

Slovakia

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Capital: Bratislava
Population: 5.4 million
GNI/capita, PPP: US\$22,980

Source: The data above were provided by The World Bank, *World Development Indicators 2012*.

Nations in Transit Ratings and Averaged Scores

	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Electoral Process	1.50	1.50	1.25	1.25	1.50	1.50	1.50	1.75	1.50	1.50
Civil Society	1.50	1.25	1.25	1.25	1.50	1.50	1.75	1.75	1.75	1.75
Independent Media	2.00	2.25	2.25	2.25	2.25	2.50	2.75	3.00	3.00	2.75
Governance*	2.25	2.25	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
National Democratic Governance	n/a	n/a	2.00	2.00	2.25	2.50	2.75	3.00	2.75	2.75
Local Democratic Governance	n/a	n/a	2.25	2.00	2.00	2.25	2.50	2.50	2.50	2.50
Judicial Framework and Independence	2.00	2.00	2.00	2.00	2.25	2.50	2.75	3.00	2.75	2.75
Corruption	3.25	3.25	3.00	3.00	3.25	3.25	3.25	3.75	3.50	3.50
Democracy Score	2.08	2.08	2.00	1.96	2.14	2.29	2.46	2.68	2.54	2.50

* 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

The trajectory of Slovakia's political development has changed several times since the country attained full independence in 1993. From 1993 to 1998, Slovakia was ruled by a series of coalitions between nationalist and populist parties, whose governance was repeatedly criticized by the international community for violations of minority rights, misuse of the secret service, and corruption. Many negative trends of this era were reversed after the 1998 parliamentary elections brought to power a broad coalition of pro-democratic political forces committed to addressing Slovakia's democratic deficit and setting Slovakia back on the path to European Union membership.

Two consecutive, pro-reform administrations launched extensive structural socioeconomic reforms and secured Slovakia's accession to the European Union and the North Atlantic Treaty Organization (NATO). The social impact of reforms in this period reinvigorated nationalist, anti-reform parties, which gained enough support to form a ruling coalition from 2006 to 2010. Under the pretext of building a strong "social" state, the administration led by Direction–Social Democracy (Smer-SD) Chairman Robert Fico discontinued the process of liberal-oriented economic reforms and pursued an agenda of broadened state interventionism, characterized by hostility to the independent press, clientelism in filling public service positions and spending public funds, and ethnocentrism.

Parliamentary elections in 2010 once again reconfigured the country's system of political parties, with pro-reform, center-right forces gaining the upper hand. In 2011, the administration of Iveta Radičová continued to focus on measures for strengthening Slovakia's economy and both curbing and increasing the transparency of public spending. Parliament approved legislation obliging public institutions to publish all contracts online and adopted amendments to increase transparency in public procurement and the judiciary. However, Radičová's government collapsed in October after the ruling coalition's failure to reach consensus on the expansion of the eurozone rescue fund—the European Financial Stability Facility (EFSF)—resulted in a vote of no confidence. Early parliamentary elections will be held in March 2012.

National Democratic Governance. The governing coalition of the Slovak Democratic and Christian Union–Democratic Party (SDKÚ-DS), the Freedom and Solidarity (SaS) party, the Christian Democratic Movement (KDH), and the Most-Híd ("Bridge") party adopted several important legislative and administrative measures aimed at strengthening the openness and effectiveness of Slovakia's political institutions. The political agendas of the president and constitutional court, however, challenged the functioning of some state institutions. *The country's rating for national democratic governance remains unchanged at 2.75.*

Electoral Process. Slovakia's electoral legislation provides adequate conditions for free and fair political competition. Following the June 2010 elections, seats in parliament were divided among six political parties, four from the ruling coalition and two from the opposition. There were no nationwide elections in 2011; however, a lack of consensus on the EFSF bailout fund caused the ruling coalition to collapse in October, triggering early parliamentary elections set for March 2012. *The country's rating for electoral process in 2011 remains unchanged at 1.50.*

Civil Society. Slovakia's civil society remains vibrant and enjoys a predominately positive public image. The legal and regulatory environment for civil society is free from excessive state pressure and bureaucracy, and nongovernmental organizations (NGOs) enjoy favorable tax laws. The NGO sector in Slovakia has a well-developed infrastructure as well as a strong training and research base. The government was extremely receptive to policy and advocacy groups in 2011. *The country's rating for civil society in 2011 remains unchanged at 1.75.*

Independent Media. A long-awaited amendment to the controversial 2008 Press Act drastically reduced the scope for government pressure on journalists and editors, alleviating—if not eliminating—deep tensions between the political elite and the media. Among other key improvements, the amendment does away with the “right of reply,” which had been used by public figures to discourage critical reporting under the government of former prime minister Robert Fico. In response to financial pressures, public service broadcasting underwent fundamental legislative and institutional changes in 2011. Due to the removal of stifling regulations on print media, *Slovakia's rating for independent media improves from 3.00 to 2.75.*

Local Democratic Governance. The parties of Prime Minister Radičová's ruling coalition have been vocal advocates of decentralization and self-governance. However, the state of local self-governance did not see any major changes in 2011. A new model for generating local government funding (the so-called “mixed tax”) was widely discussed but eventually postponed as a result of the cabinet's collapse. *The country's rating for local democratic governance in 2011 remains unchanged at 2.50.*

Judicial Framework and Independence. Bold reforms initiated by the Ministry of Justice met with fierce resistance from Supreme Court Chairman Štefan Harabin, the Judicial Council, and Slovakia's president. Nevertheless, the ministry succeeded in introducing some important legislative changes and administrative measures aimed at opening the judiciary to greater public control and increasing its openness, professionalism, and efficiency. *The country's rating for judicial framework and independence in 2011 remains unchanged at 2.75.*

Corruption. Combating corruption remained a stated priority of the Radičová administration throughout the year. Beginning January 1, state organs were required to publish all public contracts online. The application of newly adopted legislative

measures—including amendments to the law on free access to information and the civil judiciary—aimed to increase transparency in public life. *Slovakia's rating for corruption remains at 3.50.*

Outlook for 2012. Early parliamentary elections in March 2012 will determine the further implementation of reforms introduced by the SDKÚ-DS-SaS-KDH-Most-Híd government. Strained relations between center-right parties since the EFSF voting debacle may change the composition of coalitions in the next government. The formation of a center-right government would mean the continuation of the previous pro-reform socioeconomic policies and increased transparency in public life. On the other hand, a victory for nationalist and populist parties could lead to a reversal of positive trends brought on by the previous government.

MAIN REPORT

National Democratic Governance

2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
n/a	n/a	2.00	2.00	2.25	2.50	2.75	3.00	2.75	2.75

The Slovak Republic is a stable democracy with a generally effective system of governmental checks and balances. The cabinet reports to the legislative assembly, which has the right to dissolve it. The president can veto laws adopted by the parliament, but vetoed laws can still be passed with the support of a parliamentary qualified majority. The Constitutional Court acts as an independent judicial body protecting the constitution and citizens enjoy direct participation in the political process through elections and political party activities.

The National Council (parliament) of the Slovak Republic is a sovereign representative body, the sole legislative and constituent assembly, and is autonomous from the executive. It has sufficient resources and capacities for the creation and enactment of bills. Members of parliament (MPs) frequently question cabinet members and exercise oversight of state and public institutions. Parliamentary deliberations are open to the public and media (except for closed sessions on classified matters, such as intelligence and secret service issues). The entire legislative process—including transcripts of meetings, full text of legislative bills, and the results of assembly votes—is made available to the public via the parliament’s website. Slovakia’s constitution guarantees the right to free retrieval, collection, and dissemination of information. In October 2011 parliament approved an amendment strengthening the 2000 Law on Access to Information, making it difficult for state administration and self-governance organs to ignore citizens’ formal requests for information.

Parliamentary elections in 2010 brought to power a new, center-right coalition composed of the Slovak Democratic and Christian Union–Democratic Party (SDKÚ-DS), the Freedom and Solidarity (SaS) party, the Christian Democratic Movement (KDH), and the Most-Híd (“Bridge”) party. The new government led by Prime Minister Iveta Radičová’s appeared to reverse the clientelist policies of the former government led by a coalition between Direction–Social Democracy (Smer-SD), the Slovak National Party (SNS) and the People’s Party–Movement for a Democratic Slovakia (ĽS-HZDS). The new coalition’s main goal has been to stabilize the country’s institutions and improve the functionality of public administration. The cabinet has demonstrated greater responsiveness to allegations of clientelist and corrupt behavior than its predecessor. However, efforts to investigate and establish personal responsibility in certain cases provoked tension within the cabinet and the ruling coalition as well as within Radičová’s own party, the SDKÚ-DS.

Parliament approved a large number of laws during the year. Many of these were measures introduced by the Radičová cabinet with the aim of increasing

transparency in political life, competitiveness and fairness in the distribution of public funds, and openness of the judiciary. Beginning in January 2011, government contracts became available to the public via the internet and tenders were held for high government and public service positions. The government also introduced electronic auctions for the purchase of goods and services for public administration. New amendments were introduced to laws governing the state prosecutor's office and the judiciary, resulting in a more competitive and transparent selection process for court functionaries.

Several leading positions in public institutions remained vacant during the year. The election of a new prosecutor general—a post that remained vacant from February 2011 through year's end—was delayed due to a standoff between President Ivan Gašparovič and the Radičová government that developed into a broader struggle between the ruling coalition and the opposition. In June, parliament conducted a secret ballot resulting in the election of Jozef Čentéš, who won votes from 80 out of 150 parliamentary deputies. However, President Gašparovič refused to appoint Čentéš, citing the Constitutional Court's decision to temporarily suspend the parliament's rules of procedure. Although the court reversed the suspension not long afterwards, President Gašparovič used the initial court decision as a pretext for his own inaction on the appointment of Čentéš. In November, Jozef Čentéš demanded the Constitutional Court obligate Gašparovič to appoint him.

Another key position that remained vacant in 2011 was the head of the National Security Office (NBÚ). According to the coalition agreement, the SaS party had the right to nominate candidates to this position, and these must be voted on by parliament as a whole. However, the three candidates proposed by SaS were all rejected.

In October 2011, tensions within the parliament came to a head over the expansion of the euro backstop fund, the European Financial Stability Facility (EFSF). Coalition member SaS opposed the reform, making Slovakia the one holdout among 17 eurozone members. Prime Minister Radičová attempted to pressure her colleagues to approve the plan by tying it to a no-confidence motion. This tactic failed, and the government was officially dissolved on 11 October, with early elections set for March 2012. The EFSF vote was then immediately pushed through with the support of the incumbent government's largest opposition party, Robert Fico's Smer-SD.

In addition to dissolving the government, the no-confidence vote revoked the president's power to temporarily extend the term of the cabinet until the new government was elected. This forced parliament to pass a constitutional amendment substantially extending the president's authority over the cabinet until a new government is in place. However, some provisions of the amendment dealing with shared competencies are so broadly defined that they risk precipitating conflicts between the two institutions.

Electoral Process

2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
1.50	1.50	1.25	1.25	1.50	1.50	1.50	1.75	1.50	1.50

The authority of the government in Slovakia is based on freely exercised universal suffrage. Since the Communist regime's collapse in 1989, Slovakia has held seven parliamentary elections, five municipal elections, three regional elections, three presidential elections, and two elections to the European Parliament, all of which were judged free and fair by domestic and international monitors.

Parliamentary elections are based on proportional representation. Under a preferential voting structure, voters are permitted to select a maximum of four preferred candidates. Candidates who receive more than 3 percent of the preferential votes for any party are given an advantage in the allocation of mandates. Elections to local and regional self-governments use a modified majority electoral model. Political parties are required to submit a petition with at least 10,000 signatures to the Ministry of Interior in order to register. In 2011, 56 political parties were registered with the Ministry of the Interior.¹

At the beginning of 2011, Interior Minister Daniel Lipšic announced the ministry's intention to draft a new electoral code aimed at unifying rules for all types of elections in Slovakia. The new code would introduce a single technical design for ballots in all elections and guarantee delivery of ballots to voters' homes by mail, prior to the elections. Additionally, a moratorium on pre-election campaigning in all elections would be lifted (exception on election day) and the dates of elections would be unified. The draft electoral code should have been submitted for public review by the end of 2011; however, the fall of the government prevented this from taking place.

About 15 percent of Slovak citizens belong to various ethnic minorities. Ethnic Hungarians form the largest ethnic minority, making up nearly 10 percent of the total population, and are traditionally very politically mobilized. As a result, the Hungarian minority is effectively represented in legislative and executive organs. The situation is very different for the country's second largest ethnic minority, the Roma, who are inadequately represented in political processes due to social marginalization, low average education level and consequent shortage of political leaders, and the inability of ethnic majority, mainstream political parties to cooperate with Roma organizations. In order to participate in political processes, members of Slovakia's smaller ethnic minorities and groups (i.e., Czechs, Ruthenians, Ukrainians, Germans, Poles, Croats, Bulgarians, and Jews) use opportunities provided by non-ethnically-based political formations.

The most recent parliamentary elections in Slovakia were held on 12 June, 2010. The social democratic Smer-SD won 34.79 percent of the vote, winning 62 seats in parliament; the center-right, moderately conservative SDKÚ-DS won 15.42 percent and 28 seats; liberal party SaS won 12.14 percent and 20 seats; conservative KDH won 8.31 percent and 15 seats; Most-Híd, the major party

representing ethnic Hungarians, received 8.12 percent and 14 seats; and the radical nationalist SNS won 5.07 percent and 9 seats. The ĽS-HZDS, a populist party with unclear ideological orientation, and SMK (Party of Hungarian Coalition), another party representing ethnic Hungarians, had previously been represented in parliament but did not pass the threshold in 2010. Smer-SD failed to transform its electoral victory into a ruling coalition with majority support in the parliament, as the center-right parties refused to form an alliance with them. The election results led to the creation of the center-right ruling coalition including SDKÚ-DS, SaS, KDH and Most-Híd. Iveta Radičová, party list leader and vice chairman of SDKÚ-DS, was appointed prime minister of the cabinet and led the government until its collapse in October 2011. Early elections were set for 10 March 2012.

The most recent presidential elections in Slovakia were held in March–April 2009. In the second round, Ivan Gašparovič—a joint candidate of two ruling parties, Smer-SD and SNS, and pro-governmental extra-parliamentary party HZD (Movement for Democracy)—obtained 55.5 percent of the popular vote and was elected president. Six parties from Slovakia are represented in the European Parliament as of the most recent elections (June 2009).²

Civil Society

2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
1.50	1.25	1.25	1.25	1.50	1.50	1.75	1.75	1.75	1.75

Since 2004, structural funds and other European Union (EU)–based funding sources have brought new opportunities and challenges to Slovakia’s nongovernmental organizations (NGOs). Under the government headed by Robert Fico, clientelism and mismanagement of EU funds took a serious toll on Slovakia’s third sector, as did the government’s unwillingness to engage civil society in decisionmaking at any level. By contrast, the Radičová government’s relationship with civil society has been characterized by close cooperation with watchdog organizations, think tanks, and environmental groups. Radičová herself comes from the NGO world, and has prioritized the improvement of relations between government and the third sector. In March 2011, the cabinet appointed Filip Vagač as Slovakia’s first-ever Governmental Plenipotentiary for Civil Society, a position whose mandate is the improvement of communication between public sector, business sector, media or political spheres, and the general public.

The legal and regulatory environment for civil society is free of excessive state pressures or bureaucratic impediments to registration. The Ministry of Interior acts not only as the registry of NGOs but also as their primary supervising institution. The Ministry of Interior, Ministry of Finance, Statistical Office, and several organizations servicing the NGO sector provide access to important information on NGO activities through their websites. Tax legislation favors organizations engaged in not-for-profit activities; for example, they are not required to pay taxes on gifts or institutional income. The business community’s commitment to corporate social

responsibility and philanthropy is relatively low, and there are no tax incentives for donations.

Numerous NGOs provide training for the civic sector, although these services are perceived as less important than in previous years. There are also many informal coalitions and networks in Slovakia that address particular issues or needs on an ad hoc basis. In 2011, for example, various civil society initiatives in Slovakia supported worldwide campaigns for global justice. Such initiatives are becoming more visible in political life in Slovakia.

The Ministry of Interior registers and records all figures on Slovak NGOs; some data on the NGO sector are also kept at the Statistical Office of the Slovak Republic and the Ministry of Culture. In October 2010, the Ministry of Interior listed 31,446 organizations that could be considered NGOs in a broad sense. These include clubs, societies, unions, domestic and international NGOs, foundations, and a variety of cultural and religious associations.

The Hungarian minority is well represented at all levels of administration and self-government, while the number of Roma organizations is much lower. Religious groups play the most significant and visible role in charitable activities, with all major religious groups in Slovakia (Roman and Greek Catholics, Lutherans, Orthodox, and Calvinists) very much involved in these activities. The public image of civil society organizations in Slovakia is predominantly positive.

Extremist and racist organizations are illegal in Slovakia, but their continued existence is a source of ongoing public concern and debate. During 2011 Slovak police continued to monitor neo-Nazi, right-wing, and left-wing extremist groups. However, some NGOs continued to criticize the Ministry of Interior and police for reacting to public displays of extremism (during football matches, for example), rather than increasing intelligence work to monitor and prevent these groups' activities.

Most news media treat civil society groups as independent and reliable sources of information. Slovak NGOs received extensive and predominantly positive coverage from public and private media in 2011. By contrast, the image of trade unions remains rather negative among all segments of the population. This is partly due to the confrontational style of Slovakia's Confederation of Trade Unions (KOZ), and its involvement in politics on the side of Smer-SD. Membership in organizations like KOZ shrinks every year.

Independent Media

2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
2.00	2.25	2.25	2.25	2.25	2.50	2.75	3.00	3.00	2.75

Relations between the political elite and media became increasingly professional in 2011. Although strong tensions remain between media and some representatives of the ruling coalition, political elites responded to the media's criticism by engaging in public exchanges, rather than discrediting journalists or threatening legal action, as was the practice in previous years.

In late November, Defense Minister Lubomir Galko was dismissed after reports emerged that the military secret police, which is governed by the Ministry of Defense, had tapped the phones of journalists at the daily *Pravda* and the television news channel TA3. Galko claimed that the tapping was sanctioned by a judge and did not break any laws. In explanation for Galko's dismissal, Prime Minister Radičová stated that "wiretapping of journalists, no matter if legal or illegal, is inconsistent with basic principles of rule of law and democracy."³ The incident represents an ongoing process of defining the rules for independent journalism. The investigation into Galko's actions was ongoing at year's end.

In the first half of 2011, overturning a previous presidential veto, parliament completed a legislative procedure aimed at remedying the restrictive measures imposed by the 2008 Press Act. Under the original law, public officials had the right to respond at length to any allegation, true or false, in the publication where it was made—a costly and time-consuming requirement for editors that effectively encouraged self-censorship. Journalists were also vulnerable to libel charges for criticising public officials, which frequently involved hefty fines. The new amendment restricts public officials' "right of response" to cases where untruthful or distorted information is published about them, or when the information in question concerns their personal lives, rather than their job performance. Financial sanctions against journalists for publishing information critical of public officials were abolished altogether. Publishers and broadcasters now have the right to refuse to publish corrections, responses, or additional announcements in cases where doing so would amount to a criminal offense, a transgression or other misconduct, or would interfere with third persons' interests protected by law. Persons facing criminal prosecution retain the right to react to information published by the media.

Public service broadcasting went through fundamental legislative and institutional changes in 2011 in order to prevent its imminent economic collapse. Effective 1 January 2011, both public service broadcasters—Slovak Television (STV) and Slovak Radio (SRo)—merged into a single unit called Radio and Television of Slovakia (RTVS).⁴ In the first half of 2011, the newly formed RTVS struggled with the general challenges of organizational restructuring as well as the burden of STV's massive corporate debt.⁵ In addition to financial difficulties, RTVS suffered from low ratings and low-quality content, particularly with regard to its television programming. Over the course of 2011, RTVS's ratings for its television broadcasting declined so steeply that the public questioned the legitimacy of using public funds to support public broadcasting.⁶ Despite efforts to reach a greater audience through satellite reception, the newly appointed RTVS management failed to increase the relevance of its programming and public credibility in 2011.

Toward the end of 2011, parliament passed a law introducing fundamental changes to financing public service broadcasting in Slovakia, effective 1 January 2013. Currently, public service media are financed directly from individual citizens' public fees, which make up three-quarters of RTVS's annual budget. Beginning in 2013, the broadcaster will be financed directly from the state budget. This

arrangement promises to stabilize RTVS funding in the short term, but may expose the broadcaster to direct political meddling. Moreover, the amount earmarked for years after 2013 is based on RTVS current budgetary needs, but does not allow for improvement or development of program services in the future

The switchover to digital satellite television broadcasting was completed with the abolition of analogue broadcasting in the first half of 2011. Digitization dramatically increased the number of television channels available to the majority of Slovak households. However, this increase was achieved at the expense of terrestrial television signal, whose share declined steeply. The overall number of households depending on terrestrial television broadcasting dropped by almost half after the launch of digital satellite television broadcasting.

The public (previously state-run) news agency, TASR, suffered financial difficulties during the year as its state budget subsidies dropped from €2.3 million in 2010 to €1 million in 2011. TASR's sales revenues also dropped significantly, mostly due to a flurry of contract terminations with public administration bodies. Austerity measures adopted by TASR management have been unable to reverse the slump. TASR General Manager Jaroslav Rezník publicly accused SITA news agency, its largest private competitor, of orchestrating the termination of contracts through price dumping. The "price war" between news agencies has pushed prices below the level of normal market competition.

In January 2011, the general manager of the private television news station TA3 left his position, setting off a chain reaction of resignations. The news and journalism department director and deputy director quit in March, and were soon followed by nine of the station's news anchors and reporters. According to them, the atmosphere at the office had become tense with the change in top leadership.

Consumers continued to shift toward the internet for news, a phenomenon reflected in the growing popularity of leading internet news portals, which make up half of the top ten most visited internet portals in Slovakia.

Local Democratic Governance

2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
n/a	n/a	2.25	2.00	2.00	2.25	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. There are three levels of elected bodies: central (parliament), regional (regional assemblies), and local (municipal councils). Representatives of self-governments (deputies of municipal councils and regional assemblies, mayors of villages and towns, and regional governors) are elected in direct, free, and democratic competitions, which are open to political party candidates as well as independent candidates. Slovakia's last municipal elections were held on 27 November 2010. Most new mayors were elected off the candidate list of Smer-SD.

As part of public administration reform, a large block of powers was transferred in 2001–05 from central government organs to local and regional self-governance bodies. However, the Fico-led administration that came to power in 2006 favored policies aimed at strengthening the role of the central government and cementing the positions of ruling parties in self-governance organs. By contrast, the ruling coalition of SDKÚ-DS-SaS-KDH-Most-Híd elected in 2010 comprised parties known to be vocal advocates of decentralization and self-governance.

Meetings of local and regional self-governance bodies are held regularly and are open to the public; the results of their deliberations are posted on public notice boards, via the media, and increasingly on the internet. Amendments to the Law on Access to Information and the civic code, approved in October 2011, further oblige local governments to publish announcements of all public procurement tenders and concluded contracts online.

Different interest groups, especially developers and investors, have attempted to influence decisions of local councils in bigger cities. The most famous example of this in 2011 was one developer's controversial takeover of a piece of land containing the Park of Culture and Relaxation (PKO), a popular cultural facility in Bratislava. The developer wanted to shut down the PKO, but civil activists defended it persistently. The media published allegations that local officials' decision to sell the land to this particular developer had been influenced by bribes from the developer. As a result, the former mayor of Bratislava was under police investigation on suspicion of abuse of power at year's end.

The recent global economic crisis has adversely affected the financial situation of local self-governments. In May 2011, parliament approved an amendment to the Law on Mayors' Salaries, reducing their base salaries by 10 percent.⁷ New legislation also restricts the powers of local councils to increase the salaries of statutory representatives and prohibits the payment of additional remuneration. While some mayors clearly disagreed with the amendment, it was welcomed by the general public.

In 2011 the representatives of local self-governments criticized the speed and scale of the consolidation of public finances proposed by the Ministry of Finance. Insisting that not all self-governments would be able to adjust their operations to the proposed terms, self-governments demanded at least one extra year to prepare for the changes and that a higher proportion of tasks be distributed to state organs and self-governments.

The most discussed issue on the local self-government agenda in Slovakia in 2011 was the incumbent cabinet's proposal to change the model of tax revenue for local councils. The government proposed introducing a so-called mixed system of taxation, in which the budgets of local self-governments would be financed by income taxes paid by companies and legal entities, value added taxes, and consumer taxes in addition to income taxes paid by individuals. The central government argued that such a system would present an adequate response to challenges proceeding from public finance consolidation; however, representatives of self-governments warned that it could cause a reduction in tax revenues of approximately €200 million.

Self-government associations favored the proposal in principle, but objected to the timing of its introduction. In November 2011, Minister of Finance Ivan Mikloš announced that the central government and the Union of Cities of Slovakia, an umbrella association of local governments, had agreed to postpone introduction of the mixed tax until further notice.⁸

Self-governments are subject to internal as well as external supervision. Internal control is entrusted to chief controllers, who are appointed for six-year terms. Externally, the Supreme Audit Office (NKÚ) controls all funds expended by self-government organs and supervises the financial management of legal entities established by self-government organs.

Most self-governance organs have adequate capacities to manage their operations; employee training continues to improve due to various education projects that have been initiated and implemented by the government, self-governance associations, NGOs, and international partners. The situation is significantly better in cities and large towns than in smaller towns and rural areas.

Judicial Framework and Independence

2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
2.00	2.00	2.00	2.00	2.25	2.50	2.75	3.00	2.75	2.75

The Slovak Constitution, the Bill of Fundamental Rights and Freedoms, and other laws provide a framework for the protection of human rights. The constitution guarantees all citizens equality before the law. Slovakia has a three-level judicial system, consisting of a Supreme Court, 8 regional courts, and 45 district courts, all of which are administered jointly by the president, parliament, Ministry of Justice, Judicial Council, and Supreme Court. The president appoints judges on the basis of 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.

In recent years, the judiciary has become the target of harsh criticism by numerous social players, including judges themselves. The subject of much of this controversy is Štefan Harabin, who served as justice minister from 2006 until 2009, when he became chairman of the Slovak Supreme Court. Under the Fico-led administration, Harabin worked to concentrate power within his position, and did so with the full support of the ruling coalition. Harabin's performance has been criticized by opposition leaders, NGOs, and a number of individual judges. Reportedly, judges who criticized the judicial system and the Supreme Court chairman were subjected to pressure and disciplinary sanctions, while judges loyal to Harabin were quickly promoted.

The situation in the judiciary remained tense in 2011, as legislative and personnel changes initiated by Justice Minister Lucia Žitňanská faced internal resistance from the judicial council, the Supreme Court, and representatives of the Association of Slovakia's Judges. In May 2011, the justice minister dismissed 14

out of 62 regional and district court chairmen for delaying court proceedings, lack of impartiality, and non-compliance with random assignment of cases.⁹ Harabin, a strong opponent of the reforms, condemned the action as “political cleansing.”¹⁰

In 2011, parliament supported reforms proposed by the Ministry of Justice and passed several important amendments to laws governing the justice system. New amendments introduced open competition for the recruitment of judges, heads of courts and positions at the prosecutor’s office, which were previously filled through appointments by the prosecutor general. New state prosecutors will be selected by a six-member committee, with three committee members proposed by the general prosecutor’s office and three by parliament. Prosecutors can serve only two consecutive, five-year terms in top positions and the prosecutor general and special prosecutor will be limited to only one term. Financial statements from the prosecutor’s office as well as all judicial decisions from courts must be published online. The new process for hiring judges, which was first tested in December, subjects candidates to a written examination of their legal knowledge. Another new amendment, passed in October 2011, requires judges to pass a law exam every five years and publish annual reviews of their activities online. Previously, the competency of judges was never evaluated. One month after the amendment had passed, it was vetoed by President Gašparovič, but parliament overturned the president’s veto.

The Constitutional Court is an independent element of the judicial system, and its verdicts are legally binding. The right to appeal to the Constitutional Court regarding the constitutionality of laws, government regulations, and other legal rules applied by the public administration rests with parliamentary deputies (at least 30 are required to launch an appeal), as well as the president, the cabinet, courts, the attorney general, and the ombudsman for human rights; in certain cases, self-governments also invoke this right. Citizens are free to turn to the Constitutional Court if they believe their constitutional rights have been violated by a state institution.

In 2011, the Constitutional Court issued long-awaited rulings against several controversial laws introduced by the Fico administration, including the Health Insurance Act and an act on the expropriation of land for the purpose of building highways. Members of the government and the media criticized the court for the slow pace of these rulings. Under the previous government, the Constitutional Court was accused of deliberately delaying the adjudication of motions filed by opposition members of parliament, allegedly to the advantage of the Smer-SD–SNS–ĽS–HZDS coalition. In June 2011, the court’s decision to temporarily suspend existing rules for electing a prosecutor general two days before the victory of the ruling coalition’s favored candidate led to a standoff between Prime Minister Radičová and President Gašparovič. Although the court retracted its ruling shortly thereafter, the president used the initial decision as a pretext not to appoint Jozef Čentéš, and the position of prosecutor general remained empty at year’s end.

Tensions with Hungary eased somewhat in 2011 after parliament approved an amendment to the state language law, allowing minority languages to be used in

official communication in communities where the minority makes up 15 percent of the total population (previously the minimum threshold was 20 percent). However, the law will only apply once the minority's presence can be established by data taken from two consecutive censuses, which will not be available until 2021. Minority language rights may only be withdrawn if the minority's population falls below 15 percent in three consecutive censuses.

Another issue of great importance to Slovakia's large Hungarian minority was the ban on dual citizenship introduced by the outgoing Fico administration in July 2010. In September 2011, a group of 44 MPs from Most-Híd, SaS, and SDKÚ-DS applied to the Constitutional Court, calling the ban unconstitutional. If the Constitutional Court agrees in 2012, the ban will be automatically suspended.

Corruption

2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
3.25	3.25	3.00	3.00	3.25	3.25	3.25	3.75	3.50	3.50

Corruption in Slovakia is long-standing and widespread. In contrast to the previous government—which exploited, rather than alleviated corruption in Slovakia's public institutions—the cabinet led by Iveta Radičová defined combating corruption as a top priority. Beginning in late 2010, the government embarked on a series of legislative and administrative measures designed to increase transparency and public control over public funds and crackdown on high-level corrupt activities, even when committed by the government's own nominees. Pro-market economic policy pursued by the center-right cabinet prevented excessive state involvement in the country's economy. Reducing bureaucratic regulations, defined as one of the cabinet's priorities, also narrowed the space for corrupt activities.

In August 2011 the cabinet approved the Strategic Plan of Combating Corruption, which defines the systemic and destructive nature of corruption and seeks to identify which entities are at the greatest risk of corruption. The plan schedules the proposal of legislative amendments for the elimination of shortcomings in existing anticorruption law by February 2012. By December 2012, clear criteria and procedures for the allocation of licenses, concessions, permits, loans, subsidies, or grants should be codified. However, the collapse of Radičová's government in October 2011 and subsequent political developments, especially the formation of a new government, presents a challenge for the implementation of the strategic plan in 2012.

An amendment to the Law on Freedom of Information, approved in October 2011, removed all exclusions for the publication of data on public spending. An amendment to the penal code defined bribery during elections ("electoral corruption") as a new criminal offense punishable by five years' imprisonment for state officials and two years for ordinary citizens. In November 2011, parliament approved an amendment to the civil judicial order enabling courts to force public institutions to fulfill citizens' requests for information on the basis of Freedom

of Information legislation. Previously, courts had the power to override officials' decisions to refuse information, but could not force them to take action in cases where the delivery of information was simply postponed or neglected. Now the public administration is unconditionally obliged to fulfill court decisions; it cannot postpone, neglect, or ignore the court's ruling.

Although the incumbent government launched an ambitious series of anticorruption measures, suspicions of clientelism within the ruling coalition remained. The most notable case in 2011 was the tender for the rental of the Central Tax Authority's building in Košice (eastern Slovakia). Independent media and NGO activists monitoring the issue argued that the winner of the tender, the private company Nitra Invest, benefited from the fact that its owner was the chief of the regional organization of the ruling SDKÚ-DS. The director of the Central Tax Authority, Miroslav Mikulčík, resigned in April 2011 under the strong pressure from Prime Minister Radičová.

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 generated by a side job or contract that exceeds the minimum wage. Other bills adopted during the last decade have sought to introduce the principle of zero tolerance for corruption among notaries and marshals, compulsory disclosure for customs officers, protection of whistleblowers in the workplace and witnesses in court cases, and 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.

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- ¹ Ministry of Interior of the Slovak Republic, “Register of Parties,” <http://portal.ives.sk/registre/zoznamPS.do?action=azza>.
 - ² See website of the Statistics Office of the Slovak Republic: www.statistics.sk.
 - ³ “Slovak Defense Minister Sacked over Media Wiretapping,” *Reuters*, 22 November 2011, <http://uk.reuters.com/article/2011/11/22/slovakia-government-wiretapping-idUKL5E7MM4C120111122>.
 - ⁴ In 2011, one of the report authors held the post of chairman of the RTVS Council.
 - ⁵ At the time of the merger with Slovak Radio (SRo), the debt carried by Slovak TV (STV) was €45 million, the equivalent of nearly half of its annual budget. See STV, *Výročná Správa o činnosti slovenskej Televízie za rok 2010* [Annual activity report of Slovak Television 2010] (Bratislava: STV, 2010), http://www.stv.sk/chillout_items/5/8/5/585796_6f78d7.pdf.
 - ⁶ In the second half of 2011, the combined audience share of both STV channels dropped below 10 percent. *Výročná Správa Rozhlasu a Televízie slovenska za rok 2011* [Annual Report of Radio and Television of Slovakia 2011] (Bratislava: RTVS, 2011), http://www.rtvsk.sk/projects/RTVS/media.nsf/rw_BzID/ID_7265CD111A564673C1VS_RTVS_2011_final_30042012_def.pdf.
 - ⁷ Law Number 154/2011.
 - ⁸ “Samosprávy by mali dostať v budúcom roku o 60 miliónov viac” [Self-governments should get 60 million more next year], *SITA News Agency*, 4 November 2011, <http://www.webnoviny.sk/slovensko/samospravy-dostanu-v-budvcom-roku-0-6/425497-clanok.html>.
 - ⁹ “Žitňanská: Predsedov súdov odvolala, lebo mali najhoršie výsledky” [Justice Minister Žitňanská dismissed judges due to the worst results of their work], *SITA News Agency*, 10 May 2011, <http://www.aktuality.sk/clanok/186860/zitranska-predsedov-sudov-odvolala-lebo-mali-najhorsie-vysledky/>.
 - ¹⁰ “Harabin: Žitňanská odštartovala politické čistky v súdnictve” [Harabin says that Žitňanská has launched political purges in judiciary], *SITA News Agency*, 10 May 2011, <http://www.aktuality.sk/clanok/186859/harabin-zitranska-odstartovala-politicke-citsky-v-sudnictve/>.