

Slovakia

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Capital: Bratislava
Population: 5.4 million
GNI/capita: US\$19,220

The data above was provided by The World Bank, *World Bank Indicators 2009*.

Nations in Transit Ratings and Averaged Scores

	1999-2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Electoral Process	2.50	2.25	1.75	1.50	1.50	1.25	1.25	1.50	1.50	1.50
Civil Society	2.25	2.00	1.75	1.50	1.25	1.25	1.25	1.50	1.50	1.75
Independent Media	2.25	2.00	2.00	2.00	2.25	2.25	2.25	2.25	2.50	2.75
Governance*	3.00	2.75	2.25	2.25	2.25	n/a	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	2.75
Local Democratic Governance	n/a	n/a	n/a	n/a	n/a	2.25	2.00	2.00	2.25	2.50
Judicial Framework and Independence	2.50	2.25	2.00	2.00	2.00	2.00	2.00	2.25	2.50	2.75
Corruption	3.75	3.75	3.25	3.25	3.25	3.00	3.00	3.25	3.25	3.25
Democracy Score	2.71	2.50	2.17	2.08	2.08	2.00	1.96	2.14	2.29	2.46

* Starting 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

Nineteen years after the fall of the Communist regime, Slovakia has a pluralistic democratic political system and functioning market economy. From 1993 to 1998, democratic political forces were threatened by the authoritarian practices of nationalist and populist parties that ruled the country at that time. The 1998 parliamentary elections brought to power a broad coalition of democratic political forces that promptly remedied deformations caused by the previous authoritarian administration. Thanks to extensive political and socioeconomic reforms, Slovakia managed to catch up in the European integration process and joined the European Union and NATO in 2004. The taxation system's reform, changes in labor law, recovery of the banking sector, and decentralization of public administration made the country attractive to foreign investors, boosted its gross domestic product, and substantially reduced the unemployment rate.

Frequent political conflicts and corruption scandals, however, have reduced voter support for reform-oriented democratic forces. The 2006 parliamentary elections brought to power a coalition government comprising parties that had criticized the liberal reforms and used populist methods of appealing to voters—Smer–Social Democracy (Smer-SD), self-declared social democrats, the Slovak National Party (SNS), radical nationalists, and the People's Party–Movement for a Democratic Slovakia (ĽS-HZDS). The inherited economic development created comfortable conditions for the new government led by Prime Minister Robert Fico, chairman of Smer-SD. In 2008, Fico's cabinet was not forced to adopt any austerity measures—the ruling coalition enjoyed a comfortable parliamentary majority, and the Fico administration de facto halted the process of liberal reforms. During the year, the following trends could be observed: broadened state interventionism in the economy and social policy, clientelism in filling government and public posts, and an increased ethnocentric element in domestic politics.

National Democratic Governance. In 2008, the political system in Slovakia remained stable, and government institutions performed their duties relatively effectively. At the same time, problematic trends inherited from 2007 developed. The ruling coalition continued to use its majority in Parliament to negate legislative initiatives by opposition deputies. Parliament passed declarative documents in an attempt to usurp powers that did not belong to it, and party clientelism became the modus operandi of the ruling coalition (supported by Prime Minister Robert Fico). Retroactive efforts to intervene in previously agreed rules undermined the principle of legal safety, particularly in relations between government and owners of privatized enterprises. *Owing to disturbing nonconsensual elements in Parliament's performance, confrontation between the ruling coalition and opposition, and challenges*

to the established system of checks and balances, Slovakia's rating for national democratic governance worsens from 2.50 to 2.75.

Electoral Process. In 2008, Slovakia did not hold any nationwide elections and no principal changes were made to the currently valid electoral legislation, which provides adequate conditions for fair political competition. The only legislative change was a technical amendment to the Law on Elections to the European Parliament. In one regional Parliament, the ruling coalition attempted to change the borders of constituencies in order to achieve political profit; furthermore, this case of gerrymandering was aimed against political representatives of ethnic Hungarians. The seats in the national Parliament are divided among six (three ruling and three opposition) political parties. The power ratio between the ruling coalition and the opposition in Parliament remained unchanged in 2008. The situation of two opposition parties Slovak Democratic and Christian Union—Democratic Party (SDKÚ-DS) and Christian Democratic Movement (KDH) became complicated after several deputies deserted their parliamentary caucuses; however, they have not joined the ruling coalition and operate in the assembly as independent deputies. *The country's rating for electoral process in 2007 remains unchanged at 1.50.*

Civil Society. In 2008, Slovakia's civil society remained vibrant. The non-governmental organization (NGO) sector has a well-developed infrastructure, training, and research base. The legal and regulatory environment is free of excessive state pressures, and taxation is favorable. Yet the Fico administration is less open toward NGOs than its predecessor, and the government is not receptive to policy advocacy groups and civic initiatives. The processes of re-etatization of various activities in the public sphere continued, while civic initiatives mobilized against certain governmental institutions and powerful financial groups. *Owing to the Fico administration's evident distrust of civil society, frequent verbal attacks by ruling politicians, and the absence of legislation improving the long-term sustainability of civil society structures, Slovakia's rating for civil society worsens from 1.50 to 1.75.*

Independent Media. In 2008, the ruling political elite, courts, and regulatory organs continued to pressure Slovak media and journalists. Verbal degradation of journalism as a profession and the recently adopted Press Act may in the long term negatively affect media independence. The government strengthened its influence over public service media along with legislative proposals seeking to increase their financial dependence on government, which reduced space for their desired and law-entitled role within society. In 2008, officials articulated attitudes and positions on the media that created space for increasing the ruling political elite's influence over media content and performance. *Owing to politically motivated legislation, restriction of the space for freedom of speech, government pressure on public service media, and frequent verbal attacks by Prime Minister Fico on independent journalists, the country's rating for independent media worsens from 2.50 to 2.75.*

Local Democratic Governance. Thanks to public administration reform 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 2008. At the same time, the government furthered its centralist public administration concepts and strengthened positions of executive power and select economic groups at the expense of self-governments and their functions. Parliament did not approve any legislative initiatives to deepen decentralization or strengthen self-governance democracy. On the contrary, the associations of regional and local self-governance frequently clashed with the government over legislative bills concerning their performance. *Owing to persistent centralist trends to limit the development of local democracy, the country's rating for local democratic governance worsens from 2.25 to 2.50.*

Judicial Framework and Independence. In 2008, Parliament passed laws improving the protection of certain human rights, including amendments to the Antidiscrimination Act and Law on Free Access to Information. Yet the cabinet's measures in other areas ignored the rights of particular population groups (that is, ownership rights of people inhabiting areas intended for investment projects). The new Press Act poses significant risks to freedom of speech and the media. Measures by the justice minister provoked serious concern, and there were suspicions that the Constitutional Court's adjudication on certain cases was affected by political influences. In 2008, interethnic relations further deteriorated, exacerbated by a cabinet measure to replace Hungarian geographic names with Slovak equivalents in the textbooks of ethnic Hungarian pupils. Ruling coalition leaders made racist public statements, while the overall number of racially motivated crimes increased. *Owing to negative developments in interethnic relations, Slovakia's rating for judicial framework and independence worsens from 2.50 to 2.75.*

Corruption. Corruption continues to rank among the most pressing social problems in Slovakia. While anticorruption measures adopted by the previous administration created generally favorable institutional conditions to combat corruption, the intensity of the government's anticorruption campaign declined perceptibly in 2008. Several corruption and clientelism scandals broke out, and the cabinet was selective in calling involved officials to account. NGOs monitoring corruption and transparency of public life reproached the incumbent administration for its nonsystemic approach and increasingly prevalent clientelism. The prime minister repeatedly attacked such groups, questioning the moral integrity of their representatives and accusing them of furthering the political interests of the opposition. *Owing to the passivity of the current administration in fighting corruption, the absence of important legislative initiatives, and the persistence of open clientelism, Slovakia's rating for corruption remains at 3.25.*

Outlook for 2009. The ruling coalition of Smer-SD–SNS–ES–HZDS is very likely to preserve its strong position in 2009, continue to weaken opposition parties,

and prepare the ground for ruling parties in the next parliamentary elections scheduled for 2010. In March–April 2009, Slovakia will hold direct presidential elections, elections to the European Parliament, and regional elections. Presidential candidates with realistic chances for election include the incumbent president Ivan Gašparovič, supported by ruling parties Smer-SD and SNS, and Iveta Radičová, a joint opposition candidate who has been endorsed by SDKÚ-DS, KDH, and the Hungarian Coalition (SMK). The implications of adopting the single European currency scheduled for January 2009, combined with the global financial crisis, may affect the public's political sympathies and electoral behavior.

MAIN REPORT

National Democratic Governance

1999–2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
n/a	n/a	n/a	n/a	n/a	2.00	2.00	2.25	2.50	2.75

The Slovak Republic is a stable democracy with a generally effective system of governmental checks and balances. The cabinet reports to and has the right to recall the legislative assembly. The president may veto laws adopted by the Parliament; in order to pass vetoed legislation, the Parliament is required to subsequently muster a qualified majority. The Constitutional Court acts as an independent judicial body protecting the Constitution. 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. Unfortunately, practical implementation of the 2000 Law on Free Access to Information often encounters resistance from the bureaucratic apparatus, and in 2008 (according to a FOCUS poll), 30 percent of respondents did not know of the law's existence. On the other hand, the ongoing process of making public administration services available online has created more favorable conditions for citizens.

More than 90 percent of Slovakia's gross domestic product is produced by the private sector. Since 1998, the government's drive toward liberalization, in policy and practice, has been the chief development trend within Slovakia's economy. However, the incumbent administration of Prime Minister Robert Fico has strengthened the executive's role in the economy by cementing government regulatory mechanisms. Through the Office for Regulation of Network Industries (ÚRSO), which sets utility and fuel prices, the Fico administration has brought pressure to bear on foreign co-owners of Slovak energy enterprises. Prime Minister Fico overtly threatened German and French co-owners of the multi-national energy company SPP with nationalization of the gas supplier if they opposed his administration's regulation policies.

Since the collapse of the Communist regime in 1989, there have been no violent attempts to usurp political power in Slovakia, and all political players respect the fundamental rules of parliamentary democracy. However, between 1993 and 1998, a coalition of authoritarian and nationalistic parties attempted an illiberal, undemocratic concentration of political power. Since the return of democratic forces in 1998, the execution of power on all levels has not departed from the basic constitutional framework. After parliamentary elections in June 2006, a new ruling coalition was formed comprising Smer–Social Democracy (Smer-SD), self-declared social democrats, the Slovak National Party (SNS), radical nationalists,

and the People's Party–Movement for a Democratic Slovakia (ĽS-HZDS). The two minor parties—ĽS-HZDS and SNS—were directly responsible for the earlier authoritarian deformations. The ruling coalition currently controls 84 out of 150 seats in the Parliament, which gives it a comfortable majority.

In 2008, the ruling coalition continued to concentrate political power and frequently provoked conflicts by rejecting virtually all legislative initiatives from the opposition. The government's efforts to pass a new Press Act seeking to curb freedom of the press stalemated the ratification of the European Union (EU) Lisbon Treaty in Parliament in the first half of 2008. In February, Parliament passed a resolution to take over powers belonging to law enforcement organs, which, according to opposition leaders as well as several legal experts, violated the principle of division of power. The cabinet openly pursued clientelist practices, which Prime Minister Fico argued were part and parcel of politics. In August, he declared that privileging projects proposed by persons close to ruling parties was acceptable and that similar practices were allegedly in place everywhere in the world. This approach may catalyze further expansion of clientelism, thus undermining established democratic mechanisms.

The National Council (Parliament) is a sovereign body. 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. However, in 2008 the ruling coalition attempted to block an opposition proposal to carry out a deputy inspection in certain government institutions. Deputies for the dominant ruling party, Smer-SD, deliberately reduced the chances for opposition deputies to interpellate the prime minister by massively submitting identical interpellation questions. Most parliamentary deliberations are open to the public and media, and bills and assembly votes are posted on the Parliament's Web site.

The deterioration of public participation in decision making was a disturbing trend in 2008. Although having acceded to the Aarhus Convention on Access to Information, Participation in Decision Making, and Access to Justice in Environmental Matters, Slovakia was criticized at a conference of member states in June in Riga, Latvia, for its legislative amendments curbing the participation of civic associations in decision making. The European Commission launched proceedings against the Slovak Republic for violating European legislation in this area.

Political party activities within the armed forces and other state institutions are forbidden. All state agencies are subject to control by the Supreme Audit Office (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. Reform of the armed forces over the past decade has introduced civilian controls in line with NATO, which Slovakia joined in 2004.

Electoral Process

1999–2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
2.50	2.25	1.75	1.50	1.50	1.25	1.25	1.50	1.50	1.50

The authority of the Slovak government is based on freely exercised universal suffrage. Since the collapse of the Communist regime in 1989, Slovakia has held six parliamentary elections (1990, 1992, 1994, 1998, 2002, and 2006), five municipal elections (1990, 1994, 1998, 2002, and 2006), two regional elections (2001 and 2005), two presidential elections (1999 and 2004), and one election to the European Parliament (2004). International and domestic election-monitoring organizations 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.

In Slovakia, business groups strive to benefit from their representatives' close relations with officials. The Slovak Confederation of Trade Unions (KOZ) tries to influence government policies in social and economic areas through its privileged relations with the dominant ruling party, Smer-SD. The Catholic Church tends to support conservative parties, but the leftist-nationalist administration of Prime Minister Fico attempts to neutralize this affinity by increasing state budget subsidies to churches.

Parliamentary elections are based on a proportional system, and the minimum quorum for individual parties to qualify for the assembly is 5 percent of the popular vote (for two- or three- party-coalitions it is 7 percent). The electoral rules also include a system of preferential votes. A candidate who receives more than 3 percent of a party's preferential votes is treated preferentially in the allocation of mandates. Elections to the European Parliament use a proportional system. Elections to local and regional self-governments use a modified majority electoral model. Slovakia's president, regional governors, and mayors are directly elected using a majority model (with two rounds of voting in the case of the president and regional governors).

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 parliamentary elections. The Law on Elections to the National Council of the Slovak Republic, passed in 2004, introduced a deposit of 500,000 koruna (roughly US\$20,000), which is refunded to all parties receiving at least 3 percent of the popular vote; other party deposits are forfeited to the state budget. In 2008, a total of 40 political parties reregistered with the Ministry of the Interior. The Supreme Court is entitled to dissolve political parties that violate the Constitution, constitutional laws, or international treaties. Motions to dissolve a political party must be filed by the attorney general. Currently, five Slovak parties are represented in the European Parliament.

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 54.7 percent turnout in 2006 was the lowest since

1990). In 2004, the presidential elections recorded a turnout of 47.9 percent (first round) and 43.5 percent (second round). Municipal and regional elections typically show lower turnout than national elections. Membership in political parties is relatively low at approximately 100,000 out of 4.2 million eligible voters.¹

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 at 10 percent of the total population.² Traditionally, ethnic Hungarians have a high rate of political mobilization; as a result, this minority is represented effectively, mainly through the Hungarian Coalition Party (SMK). Following the parliamentary elections in 2006, the SMK found itself in the opposition, and many of its representatives were removed from state administration posts by the new ruling coalition. In July 2008, the Nitra regional assembly changed the borders of its constituencies, a harshly criticized act of gerrymandering with an implicit goal to increase the number of Slovak deputies and reduce the number of ethnic Hungarians in the assembly.

By contrast, the Roma minority is not sufficiently represented owing to the ethnic group's low social status and limited access to education, a virtual absence of political leaders, and the inability of mainstream political parties to cooperate with Romani organizations. No Romani political parties have gained a foothold in executive or legislative organs at the national or regional level. The only registered party representing Romani interests—the Romani Initiative of Slovakia—struggles for credibility, even among Roma.

Civil Society

1999–2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
2.25	2.00	1.75	1.50	1.25	1.25	1.25	1.50	1.50	1.75

Since the parliamentary elections of 2006, the previously cooperative relations between governmental institutions and nongovernmental organizations (NGOs) have disappeared, and this atmosphere of mutual distrust has extended into the administration of Prime Minister Fico. Happily, most of the threats toward the NGO sector did not materialize, and civil society initiatives protecting public interests against the state and corporate sector have started to mobilize and interconnect their activities. During 2008, Slovakia's civil society continued its path toward "Europeanization," though it is influenced more by an American "Tocquevillian" understanding of civil society than by the continental European version.

Slovak civil society continues to be dynamic and vibrant. In 2008, the Ministry of the Interior listed 34,064 NGOs, of which the overwhelming majority (90.1 percent) were civil associations (societies, clubs, associations, movements, trade unions, international NGOs, and various sports clubs). The public image of civil society organizations remains positive, although NGOs are not always accorded equal status with state institutions. For instance, the Law on Social Services adopted

in October 2008 violates the right of handicapped citizens to freely select their social services provider, privileging state over private providers.

Ethnic minorities are represented primarily by cultural and civic organizations. While the Hungarian minority is well represented at all levels, Roma are almost 20 times underrepresented in comparison. Organizations for women do not encounter major obstacles, although their public image is often influenced by stereotypes. Religious groups play the most significant and visible role in charitable activities, including Roman and Greek Catholic, Lutheran, Orthodox, Reformist, Jehovah's Witness, Pentecostal, and Jewish groups. Openly extremist and racist organizations are illegal but operate increasingly on the Internet. The neo-Nazi-oriented civic association *Slovenská Pospolitosť* (Slovak Community) was dissolved in November 2008.

Slovakia's legal and regulatory environment for civil society is free of excessive state pressure or bureaucratic limitations, and NGO registration is easy. The basic legislative framework for NGOs is provided by the Constitution, which guarantees freedom of expression (Article 29), freedom of assembly (Article 28), and freedom of association (Articles 29 and 37). Legal entities and private persons may establish nonprofit organizations, and the Ministry of the Interior acts as both the registry and supervising institution. NGOs are exempt from paying taxes on income and gifts. In 2008, taxpayers were allowed to donate 2 percent of their income tax for charitable purposes (Law on Income Taxes No. 561/2001). Restrictions to this provision in 2007 for some categories of NGOs (later reversed under massive public pressure) revealed the level of government distrust and its desire to limit the activities of entrepreneurial organizations.

Slovakia's civic sector has a well-developed infrastructure and basis for training and research. Numerous NGOs provide training for other actors in the third sector. The Internet portal *ChangeNet.sk* provides information services and a platform for exchange among NGOs. The 2008 campaign *Public Bodies Should Serve Citizens* united various civic initiatives to challenge governmental bodies and corporate entities. Cooperation with the government was uneasy in 2008, but the Council of the Government for Nongovernmental Organizations proved helpful in communicating issues important to civil society, such as stopping the proposed bill on civic associations and securing a presence for NGO representatives on the monitoring councils for EU structural funds.

Western assistance to NGOs has been instrumental in developing civil society in Slovakia, but EU funds have also brought new challenges. The system of reimbursement on completion of projects, which directly endangered NGOs, has been moderated in recent years. Nevertheless, the opinion among many NGOs is that the European Commission, in spite of significant amounts of money available, does not possess a sustainable model for supporting civil society activities. In 2008, there were various problems connected with the redistribution of euro funds, and some NGOs worked to bring in more funds from local businesses, although results were modest. Corporate social responsibility is relatively low in the Slovak business community.

Prime Minister Fico's cabinet has been unreceptive to policy advocacy groups. Slovak think tanks and watchdog groups are perceived by the ruling coalition as a threat to the stability of the government and are increasingly subject to verbal attacks by public officials. By contrast, NGOs received significant and predominantly positive coverage from public and private media in 2008. Blogs and information portals established by NGOs played an important role in mobilizing the public for pro bono activities.

The majority of workers organized within trade unions are members of KOZ, but membership numbers are shrinking year by year. Trade unions are perceived by the public not as an integral part of civil society, but rather as part of the political establishment. In 2008, KOZ prolonged its political alliance with the main ruling party, Smer-SD, and was directly involved in party politics.

The country's education system has been free from direct political influence. However, recent statements by Prime Minister Fico on the necessity to strengthen "patriotism" among younger Slovaks have caused concern. Additional practical steps by Education Minister Ján Mikolaj (SNS) demonstrated the ability and preparedness of the administration to introduce politicizing ethnocentric elements into the school system.

Independent Media

1999–2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
2.25	2.00	2.00	2.00	2.25	2.25	2.25	2.25	2.50	2.75

Freedom of speech in Slovakia is protected by the Constitution. In 2008, Parliament passed a new Press Act; despite protests by domestic and international organizations the new law features provisions that strengthened the right of publicity and introduced the right to response. While the former measure improved the capacity of wronged parties to enforce correction of published mistruths or allegations, the latter measure binds media to publish reactions to already published information regardless of its truthfulness, which creates excessive space for political and economic elites to intervene, and encourages "self-regulation" by journalists. Initial implementation indicates that the new law was used especially by the ruling political elite, and abuse of the right to response could be observed in the regional press.

Slovak journalists are protected from victimization by powerful state or nonstate actors, and the country's legal system is free of provisions punishing them for "irresponsible" journalism. Nevertheless, government officials verbally struck out at the media with intensifying attacks in 2008, coming to a peak with Prime Minister Fico publicly calling journalists "prostitutes" and "idiots." Such verbal degradation of journalism and legislative threats may negatively affect media independence in the long run. Additionally, there is an increasing number of decisions by the courts,

the Council for Broadcasting and Retransmission, and other regulatory organs that may be interpreted as limiting the freedom of the press. One court ruling, for example, found a private radio station guilty of violating the law by paraphrasing a politician's statement in its news broadcast, arguing the radio station was responsible for the statement's content.

Journalists and newsrooms are partially free of interference from the government or private owners; however, the ruling elite's desire to influence media content has grown stronger. While the dependence of Slovak Television (STV) and Slovak Radio (SRo) on the government did not see any formal changes during the year, the ruling coalition confirmed its ambition to tighten the leash on both public service broadcasters by pushing through its candidates onto the control organs of both institutions in the 2008 by-election. In November, the cabinet proposed to remove a chairman of the Telecommunications Office (TU) for poorly managing the public tender to choose the digital broadcasting operator. In response, the TU chairman accused national private television broadcasters of selecting a convenient model of transition to digital broadcasting in return for a promise not to "cause problems" before the 2010 elections.

According to a survey by the Institute for Public Affairs (IVO)³, TV news programs remain the main source of information for two-thirds of Slovakia's population. However, the popularity of the Internet as a credible medium has grown year by year with the rapid development of new communication channels. As of the end of 2008, 12 percent of Slovaks considered the Internet their principal information source, more credible than print media (11 percent) or radio (9 percent), which had dominated news reporting for decades.

Slovak media are privately operated with the exception of the public service broadcasters STV and SRo, which are controlled by councils whose members are appointed by Parliament and the state-run TASR press agency. The presence of TASR distorts the country's news agency market, as generous state subsidies amount to 50 percent of the agency's returns and allow it to offer services cheaper than competitors. As for private TV stations, their efforts to gain a competitive edge in the country's transition to digital broadcasting may be reflected in their lenient reporting on the ruling coalition.

Despite the adoption in 2008 of a new Law on Fees for Television and Radio Broadcasting, both public service broadcasters continued to face long-term underfinancing. The cabinet also adopted an administrative decision to reduce public broadcasters' share of advertising revenues, which will increase their financial dependence on the government and further deteriorate their ability to perform their law-stipulated mission.

The Slovak Syndicate of Journalists (SSN), the country's largest professional organization, initially endorsed the submitted draft of the controversial Press Act in 2008, but later joined the camp of overt opponents; following the enactment of the legislation, the SSN considered challenging its constitutionality. It was a notable surprise, therefore, when the SSN chairwoman was one of the first officials to exercise the right to response in compliance with the law.

Local Democratic Governance

1999–2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
n/a	n/a	n/a	n/a	n/a	2.25	2.00	2.00	2.25	2.50

The Slovak Constitution and applicable laws provide an adequate framework for self-governance at regional and local levels, 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. Thanks to fiscal decentralization, the gross income of self-governance organs has grown in recent years. Municipalities independently allocate about 72 percent of their total revenues.

The establishment of state and self-governance institutions is subject to laws passed by the Parliament, yet local self-governments may initiate pro bono nonstate organizations that focus on aiding local development. To communicate their priorities to government institutions, self-governments use groups such as the Association of Slovak Towns and Villages, Union of Slovak Towns, Association of Regional Capitals K–8, and Association of Self-Governing Regions SK8.

Although government institutions and self-governance organs usually cooperate, in 2008 the central government organs, regional, and local self-governments differed on tackling certain issues. An amendment to the Construction Act passed in May created a furor by allowing developers to circumvent valid municipal plans, thus creating a breeding ground for conflicts between self-governments and businessmen. Associations of self-governance organs called the amendment harmful to the development of self-governance democracy. Under pressure from self-governance organs, President Ivan Gašparovič refused to sign the amendment and referred it back to Parliament, where it failed to pass a repeat vote. Overall, the rhetoric of government officials in 2008 was virtually free of decentralization motives and the promotion of self-governance and local democracy; on the contrary, officials frequently presented statements about strengthening the role of government and its institutions.

The Government Council for Public Administration is an advisory body with representatives of central and local state administration organs, regional and local self-governments, associations of towns and villages, regional assemblies, and academic experts. Among the 25 council members, 16 represent central government organs; the remaining members represent academic institutions, regional self-governments, local and municipal self-governance associations, trade unions, and Parliament. The council’s chairman is the interior minister, and detailed information on council deliberations is published on the Ministry of the Interior’s Web site. The council analyzes implemented measures and assesses the potential impact of proposed legislation.

The Constitution and relevant laws allow citizens to exercise their right to suffrage at the local level. Representatives of self-governments (deputies of municipal councils and regional assemblies, mayors, and regional governors) are elected in direct 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.

The level of public participation in 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 close attention to issues of local democracy and self-governance. The most active in this respect are regional and local media outlets. This increased media attention reflects the greater social relevance and political importance that self-governance organs gained in the public administration reform, particularly in their ability to allocate EU funds to regional and local development.

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. Should the state administration interfere with local matters, self-governments may appeal to the Constitutional Court. The law allows self-governments to form associations with other domestic and foreign self-governance institutions in order to assert their interests and tackle local problems. Self-governance organs, especially regions and larger municipalities, frequently cooperate with partners from neighboring countries and abroad. The internal control of self-governments is entrusted to chief controllers, who are appointed for six-year terms. Externally, the NKÚ controls all funds expended by self-government organs and supervises the financial management of legal entities they establish. Meetings of self-governance bodies are open to the public.

Judicial Framework and Independence

1999–2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
2.50	2.25	2.00	2.00	2.00	2.00	2.00	2.25	2.50	2.75

The Slovak Constitution, Bill of Fundamental Rights and Freedoms, and other laws provide a framework for the protection of human rights. The exercise of political rights is regulated by the Law on Political Parties and various election laws. The Constitutional Court hears complaints regarding violations of human rights and also issues verdicts. An extensive 2001 amendment of the Constitution introduced a public defender of rights.

As a member of the Council of Europe, Slovakia has ratified all important international human rights documents. Citizens may turn to the European Court of Human Rights (ECHR) if Slovak judicial institutions are unable to

take action or provide a remedy. In 2008, 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 2008, Parliament passed an amendment to the Antidiscrimination Act, including so-called equalization (affirmative action) measures to encourage disadvantaged population groups in employment, education, culture, and health care spheres. These measures will be applied particularly with respect to Roma, an ethnic group with low social status, inadequate standard of living, high unemployment, and limited access to education. The amendment also introduced a ban on sexual harassment and simplified court cases involving suspected discrimination. In June, Parliament passed an amendment to the Law on Free Access to Information for weak-sighted and sightless citizens.

The Constitutional Court is an independent and unrestricted element of the Slovak judicial system, and its verdicts are legally binding. The right to appeal to the Court regarding the unconstitutionality of laws and government regulations 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, self-governments also enjoy this right. Citizens are free to turn to the Constitutional Court if they believe their constitutional rights have been violated by a state organ.

In 2008, there were no attempts to use direct administrative pressure on the Constitutional Court to influence its deliberations or verdicts. However, there were suspicions that some justices showed political bias toward particular motions. Throughout the year, the Constitutional Court was unable to adopt a formal decision concerning the controversial 2007 law overseeing highway construction, which infringed on citizens' ownership rights and came to be known as the Expropriation Act. The Court's reluctance to adjudicate may be explained by the personal ties between Constitutional Court vice chairman and judge-reporter Milan Lalík and Justice Minister Štefan Harabin. Former colleagues from the Supreme Court, both men have become notorious for their friendly relations and concurrent views.

The Constitution guarantees equality before the law regardless of sex, race, skin color, language, religion, political preference, nationality or ethnicity, property status, or other categories. However, women and other groups (for instance, the Roma) are inadequately represented in public posts. In July 2008, the United Nations Committee on the Elimination of Discrimination Against Women noted that Slovakia had made progress in the field but that women in the country were still burdened by limited access to legal protection against discrimination, lingering gender stereotypes, limited access to sexual and reproductive health services, and in some cases violence and forced prostitution. In November, the Institute for Romany Public Policy and the Milan Šimečka Foundation concluded that the government failed to pursue coherent policies in tackling problems related to the status of Roma. According to DecadeWatch, Slovakia is the slowest of all post-Communist countries to integrate the Romani population into society.

Slovak-Hungarian relations continued to deteriorate in 2008, with frequent anti-Hungarian statements made by SNS representatives. NGOs initiated petitions to calm the rising tide of nationalism, and opposition leaders and independent media chastised Justice Minister Štefan Harabin and ĽS-HZDS chairman Vladimír Mečiar for anti-Semitic statements addressed to a colleague. A decision by Education Minister Ján Mikolaj to replace Hungarian geographic names with Slovak equivalents in textbooks for ethnic Hungarian pupils provoked fierce opposition. Ethnic Hungarian schools refused to distribute or use the textbooks.

In 2008, Slovakia saw a rise in racially motivated violence against Roma, Jews, and foreigners. According to police statistics, racially motivated crimes numbered 144 in 2008, doubling the previous year's figure. In the capital, Bratislava, and other municipalities, neo-Nazi and neo-Fascist groups organized demonstrations to promulgate racial intolerance. The Citizen and Democracy Foundation and other NGOs criticized the Ministry of the Interior for being slow to combat extremism and racially motivated crime. In November, the cabinet submitted an amendment to the criminal statute with stricter punishments for extremist and racist activities; however, NGOs claimed the amendment's vague formulations could be abused for political purposes and that the cabinet's motives were propagandistic in the context of recent developments in Slovak-Hungarian interstate relations.

Slovakia's Constitution guarantees the presumption of innocence, and the state is obliged to provide a defender to every person facing a criminal prosecution if the accused 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 torture or other maltreatment of prisoners or detainees were reported in Slovakia in 2008.

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.

International monitors confirm that the Slovak judiciary is independent to a satisfactory degree. However, public opinion is negatively affected by the courts' inefficiency, an overwhelming backlog of cases, and a common belief that the judiciary is plagued by corruption. An amendment to the Law on Courts of Justice passed in November 2008 strengthened the position of the executive in court administration, and Justice Minister Štefan Harabin overtly tried to discipline judges who publicly criticized Slovakia's judiciary or the justice minister's performance. Harabin's credibility was seriously undermined when he used anti-Semitic statements against a deputy who had signed a proposal for his removal and threatened to imprison him.

Corruption

1999–2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
3.75	3.75	3.25	3.25	3.25	3.00	3.00	3.25	3.25	3.25

Corruption ranks among the most pressing social problems in Slovakia. Between 2002 and 2006, the government adopted an anticorruption policy and established the Special Court and Office of the Special Attorney. It adopted a constitutional Law on Conflict of Interest, extended the supervisory powers of the NKÚ, and increased transparency of the public procurement process. Other measures included improving the corporate register and judicial management, strengthening supervision over regional and local self-governance organs, and increasing the number of exposed corruption cases.

The 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 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 controller in self-governance bodies. All Slovak institutions financed from public funds are subject to the supervisory authority of the NKÚ.

Yet after Prime Minister Fico took office in 2006, a significant decline was noted in the government's anticorruption activities. Over the past two years, the Fico administration has not adopted an anticorruption program or created administrative structures to combat corruption. The Department for Protection of EU Financial Interests and Combating Corruption at the Slovak Office of the Government has not published any reports on its activities or achievements, nor has it elaborated any documents related to combating corruption. The views presented by government officials as well as practical measures of the cabinet and the ruling coalition indicate that the incumbent administration has practically abandoned any systematic approach to combating corruption. At best, it appears to tackle only the consequences of corruption.

Since 2006, party clientelism has become the *modus operandi* of the ruling coalition, exemplified by numerous corruption scandals at national, regional, and local levels. In 2008, Justice Minister Štefan Harabin continued his crusade to undermine the legitimacy of the Special Court, and in February, ruling party deputies asked the Constitutional Court to proclaim the Special Court unconstitutional and to abolish it. Transparency International Slovakia (TIS), which since 1998 has participated in drafting all strategy documents and measures to eliminate corruption, announced in September 2008 that it would terminate its cooperation with the government, citing the cabinet's lukewarm approach to combating corruption and Prime Minister Fico's repeated defense of political clientelism and attacks on anticorruption NGOs.

In May 2008, Parliament ratified Slovakia's accession to the Council of Europe's Money Laundering Convention of 2005. In the same month, the assembly passed an amendment to the Public Procurement Act that reduced the financial limit of so-called above limit orders. The amendment also abolished the requirement to provide references for bidders of government contracts as one of the criteria for bid evaluation. On the one hand, this may reduce the importance of clientelist ties, but on the other, it may create the space for bidders without sufficient capacities or expertise. In a move that provoked a protest from the European Commission, the Ministry of Transport, Post and Telecommunications selected an adviser for the highway construction program without a public tender on a contract worth almost 400 million koruna Sk (US\$17.5 million). According to TIS, over 69 percent of public funds earmarked to purchase goods, services, and construction rights were allocated in nontransparent ways in 2007. In 2008, government contracts were frequently awarded to businesses whose statutory representatives or owners were connected to ruling parties.

Several corruption scandals drew public outcry in 2008. In January, Defense Minister František Kašický resigned after the media reported that lavishly overpriced public tenders for cleaning jobs had been organized with firms close to Smer-SD, the ruling party. In August, Agriculture Minister Zdenka Kramplová was removed on a motion filed by the ĽS-HZDS, apparently for a public tender whose outcome was unsatisfactory for ĽS-HZDS leaders. Prime Minister Fico did not initiate the removal of either minister; however, he took greater initiative in a case involving Environment Minister Jaroslav Izák (SNS), filing a motion to remove him for allotting subsidies to persons close to the party, as well as relatives of high ministry officials. The prime minister was much more lenient with his own party's nominees during the year, such as Finance Minister Ján Počiatek (Smer-SD), who was involved in an insider information scandal related to the announcement of the Slovak crown/euro fixed exchange rate.

A number of NGOs are active in fighting corruption and promoting transparency in public life, including TIS, the Alliance for Transparency and Corruption Combat, the Alliance to Stop Conflicts of Interest, and Fair Play Alliance. Although these organizations were free to pursue their monitoring activities, government statements in 2008 created a hostile atmosphere. Prime Minister Fico charged that such groups are connected to the political opposition, biased against his government, and financed from abroad. A survey released by IVO in November reported that 42 percent of respondents believed corruption, party clientelism, and nepotism in public life had worsened since the administration of Prime Minister Fico took power in 2006.

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- ¹ “Opozícia prišla vlani o vyše 3000 členov” [The Opposition Parties Lost in Recent Year More Than 3000 of their Members], *SME.sk*, August 6, 2008, <http://www.sme.sk/c/4008702/opozicia-prisla-vlani-o-vyse-3000-clenov.html>.
- ² See “Sčítanie obyvateľov, domov a bytov 2001” [Population and Housing Census 2001], <http://www.statistics.sk/webdata/slov/scitanie/namj.htm>.
- ³ Miroslav Kollár and Marián Velšic, *Názory na televíziu verejnej služby II* [Opinions on public service television II.] (Bratislava, Institute for Public Affairs, 2008), <http://www.ivo.sk/5326/sk/studie/nazory-na-televiziu-verejnej-sluzby-na-slovensku-ii->.

