlets is under increased scrutiny.⁴⁴

Journalist associations in Slovakia are generally weak. Traditionally, the biggest of these has been the Slovak Syndicate of Journalists (SSJ). Mismanagement and incompetence forced it to declare bankruptcy in early 2014; many of its members accuse former SSJ director Tamara Valková of managing finances to the benefit of one of the syndicate's creditors.⁴⁵ A second group, the Slovak Section of Association of European Journalists, occasionally issues statements and has some 25 members; a third group, the Slovak Association of Journalists, appears to have gone inactive and does not respond to e-mails.

Local Democratic Governance

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
2.00	2.00	2.25	2.50	2.50	2.50	2.50	2.50	2.50	2.50

The Slovak Constitution and other applicable laws provide an adequate framework for self-governance at the regional and local levels. Public administration is based on the principle of subsidiarity, and there are three levels of elected bodies: central

(parliament), regional (regional assemblies), and local (municipal councils). Self-governments and their representatives (municipal councils and regional assemblies, mayors of villages and towns, and regional governors) organize in various associations, such as the Association of Slovakia's Towns and Villages (ZMOS), the Union of Slovakia's Towns (ÚMS), and the Association of Regional Capitals (K–8), to lobby at the central level. Slovakia has 2,926 different municipalities, each with its own mayor.

Representatives of self-governments are elected in direct, free, and democratic competitions, which are open to party-affiliated and independent candidates. Candidates give voice to a broad spectrum of opinions, and political parties play an important role in local elections. Slovakia's most recent regional elections took place in November 2013; municipal elections took place in November 2014.

Center-right parties in Slovakia traditionally favor a decentralized model of governance, with stronger powers for municipal authorities, while left-leaning and nationalist parties prefer a centralized model in which state institutions wield more influence. In general, regional governments have responsibility for regional roads and railways, tourism, sports and youth programs, licensing pharmacies, education, and civil defense. Municipal governments have jurisdiction in housing, public utilities, the administration of local cultural centers, local police, housing, and welfare.⁴⁶

Following its national electoral victory in March 2012, Smer-SD implemented policies aimed at strengthening the state's positions in key sectors, including public administration. Informally, it has used its party structures to take similar steps: for instance, in October of 2014, the central government forgave the city of Žilina's €17.5 million debt.⁴⁷ Prime Minister Fico specifically stated that Žilina mayor Igor Choma's Smer-SD membership had made it easier to pass the resolution in parliament. Few believe that the national government would have covered the massive debt if members of the political opposition had governed the city. The move proved to be a public-relations boon for the sitting mayor, who was reelected in November.

Many mayors serve simultaneously as MPs, which strengthens the connections between the national and local levels of government. At present, this primarily benefits Smer-SD, but the practice has been widespread. Some parties have proposed banning multiple mandates, which they believe dilute elected officials' focus, preventing effective governance.⁴⁸ At year's end, it seemed more likely that the government would introduce legislation prohibiting public officials from drawing more than one government salary at a time, regardless of the number of elected posts per person.⁴⁹ If passed, this change would not take effect until after the next general election, scheduled for spring 2016.

In 2014, municipalities' share of personal income tax revenues was increased to 67 percent following negotiations between the Fico government and ZMOS the previous year.⁵⁰ The 2010–11 government of Iveta Radičová had reduced the share from 70.3 to 65.4 percent, citing a need for fiscal consolidation during the financial crisis. ZMOS demanded an increase on the grounds that low funding was

hindering local development, deterring investment, and reducing the scope and quality of public services offered to citizens.⁵¹

In October, the Institute for Economic and Social Reforms (INEKO) published a study on municipal debt that found that the average indebtedness of the 50 most populous cities in Slovakia amounted to 28.2 percent of annual revenues—a significant improvement from previous years.⁵²

Self-governments are subject to internal as well as external supervision. Internal control is entrusted to chief controllers, who are appointed to six-year terms. Externally, the Supreme Audit Office (NKÚ) controls all funds disbursed by self-governance organs and supervises the financial management of legal entities established by them. The NKÚ planned to inspect 556 local institutions that use state funds in 2014, but the results of those inspections will not be known until mid-2015. In 2013, the NKÚ inspected just 268 such bodies. Since 2012, the NKÚ has noted 10,871 violations of state directives on the nature and reporting of public expenditures.⁵³ Transparency International Slovensko (TIS) found the city of Martin to be the most transparently governed and the northeastern town of Sabinov to be the least.⁵⁴

Most self-governance organs enjoy adequate capacities to manage their operations; employee training continues to improve thanks to various education projects that have been initiated and implemented by the government, self-governance associations, nongovernmental organizations, and international partners. Cities and large towns have been more successful than smaller towns and rural areas in this regard. Meetings of local and regional self-government bodies are held regularly and are open to the public.

Slovakia held municipal elections on 15 November 2014. A greater number of voters backed independent rather than party-affiliated candidates: independent candidates won 38 percent of mayoral posts. The Smer-SD also made significant gains on the parties that remain in opposition at the national level, winning 29 percent of mayoral seats, and increased the number of mayoralties it controls to 847, up from 599 in 2010. A healthy 48 percent of eligible voters took part in the election.⁵⁵

Judicial Framework and Independence

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
2.00	2.25	2.50	2.75	3.00	2.75	2.75	3.00	3.00	3.00

Slovakia's constitution guarantees all citizens equality before the law and ensures the independence of the judiciary. However, the court system continues to suffer from corruption and a significant backlog, and public trust in the judiciary is low.

⁵⁶ The country has a three-tiered judicial system, consisting of the Supreme Court, regional courts, and district courts. The president appoints judges based on the proposals of the Judicial Council, the principal organ of self-governance within the judiciary. The Minister of Justice appoints the chairmen and vice chairmen of courts.

A U.S. State Department report released in February 2014 cited corruption, intimidation of judges, inefficiency, and a lack of integrity and accountability as continuing barriers to judicial independence in Slovakia.⁵⁷ The report also cited claims by some judges that they were subjected to pressure aimed at influencing their decisions as well as intimidation through threats of disciplinary action. The report further claimed that high-level judicial officials exerted inappropriate influence on case assignments and the composition of judicial panels.

In June, Slovakia's parliament passed a constitutional amendment that introduced new screening procedures for judges, including background checks conducted by the National Security Office with Judicial Council oversight. Civil society groups criticized the new procedure as a potential channel for political influence on the judiciary.⁵⁸ In mid-September, the Constitutional Court temporarily suspended the provisions of the amendment concerning security-clearance requirements in order to examine whether they are constitutional. Another provision of the amendment formally separated the positions of Supreme Court chairman and head of the Judicial Council, in what most believe to be a positive step towards depoliticizing the judiciary.⁵⁹

Nepotistic selection of new judges continues to undermine the independence of the judiciary. According to a study by TIS, one in five judges has close relatives who are also employed in the judiciary (either in the court system or in the Ministry of Justice).⁶⁰ Nepotism is also a notable factor in the make-up of other legal occupations, notably among prosecutors.

In August 2014, the Constitutional Court finally ruled on a two-and-a-half-year-old reform intended to make the appointment of prosecutors more transparent. As a result, dozens of prosecutors abruptly lost their jobs.⁶¹ Only prosecutors who had been appointed after October 2011 were allowed to stay on the job, though many ended up working on an interim basis until a selection procedure for replacements could be implemented. The Constitutional Court is frequently criticized for such delays. It has yet to rule on the constitutionality of a September 2011 challenge to the State Citizenship Act that seeks to prevent Slovaks from holding dual citizenship.

In July, President Kiska refused to appoint a pair of Constitutional Court judges nominated by the Smer-SD party.⁶² After Smer-SD nominated six replacements for three spots on the court, Kiska appointed just one of them, noting that he did not see "a lasting interest in a constitutional judiciary, in constitutional law" in the cases of the other candidates. The rejection sparked a brief war of words between the president and Prime Minister Fico, and the two court seats in question remain vacant. Kiska has since publicly called for a reform of the judicial nomination process.⁶³

Longtime Supreme Court chairman and Judicial Council head Štefan Harabin, an ally of Smer-SD, was nominated for reelection to his dual post in 2014. Thirteen Supreme Court judges protested the nomination, as did civil society groups and individuals. Harabin was allowed to run in May but lost the vote.⁶⁴ He also failed in his attempt to maintain a seat on the Judicial Council.⁶⁵ During his 10-year tenure, he was accused of cronyism and intimidation in the selection and appointment

of judges.⁶⁶ Harabin also brought numerous lawsuits against the media. Supreme Court Judge Daniela Švecová replaced Harabin as Court chairman and Judge Jana Bajánková will lead the Judicial Council in the wake of the judicial reform amendment. While most observers agree that Harabin's departure is a positive development, his departure was likely the result of public and political pressure rather than a sign of a widespread improvement of ethical standards in the country's judiciary.⁶⁷

The mandate of Slovak judge Ján Šikuta on the European Court for Human Rights (ECHR) in Strasbourg should have expired in mid-2013 but the Parliamentary Assembly of the Council of Europe (PACE) has rejected two rounds of candidates proposed by Slovakia's Judicial Council on the grounds of insufficient qualifications. Šikuta remained an acting ECHR judge at year's end.⁶⁸

Corruption

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
3.00	3.25	3.25	3.25	3.75	3.50	3.50	3.75	3.75	3.75

Corrupt practices in Slovakia have deep roots and are tolerated by a relatively large share of the population. Since the end of the 1990s—when pro-reform political forces enacted a number of important anticorruption measures, such as the establishment of specialized courts and offices for curbing organized crime and corruption—Slovakia has developed a progressive institutional framework for fighting graft and improving transparency in the public sphere. Nevertheless, corruption remains a serious problem, most notably in public procurement and the health sector.

A constitutional law on conflict of interest bars 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 corporations, or receiving income in excess of the minimum wage generated by a side job. However, public officials are not required to give a full public accounting of the sources of their income and there are no laws regulating the private gifts they accept. In the run-up to the 2012 parliamentary elections, most campaigning parties, including Smer-SD, pledged to pass new laws increasing the disclosure of public officials' personal property; however, no such measures were adopted in 2013 or 2014.⁶⁹

Other bills adopted during the last decade introduced the principle of zero tolerance for corruption among notaries and marshals; compulsory disclosure for customs officers; and the creation of the post of controller for local and regional self-governance bodies. All Slovak institutions financed from public funds are subject to the supervisory authority of the NKÚ. In November, the parliament approved long-awaited legislation on protection of whistleblowers who report on corrupt or unethical behavior by their employers.⁷⁰ The legislation was drafted by the Interior Ministry in cooperation with TIS and will go into effect in 2015.

An amendment to the Public Procurement Act in 2013 introduced an electronic “marketplace” for the purchase of goods and services under a certain limit. The limit ranges from a few thousand euros to €130,000 depending on the purchase and excludes services provided by lawyers and consultants. Over-the-limit goods and services are still procured centrally through the Interior Ministry.⁷¹ Prior to full implementation, the e-marketplace was tested between July and October 2014 across 34 trades. In November, the Interior Ministry reported that the experiment had saved the state roughly €21,000. Critics questioned whether the number of trades was sufficient to draw reasonable conclusions regarding the system’s success when operating at full scale.⁷² There are also concerns as to whether the cost of the system will be matched by the amount saved, whether the technology of the system will prove reliable, and whether the large number of exemptions available for certain goods and services will render it ineffective.⁷³ The system is expected to be fully implemented in early 2015.

The 2013 amendment also established a new body to assess appeals—the Council of the Public Procurement Office (ÚVO). Its members include the chairman and vice chairman of ÚVO as well as seven other representatives suggested by municipalities and NGOs and appointed by the central government.

A number of widely publicized corruption cases in 2014 demonstrated the persistence of clientelist practices in the allocation of public funds. In September, consulting firm Star EU, a Slovak subsidiary of the Czech Republic–based Star company that specializes in advisory services for drawing EU funds, was found to have won all 70 of the public tenders it applied for in cities led by a member of the Smer-SD party.⁷⁴ No prosecutions had been initiated in the case at year’s end. According to a 2014 study by TIS, about 48 percent of all bribery cases that make it to court concern alleged bribes under €20. Bribes greater than €100 account for just one-quarter of all cases assessed by courts. Though accusations abounded, only 5 percent of court cases in 2014 dealt with serious corruption related to public tenders, European funds, or elections.⁷⁵

The year’s most egregious corruption allegations involved the purchase of medical equipment by a state hospital in the city of Piešťany. Just before the 2012 parliamentary elections, the hospital announced a tender to purchase Siemens-made CT scanner for roughly €1 million using revenues from value-added tax (VAT). However, after the elections the board came under the control of the winning party, Smer-SD, and promptly announced a new tender for the scanner. Medical Group SK’s winning bid came in at €1.6 million for a much more expensive Philips-made product, which also appeared to be overpriced. Revelations about the deal were first reported by the private television station Markiza in October. Medical Group SK, it was reported, had been founded by then–parliamentary speaker Pavol Paška. Renáta Zmajkovičová, parliament’s deputy speaker, was the head of the hospital board. Both denied wrongdoing but also promptly resigned their posts amid widespread public indignation.⁷⁶

According to Transparency International’s 2014 Corruption Perceptions Index, one in five households in Slovakia reported paying a bribe for health care every year,

and health care was perceived as the sector most affected by corruption. Slovakia's ranking in the TI study improved in 2014, primarily because of the new law protecting whistleblowers, new legislation for the formation of political parties, and the proposed e-marketplace for public procurement bids.⁷⁷ However, TIS stressed that the success of these new measures will depend on their proper implementation in the future.⁷⁸

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