Executive Summary

In the 15 years since the collapse of the Communist regime in the former Czechoslovak Federation, Slovakia has seen radical societal changes. During the initial stage of transformation between 1990 and 1992, the country built the foundation for a democratic political regime and created favorable conditions for democratic institutions. In 1993, Czechoslovakia split and the Slovak Republic became an independent country. The next five years were marked by an intense struggle over the country's future democratic character. The authoritarian government, consisting of nationalist and populist political forces, attempted to concentrate political and economic power in order to restrain free, democratic competition. The situation changed dramatically in 1998 when democratic political forces won the parliamentary elections and formed a broad ruling coalition that pursued reforms in key areas, including the constitutional system, public administration, human and minority rights, and the economy. In time, the country achieved full membership in both NATO and the European Union (EU). Today, the Slovak Republic has a stable democratic political regime and a functioning market economy.

Slovakia's democratic institutions were sufficiently stable throughout 2004. Early in the year, the government lost a formal majority in the Parliament owing to internal conflicts in ruling coalition parties. Nevertheless, it continued to pursue a range of reforms, including unpopular socioeconomic measures such as the introduction of fees in health care. Opposition parties tried to capitalize on this issue and along with trade unions initiated a petition that
eventually led to a referendum on early parliamentary elections; however, the plebiscite held in April 2004 was declared null and void on grounds of insufficient voter participation. That same month, Slovakia elected Ivan Gasparovic, a member of the Movement for Democracy, as the new president. Although Gasparovic is considered a representative of the opposition with critical views of the incumbent administration's reform policies, the government and the new president have managed to maintain generally cordial relations. With help from independent deputies in the Parliament, the ruling coalition was able to override Gasparovic's vetoes of certain reform laws.

**National Democratic Governance.** The system of power division in Slovakia functioned well in 2004 and the minority government survived the year without changes in party or personnel composition of the cabinet, though opposition parties, dissatisfied with certain policies of the incumbent government, tried unsuccessfully to shorten its term through a referendum on early elections. The cabinet and other organs of executive power performed their duties effectively. The Parliament adopted legislation in line with basic requirements for the country's development, including a law that prohibits the secret service from using journalists and police officers as agents. The Constitutional Court fulfilled its role without limitations and approved several constitutional laws that strengthened the stability of the system. Slovakia's rating for national democratic governance is set at 2.00 owing to basic trends in the field of institutional development, operation of the system of checks and balances, civil control of military and security services, and practical execution of power.

**Electoral Process.** In 2004, Slovakia held presidential elections and elections to the European Parliament (EP). Both elections were declared free and fair. The lack of agreement among ruling coalition parties on a single candidate led to the election of Ivan Gasparovic, a representative of the opposition, as the country's new president. Ruling coalition parties fought back in elections to the EP and achieved better results than the opposition. Both elections confirmed the general trend of declining voter participation. In May 2004, the Parliament passed a new Law on Parliamentary Elections, which allows Slovak citizens living abroad to participate in elections. The law also strengthened the power of voters to influence the position of candidates on party tickets and initiated improvements in the technical aspects of the electoral process. *Slovakia's rating for electoral process improves from 1.50 to 1.25 given the dependability of electoral mechanisms and improvements in the quality of election legislation.*

**Civil Society.** Civil society in Slovakia is vibrant, and public opinion toward nongovernmental organizations (NGOs) is prevailing positive. The legal and regulatory environment for NGOs is free of excessive state pressure. The civil society sector has a well-developed infrastructure with an efficient training and research base. During 2004, NGOs continued their effort to increase sustainability. The year also brought unprecedented cooperation between government agencies and NGOs in the promotion of democracy and the rule of law in countries with autocratic regimes. *Slovakia’s rating for civil society in*
Independent Media. Slovak media and journalists in 2004 were free of any open interference from the government. The most serious media problems include the concentration of media ownership in the hands of a few powerful private groups and the continuing perception of influence over TV Markiza, the largest private TV station, from Economic Minister Pavol Rusko. On a positive note, new laws on public broadcast media (Slovak Television and Slovak Radio) took effect at the beginning of 2004, strengthening their independence from political power and increasing their supervisory powers. *Slovakia’s rating for independent media remains unchanged at 2.25.*

Local Democratic Governance. In 2004, Slovakia entered the final stage of public administration reform, which seeks to decentralize the government, strengthen the principle of "subsidiarity," transfer extensive powers from the central state administration to regional and municipal self-governments, and prepare for their future financial viability. In 2004, the Parliament approved a series of laws related to fiscal decentralization and passed a law that seeks to strengthen the control mechanisms of self-government. Self-governance bodies in some towns and municipalities continued to cooperate closely with civil society players in tackling local problems. Unfortunately, certain self-governments were less prepared than others to assume and properly perform their new functions. *Owing to the prevailing positive trend of enshrining local democratic government in law and respecting it in practice, Slovakia’s rating is set at 2.25.*

Judicial Framework and Independence. Slovakia’s judicial system was relatively effective throughout 2004. The main objective in the country’s ongoing judicial reform is a general improvement in the courts' performance (chiefly to speed it up). The Parliament approved in the first reading two drafts of completely new codes: a new criminal code and code of criminal procedures that seek to increase citizen safety inside and outside the legal system, introduce adequate punishments for criminal offenses, and facilitate just and effective judicial proceedings. The adoption in 2004 of the Law on Equal Treatment and Protection Against Discrimination should help implement principles of equal treatment and work to eliminate all forms of discrimination. The new law applies affirmative action principles in respect to certain population groups (especially Roma). *Slovakia’s rating in the category of judicial framework and independence remains 2.00 as a result of the continuation of judicial system reform and approval of the Law on Equal Treatment and Protection Against Discrimination*

Corruption. Many Slovak citizens believe that corruption and clientelism are among the most pressing social problems in the country. In the course of 2004, Parliament and the cabinet adopted various legislative and executive measures aimed at reducing opportunities for corrupt behavior. The most important legislative accomplishment was passing a constitutional Law on Conflicts of Interest, which introduced stricter performance criteria for a large
mechanisms within self-governance bodies with the adoption of several amendments to particular laws. On the other hand, there has been no perceptible improvement in controlling political party financing, either legislatively or practically. Another lingering problem is the lack of transparency in the methods of public procurement used by many government institutions. Taking into consideration the substantial changes in anticorruption legislation, Slovakia's corruption rating improves from 3.25 to 3.00.

**Outlook for 2005.** In 2005, Slovakia will continue to pursue reforms in a number of sectors, including health care, education, social security, and public administration. The overall course of reform may be influenced by the power ratio of the main political players, namely the proportion of seats in the Parliament among parties and deputy factions. Unpopular socioeconomic measures are likely to increase voter support for opposition parties, which might prove challenging for the cabinet since it does not control a majority in the Parliament. The elections to regional self-governments scheduled for December 2005 are likely to test individual parties' electoral support before the parliamentary elections scheduled for September 2006. In 2005, the Slovak Republic will be entitled to use financial assistance from EU funds to boost its socioeconomic development, which may have a generally positive impact on the entire process of democratic consolidation.

**National Governance (Score: 2.00)**

The Slovak Republic is a stable democracy that respects the rule of law and human rights. Citizens enjoy direct participation in the political process through elections and political party activities. Public administration reform, which between 2001 and 2004 transferred massive powers from the state to self-governance bodies, has brought the execution of power closer to citizens. Moreover, the reform has improved basic conditions for public participation in decision-making processes. Slovakia also has a generally effective system of governmental checks and balances.

The Constitution of the Slovak Republic guarantees the right to free retrieval, collection, and dissemination of information. In 2000, the Parliament passed a specific Law on Free Access to Information, which stipulated conditions for gathering information by citizens on activities of state administration and self-governance organs. Although enforcement of this law sometimes meets with bureaucratic resistance and is further hampered by citizens' unpreparedness to exercise their constitutional right, the general trend in this field is undoubtedly positive.

More than 90 percent of Slovakia's gross domestic product (GDP) is produced by the private sector. The government continues to control some natural monopolies such as the Slovak Railway Company, Slovak Gas Industry, and Slovak Electric Industry. However, the current administration promotes the policy of reducing the state's role in the economy and is furthering the privatization process.
any violent attempts to usurp political power. However, between 1993 and 1998, when the country was ruled by a coalition of authoritarian and nationalistic parties, there were attempts to concentrate political power in ways that contradicted the principles of liberal democracy. Slovakia's political development was stabilized after 1998, and the execution of power on all levels has not departed from the basic constitutional framework. In April 2004, opposition parties initiated a referendum on early parliamentary elections, but the results were declared null and void owing to insufficient voter participation (35.9 percent).

The government's authority and the rule of law are solid and indisputable throughout Slovakia, and domestic political development is free from displays of dominance by the military, foreign powers, or other power groups. Government stability has never been threatened by internal military conflicts or insurgencies, and currently there is no danger of such conflicts. Political party activities within the armed forces and other state institutions are forbidden, as the Slovak army and police are politically neutral.

Legislative and executive powers are separated. The National Council of the Slovak Republic (Parliament) is a sovereign representative body, the sole legislative and constituent assembly, and autonomous from the executive. It has sufficient sources and capacities for the creation and enactment of bills, as well as adequate control powers. Each deputy has an assistant who is paid from the state budget. Deputies may also use the services of the Parliamentary Institute, which prepares expert and background materials for them.

Parliamentary deliberations are open to the public and media (except for closed sessions on confidential matters, such as intelligence and secret service issues). Public representatives may be present during deliberations of parliamentary committees if invited by their members. The entire legislative process (that is, verbatim wording of legislative bills, results of assembly votes, and so forth) is continuously recorded and made available to the public via the Parliament Web site. Printed shorthand records from the Parliament's plenary sessions are also available to the public.

The cabinet and other organs of executive power are clearly circumscribed by the Constitution and applicable laws and executive power is subordinated to the legislature. At the beginning of its tenure, the cabinet must solicit the Parliament's support by submitting its program manifesto for approval. During its tenure, the Parliament may at any time hold a vote of no confidence regarding the entire cabinet or its individual members; it may also compel the cabinet to act upon its resolutions. The loss of political support from the Parliament may lead to the cabinet's resignation.

The executive has sufficient resources and capacities to implement the government's policies. The cabinet and certain ministries regularly publish information about their activities on their respective Web sites. Media representatives may obtain information directly from government officials at regular press conferences; from spokespersons of cabinet members, state
organ, and government agencies; and through personal contacts. The Law on Free Access to Information has substantially improved public access to information on state activities.

The law orders all state employees to act in compliance with the letter and spirit of democratic legislation; however, some civil servants continue to act like bureaucrats whose main guiding principles are political affiliations and close-knit corporate interests. All state agencies are subject to control by the Supreme Bureau of Supervision (NKU); the government's office also has certain controls. Funded by the state budget, the NKU regularly publishes violations of laws and bylaws by the state and simultaneously orders the offending agencies to remedy their deficiencies. In 2004, there were no documented attempts to restrict the oversight powers of the NKU.

The reform of the armed forces implemented during the past decade has introduced civilian controls that are in line with NATO, which Slovakia joined in 2004. Judicial oversight of the military and security services is sufficiently effective, and the Slovak army uses a system of martial prosecution with martial courts. The Parliament decides on the amount of the state budget to allocate to military and security service activities, and spending is supervised by the Parliament's defense and security committee. Deputies, media, and the general public may access information on the activities of the military and security services up to the extent stipulated by applicable laws. Certain types of information are considered classified and not available to the media and public.

The cabinet informs the public about its activities through special public affairs units at the Ministry of Defense, the Ministry of the Interior, and the Slovak Intelligence Service (SIS). In terms of communicating information, members of Parliament and the media were particularly dissatisfied with the SIS, whose representatives failed to respond to allegations that the service was trying improperly to influence political life and public opinion in Slovakia.

**Electoral Process (Score: 1.25)**


The legislative framework for elections includes several laws that provide for free and democratic competition, equal campaigning, fair voting, and the transparent scrutiny of votes. Parliamentary elections are based on a proportional system that stipulates the following thresholds to qualify: 5
three parties, and 10 percent for coalitions consisting of four or more parties. Elections to the EP use a proportional system. The minimum quorum to qualify for the assembly is 5 percent of the popular vote, which applies to both individual parties and party coalitions. Elections to local, municipal, and regional self-governments use a modified majority electoral model. The Slovak president and regional governors are elected using a majority model with two rounds.

In May 2004, the Parliament adopted a new Law on Parliamentary Elections that contained several improvements. First, a new provision allows Slovak citizens who are abroad on election day to vote by mail. Second, the new election law increased the weight of preferential ballots cast in favor of individual candidates by lowering the minimum required quorum from 10 percent to 3 percent of the total number of ballots cast for the party in order to move candidates up on the party list. Third, the new law stipulates that elections shall be held on a single day, Saturday. Previously, parliamentary elections were held over two days, Friday and Saturday. Fourth, the law abolished the 48-hour election moratorium on political advertising and other campaign activities and the 7-day moratorium on publishing the results of voter preference polls.

Slovakia's election laws provide for equal participation in political processes. Owing to the strong position of political parties, however, candidates whose parties are represented in the Parliament are typically favored over independent candidates. The political system is multiparty based, with a total of 113 parties registered at this time. Seven parties are currently represented in the Parliament: Slovak Democratic and Christian Union (SDKU), Movement for a Democratic Slovakia (HZDS), Smer (Direction), Party of Hungarian Coalition (SMK), Christian Democratic Movement (KDH), Alliance of a New Citizen (ANO), and Communist Party of Slovakia (KSS). All parliamentary parties have functioning structures at the national, regional, and local levels and are represented in regional and local self-governments. The representation of opposition parties in parliamentary bodies corresponds proportionally to their number of seats in the Parliament.

Although citizens are quite active in Slovakia's political life, there has been an overall decline in voter participation. The high frequency of elections and referendums has resulted in voter fatigue, and the failure of some parties to mobilize voters by traditional campaigning methods. Social pessimism and passivity also may contribute to declining election turnout. Generally, the highest voter participation is recorded in parliamentary elections, although this too has fluctuated up and down over the past decade (84.4 percent in 1992, 75.6 percent in 1994, 84.2 percent in 1998, and 70.1 percent in 2002). Voter participation was also relatively high in the first presidential elections in May 1999 (73.9 percent in the first round and 75.5 percent in the second). In 2004, the presidential elections recorded voter participation of 47.9 percent (first round) and 43.5 percent (second round).
national elections. The lowest voter turnout in Slovakia's modern history only
17 percent was recorded in the first elections to the EP held in June 2004. The
reasons for this low turnout included a general lack of public awareness about
the EU, underrating the importance of the EP in the future development of the
EU and its member states, and the failure of parties to mobilize voters.

Nationwide, there is a relatively low level of public participation in political
parties. According to various estimates, approximately 5 percent of Slovakia's
adult population are members of political parties. The party with the largest
membership is the HZDS (nearly 45,000), followed by the KSS (23,000) and
the KDH (20,000); other parliamentary parties have between 5,000 and
12,000 members.

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 ethnic minority, making up
nearly 10 percent of the total population. Traditionally, ethnic Hungarians have
a high rate of political mobilization; as a result, this minority is effectively
represented at all levels of government, mainly through the Party of Hungarian
Coalition (SMK).

In contrast, the Roma minority is not sufficiently represented owing to the
ethnic group's low social status and inadequate education, a virtual absence of
political leaders, and the inability of "majority" mainstream political parties to
cooperate with Romany organizations. Although a number of Romany political
parties are registered, none has gained a foothold in executive or legislative
organs on the national, regional, or even local level. So far, all attempts to
overcome the excessive fragmentation of the Romany political elite by
integrating smaller Romany parties have failed because of conflicts arising
from the personal ambitions of individual leaders.

Other ethnic minorities and ethnic groups (Czechs, Ruthenians, Ukrainians,
Germans, Poles, Croats, Bulgarians, and Jews) take advantage of opportunities
provided by majority political formations. Representatives of these minority
groups can participate in public life through, or their interests can be
represented by, mainstream political parties. For example, representatives of
the minority groups can become political nominees to positions in state
institutions or in self-governing bodies at the central, regional, or local level.

Since 1990, all of Slovakia's democratically elected administrations have
differed in terms of party makeup, reflecting diverse views and strategies for
tackling societal problems. Individual political parties have formed ruling
coalitions and have managed to facilitate trouble-free rotations of power.
These favorable conditions also exist at the regional and local levels. At the
beginning of 2004, opposition parties that disagreed with the socioeconomic
reforms pursued by the incumbent conservative-liberal administration joined
with trade unions to organize a petition demanding a referendum on early
parliamentary elections. The referendum was held in April 2004 but was
declared null and void on grounds of insufficient voter participation.
percent (in Slovakia, a referendum is valid only if a majority of eligible voters participates).

Parliamentary elections held in September 2002 were declared free and fair by all domestic and international observers. The formal victor in the elections was the HZDS, which received 19.5 percent of the popular vote (resulting in 36 seats in the new assembly), followed by the SDKU with 15.1 percent (28 seats), Smer with 13.5 percent (25 seats), the SMK with 11.2 percent (20 seats), the KDH with 8.3 percent (15 seats), the ANO with 8.0 percent (15 seats), and the KSS with 6.3 percent of the popular vote (11 seats). Four parties — SDKU, SMK, KDH, and ANO formed the government cabinet with Prime Minister Mikulas Dzurinda at the head.

The most recent presidential elections in Slovakia were held in April 2004. In total, 11 candidates ran in the first round, which did not produce a winner. The two leading candidates advanced to a second round: Vladimir Meciar (HZDS), who received 32.7 percent of the popular vote, and Ivan Gasparovic, a joint candidate of the Movement for Democracy (HZD) and the Slovak National Party, shortly before the elections also supported by Smer, who garnered 22.3 percent. In the second round, Gasparovic obtained 59.9 percent of the popular vote and was elected the new Slovak president. International and domestic observers declared the elections free and democratic.

**Civil Society (Score: 1.25)**

Slovakia’s civil society is dynamic and vibrant. In October 2004, the Ministry of the Interior listed 21,897 nongovernmental organizations (NGOs). Of these, 20,459 (93.4 percent) were civil associations (societies, clubs, movements, trade unions, international NGOs, and sports clubs), 232 (1.1 percent) were foundations, 623 (2.8 percent) were noninvestment funds, and 583 (2.7 percent) were nonprofit organizations. However, it is estimated that not more than 2,000 NGOs are active on an everyday basis. The image of NGOs in public opinion is prevailingly positive according to a poll conducted by the Institute for Public Affairs in November 2003, 57 percent of Slovak citizens evaluated the activities of NGOs positively, 12 percent negatively, and 31 percent had no opinion.

Women's organizations, now totaling more than 90, are increasing steadily in visibility and efficiency. Ethnic minorities also operate cultural and civic organizations. However, Hungarian organizations are typically larger and more effective than those of the Roma population. Religious groups play a significant role in charitable activities. Openly extremist and racist organizations are not registered by the Ministry of the Interior and operate illegally.

The legal and regulatory environment for civil society is free of excessive state pressure and bureaucracy. The basic legislative framework for NGOs is provided by the Slovak Constitution which guarantees freedom of expression (Article 29), freedom of assembly (Article 28), and freedom of association (Article 29 and 37) and by other laws. Registration of NGOs is simple, and
Interior acts not only as the registry, but as the regulating institution for NGOs. Taxation favors nonprofit activities; thus, in several fields NGO taxation is easier than in the business sector. NGOs are exempt from paying gift taxes and institutional income taxes.

The NGO sector in Slovakia has a well-developed infrastructure and an efficient training and research base. It has also been well stabilized thanks to the Gremium of the Third Sector (G3S), a voluntary advocacy group of elected NGO leaders whose mission is to develop partner relations with representatives of the state and local governments, the business sector, and international organizations. The role of the G3S was very important during the dramatic transformation of the country and served to defend and pursue the interests of NGOs, develop cooperation and solidarity within the third sector, and publicize NGO activities.

Private and public financial assistance from Western democracies has been instrumental in developing Slovak civil society. During 2004, NGOs continued efforts to provide for their long-term sustainability. First, in 2004 Slovak taxpayers could designate 2 percent of their income tax for publicly beneficial purposes (up from 1 percent previously). In 2004, 41.8 percent of eligible taxpayers took advantage of this opportunity and dedicated more than 266 million korunas (roughly US$7.5 million) to NGOs. Legal entities can also dedicate 2 percent of their tax to NGOs in 2004, more than 94 percent of legal entities dedicated more than 550 million koruna (roughly US$15.7 million). Second, EU membership has opened new financial opportunities for Slovak NGOs (structural and cohesion funds and the like). Third, liberalization efforts by the current government have given NGOs access to spheres once exclusively by state organizations, particularly in the area of social welfare.

The current state administration is open to NGOs and successfully uses their expertise and willingness to participate in legislative, political, and social change. This year witnessed unprecedented cooperation between NGOs and the Slovak government in arenas outside Slovakia. NGOs, including the Pontis Foundation and the Civic Eye Association, worked in states with nondemocratic regimes Belarus, Central Asian countries, Cuba as well as in Iraq and the Slovak government began consulting with these NGOs to make use of their knowledge and experience in these areas.

Trade unions in Slovakia are free, but the question remains whether they play a sufficient role. The Confederation of Trade Unions (KOZ) represents fewer than 550,000 employees. The image of trade unions is predominantly negative in many segments of the Slovak population. It worsened in 2004 owing to KOZ’s involvement in domestic party politics and the April 2004 referendum on early parliamentary elections initiated by KOZ and opposition parties. A sizable portion of the population perceived this action as the direct and inappropriate involvement of trade unions in the political realm. In response to KOZ activities, the current administration suspended the Law on Tripartite Negotiations, which had provided overly favorable conditions for trade unions to participate in the mechanisms of social dialogue.
Slovakia's education system is free of political influence and ideological propaganda. However, some provisions of the basic treaty between Slovakia and the Vatican provoked public discussion about the issue. The Ministry of Education succeeded in 2004 to equalize civic education and religion courses at the elementary and secondary school levels. This step is perceived by many NGOs as endangering the secular character of the Slovak educational system.

**Independent Media (Score: 2.25)**

Freedom of speech in Slovakia is guaranteed by the Constitution and regulated by the 1966 Law on the Press. In April 2004, the Ministry of Culture submitted draft legislation for a new press act based on freedom of speech and the right of citizens to seek and disseminate information. Also in 2004, new laws on public broadcast media that is, Slovak Television and Slovak Radio took effect, strengthening their management and control organs and increasing their independence. However, the extent to which this "enhanced independence" shows in the newsroom depends primarily on the broadcasters' general directors (who are no longer elected or removed by the Parliament). In 2004, there were no documented attempts to influence public broadcast media by the state or other political entities.

Reporting by private media generally reflects the owners' interests, and lack of ownership transparency is the industry's chief problem. The most glaring example continues to be the influence of Pavol Rusko, ANO party chair and economic minister, on TV Markiza, the country's largest private television station, which Rusko founded and formerly co-owned. Although Rusko sold his stake in the company in 2003, various surveys show that TV Markiza's news broadcasts continue to give more space to Rusko and his party than to other political figures and parties.

In recent years, the print media market has stabilized. In terms of circulation, the country's largest nationwide daily is Novy Cas, followed by another tabloid, Sport, and two serious daily papers, Sme and Pravda; the remaining market share is divided among several smaller dailies.

The television market continues to be dominated by the private TV Markiza. After the recent introduction of a people-meter method of surveying television ratings, average daily market shares of the most popular television stations in Slovakia stabilized as follows (data are from November 2004): TV Markiza 34.1 percent; combined channels of the public Slovak Television 28.5 percent; private TV Joj 13.7 percent; and cable news TV station TA3 1.2 percent. Also, almost 20 percent of Slovak citizens regularly watch Czech and Hungarian TV stations.

Despite its steady, long-term ratings decline, the first channel of public Slovak Radio continues to be the most-listened-to radio station, followed by a handful of strong private radio stations (Radio Expres, Radio Okey, Fun Radio, Radio Twist, and Radio FM, a commercial channel of Slovak Radio). Besides Slovak Radio and 8 nationwide licensed radio stations, Slovakia has 10 regional and 7
local broadcasters who are struggling with long-term financial problems.

The greatest share of advertising revenue is still consumed by TV stations; however, thanks to substantial growth in the advertising market in 2003, the portion claimed by print media has increased (at the expense of radio stations). Additionally, the people meters revealed that TV ratings in Slovakia are generally 10 percent lower than previous survey methods had shown, which means that further redistribution of advertising revenues in favor of print media may be expected. The dominant position of TV Markiza remained unchallenged; nevertheless, other television stations experienced steady growth in advertising revenues, particularly the public Slovak Television.

Distribution of print periodicals to subscribers is controlled by the state-run Slovak Postal Service, while retail distribution is in the hands of private firms. The owner of the market's dominant company controls stakes in dozens of other firms directly or indirectly tied to the publication and distribution of print media and is also a majority owner of the second largest private nationwide television station these overlapping affiliations may become a source of conflict in the future.

Slovak journalists, publishers, and private broadcasters have their own professional organizations, but their practical role is not apparent. The Slovak Syndicate of Journalists, the country's largest professional organization with a membership base of approximately three quarters of all Slovak journalists, is improving its structure in order to collectively bargain with publishers, government organs, and so on. Most Slovak publishers are members of the Association of Periodical Press Publishers (ZVPT), while private television and radio broadcasters are organized in the Association of Independent Radio and Television Stations (ANRTS). Regrettably, the Press Council, established jointly by the Slovak Syndicate of Journalists (SSN) and the ZVPT as the supreme agency for monitoring journalistic ethics and professionalism, is virtually inactive.

Access to the Internet is free in Slovakia, and the total number of Internet users grows each year. According to a survey conducted by Taylor Nelson Sofres in July 2004, almost one third of Slovak citizens over 15 know how to use the Internet and an additional 25 percent were familiar with e-mail. On the other hand, the survey suggested that more than half of the Slovak population over 15 is still unable to use computers. The growing number of Internet users in 2004 brought down the cost of connecting to the Internet. Also, the territory of Slovakia where broadband Internet connections are available is increasing constantly, helping to close the "digital gap" between residents of the capital, Bratislava, and the rest of Slovakia.

**Local Governance (Score: 2.25)**

The Slovak Constitution and other applicable laws provide an adequate framework for self-governance at the regional and local levels. The Slovak Republic has a dual system of public administration state administration
three levels of elected bodies: central (the 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 there is no major advantage in transferring them to bigger ones. In 2001, Slovakia launched public administration reform that seeks to transfer a number of executive powers from central state administration to regional and local self-governments.

In 2002 and 2003, ongoing reforms included reorganizing state administration organs at the district level (the lowest territorial units), introducing a network of specialized state administration bodies. In 2004, the transfer of power to regional and local self-governments was accompanied by fiscal decentralization aimed primarily at strengthening their financial stability. The establishment of state and self-governance institutions is subject to laws passed by the Parliament; however, local self-governments may initiate the creation of pro bono non-state organizations that focus on aiding local development (such as agencies, associations, funds, and the like).

In recent years (2000-2004), self-governments and NGOs have cooperated more in tackling local problems in particular regions and municipalities. Local self-governments are autonomous concerning matters within their authority but often turn for guidance to applicable ministries (especially education, health care, labor and social affairs, environment, construction, and regional development).

The Constitution and other relevant laws allow citizens to exercise their right to suffrage at the regional and local levels. Representatives of regional and local 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. The electoral system is open to representatives of political parties as well as independent individual candidates.

Elections to local and regional self-governments are held regularly (every four years) and are open to independent observers. Participating candidates and elected deputies represent a broad spectrum of opinions and political orientations. Political parties play an important role in elections to self-governance bodies; therefore, many citizens in regional and municipal elections support party candidates. Nevertheless, citizens do have an alternative they can vote for independent candidates.

Various civil society players (particularly NGOs) strive to cooperate with elected representatives of local and regional self-governments to solve local problems. So far, this has had significantly mixed results. Although some towns and municipalities recently showed positive examples of working with NGOs, it would be premature to speak of systematic cooperation. Some mayors and deputies of self-governance bodies are beginning to take the initiative to involve the public in local issues by holding discussion forums, establishing expert task forces, and taking part in events organized by NGOs.
But mostly these are personal initiatives by individuals, which reflect their own experience, level of professional expertise, and civic attitudes.

Current legislation allows individual citizens and their associations to exercise their civil rights and to influence local decision making. Over the past year, there have been no attempts to restrict the activities of citizens and their associations. In 2004, the Parliament amended the Law on the Municipal System of Government and the Law on Self-Governance of Higher Territorial Units, stipulating the direct participation of citizens in decision-making processes.

The degree of public involvement in regional and local politics is similar to that of participation in so-called big politics; in the case of women and ethnic minorities (especially Roma), the rate of participation is even higher than on the national level. Independent media at the national, regional, and local levels sufficiently cover the activities of self-governance bodies and the public's reaction. The media's efforts to expose existing problems are relatively successful in spurring self-governments into action; however, there have been cases when self-governance bodies reacted negatively to information and criticism published by the media.

Regional and local self-governments do not have the power to pass laws, which is the prerogative of the national legislative assembly; however, they do have the power to pass bylaws and regulations that apply exclusively to them. Should the need arise, self-governance bodies may turn to the courts to enforce their decisions; should the state administration unconstitutionally 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.

One of the main objectives of the ongoing public administration reform is to loosen the government's centralized grip on the country's taxation system and public expenditures. In 2004, the Parliament adopted a series of laws designed to regulate the process of fiscal decentralization. According to this law, local and regional self-governments will not receive state budget subsidies to perform their duties and powers, as was previously the case, but will be financed from tax revenues (individual income tax and local taxes). According to preliminary calculations, 70.3 percent of total individual income tax revenues should be allocated to municipal budgets, 23.5 percent should end up in budgets of regional self-governments, and 6.2 percent should be designated for the central government's reserve. The tax rate is set by the central government, but authority over budgetary planning and spending rests ultimately with self-governments. The possibility of political pressure from the central government is quite limited. More important are the agreements among political parties represented on local decision-making bodies, which significantly impact the budgetary management of local self-governments.

Self-governance bodies determine the number of employees and their salaries
in line with binding rules for public sector remuneration. Generally speaking, self-governments have adequate funds to fulfill their duties and provide proper services to citizens.

Self-governments are subject to internal as well as external supervision. In 2004, the Parliament passed an amendment to the Law on the Municipal System of Government that introduces uniform and legally binding control mechanisms and regulates the role of supervisory agencies. Internal supervision is performed by the chief supervisor (a mandatory post for all self-governments), who is elected by the local or regional representation for a period of six years, which is longer than the elected representation's four-year term. External supervision of local economic management is performed by the NKU, whose position was strengthened in 2004 by an amendment that extended its powers over local spending of EU funds.

Meetings of local and regional self-governance bodies are open to the public and are held regularly; the results of their deliberations are posted on specially designed public notice boards, via the media, and increasingly on the Internet. To obtain information about self-governance bodies, the media and individual citizens may invoke the Law on Free Access to Information. The media consider the act of informing the public about local policy issues just as important as their coverage of so-called big (national) politics. In 2004, there were no documented cases of journalist intimidation for reporting on self-government activities.

Judicial Framework and Independence (Score: 2.00)

The Slovak Constitution and laws, including the Bill of Fundamental Rights and Freedoms, provide a sufficient framework for the protection of human rights. The implementation and exercise of political rights is regulated by the Law on Political Parties, the various election laws (to the Parliament and to regional and local self-governments), and the Law on Presidential Elections. A number of other laws help co-create the domestic system of human rights. In 2002, the Parliament elected the first public defender of human rights (ombudsman) in the country's history. Citizens can turn to the Constitutional Court, which accepts complaints regarding violations of human rights and also issues verdicts.

While pursuing their activities, state agencies and NGOs respect citizens' political, civil, and human rights. When there's doubt about the state's compliance, its activities are investigated by applicable law enforcement agencies (the police, prosecution, and courts of law), which attracts the attention of independent media and the general public. In 2004, the police continued its investigation into a 2003 scandal involving unauthorized wiretapping of journalists by employees of the SIS, Slovakia's secret service. In 2004, Slovak citizens filed complaints to the European Court of Human Rights against alleged violations by various state institutions. Most frequently, these involved procrastination in judicial proceedings that violated citizens' constitutional right to judicial protection, particularly the right to a lawsuit.
without unnecessary delays.

The Slovak Constitutional Court is the constitutionality watchdog, and its verdicts are legally binding. The right to appeal to the court regarding the possible unconstitutionality of laws, government regulations, and other legal rules applied by the public administration rests with parliamentary deputies (at least 30 required to appeal), the president, the cabinet, courts of justice, and the general attorney; in certain cases, self-governments also enjoy this right. In 2004, there were no attempts to mount administrative or political pressure on the Constitutional Court in order to influence its deliberations or verdicts.

The Slovak Constitution guarantees equality before the law to all Slovak citizens regardless of their sex, race, complexion, language, religion, political preference, nationality or ethnicity, property status, or other categories. By joining the EU in May 2004, the Slovak Republic undertook all related human rights obligations, including enforcement of equal treatment principles. To comply with European Council Guideline No. 2000/43, the Parliament in May 2004 passed the Law on Equal Treatment and Protection Against Discrimination, also known as the antidiscrimination act. The law stipulates the principles of equal treatment and the legal protections in case of violations. It introduced definitions of direct and indirect discrimination, harassment, instruction to discriminate and encouragement to discriminate, and unjustified sanction. At the same time, the law allows for affirmative action with respect to certain groups (especially Roma).

At the beginning of 2004, after several years of intense work by the recodification commission, the justice minister submitted to the Parliament brand-new proposals for the penal code and the code of penal procedure. The Parliament approved the drafts in June 2004 after the first reading and is expected to approve both bills in the first quarter of 2005.

The proposed draft of the new penal code introduces more precise definitions for most criminal offenses. Also, in order to reflect the changes in Slovakia's societal and legal system over the past 15 years, the new penal code seeks to introduce a new categorization for criminal offenses. According to the proposed classification, the most serious and socially dangerous crimes should be considered those against life and health, followed by crimes against freedom, human dignity, family, and youth; the third category includes property and economic crimes, while crimes against the government dropped from the top to the bottom. The proposal authorizes alternative punishment for less serious criminal offenses and lowers the age limit for criminal prosecution to 14 years. It also introduces a new criminal law institution pertaining to legal entities.

The proposed draft of the new code of penal procedure seeks to introduce systemic changes to criminal procedures, strengthening the accusation principle during court proceedings, which means that the burden of proof would rest with the complainant. It also introduces a pretrial judge who will decide on individuals' fundamental freedoms (such as custody, strip search, and house search). The Slovak legal system guarantees the presumption of
innocence until courts issue their final verdicts.

The Slovak Constitution guarantees citizens the right to legal protection. The state is obliged to provide a defender for every person facing criminal prosecution if the accused person cannot afford one. Investigation of criminal offenses in Slovakia is conducted under a prosecutor’s supervision. An accused person can be detained and arrested only if a judge has issued a written warrant. A judge must hear the arrested person's plea within 48 hours of detention and subsequently either order the person into custody or set him or her free. International conventions and other legal acts banning torture and maltreatment form an integral part of Slovakia's legal system.

The Slovak Republic has a three-level judicial system: the Supreme Court, 8 regional courts, and 45 district courts. (In 2004, the Parliament passed a new Law on Headquarters and Jurisdiction of Courts of Law in Slovakia, which reduced the total number of district courts from 55 to 45.) The judicial system is administered jointly by the president, the Parliament, the Ministry of Justice, the Judicial Council, and the Supreme Court. The president appoints judges acting on proposals from the Judicial Council, which is the principal organ of self-governance within the judiciary. Chairmen and vice chairmen of particular courts are appointed by the Ministry of Justice.

Candidates for judges must meet the following formal requirements: Slovak citizenship, minimum age of 30, civic probity, proper legal education, three years of justice candidacy, and successful completion of a judicial examination. Professional training of would-be judges (candidate justices) is administered by the Ministry of Justice. Following their appointment, all judges must complete a four-year educational program. At the end of 2004, the Parliament was expected to pass a bill on law courts that seeks to introduce a new scheme for the judiciary's organization and supervision, provide a new model for its economic and administrative management, and separate court adjudication and administration.

International monitors have confirmed that the Slovak judiciary is independent to a satisfactory degree. However, the public's sense of legal safety continued to be impaired by the courts' inefficiency, which is reduced by an overwhelming and slow-moving backlog of cases. The situation might improve in the foreseeable future with an amendment to the Civic Court Code, which regulates citizen behavior in courts and a new Law on Mediation, both of which were passed in 2004. The former allows for expediting judicial proceedings during the pretrial stage. The latter introduces a mechanism for the extrajudicial settlement of litigation in the fields of civil, commercial, labor, and family law. If the new mechanism is applied properly, part of the courts' agenda may be transferred to mediators.

Corruption (Score: 3.00)

Corruption remains one of the most critical problems in Slovakia's overall post-Communist transformation. It has two basic dimensions, institutional and
judicial, and political party actors and positive changes are faster and more
visible, the second involves the general public’s deeply rooted behavior, views,
customs, experience, and cultural stereotypes and thus requires more time to
effect eventual positive change.

The issue of combating corruption is a primary focus of media, political parties,
and NGOs. For several years, the cabinet and government agencies have been
trying to implement legislative and administrative measures to reduce the
opportunities for corruption. The current administration's program manifesto
adopted in November 2002 pointed out the inevitability of combating
corruption and included provisions from the Anticorruption Minimum, a
document elaborated by Transparency International Slovakia (TIS). First, the
administration's manifesto implements systemic reform measures in particular
areas of the public sector (for instance, judiciary, public administration, public
finance, social security system, and health service). Second, the manifesto
pursues legislative, executive, and administrative measures designed to
combat corruption.

In 2003, the Slovak government established a specialized Department of
Combating Corruption headed by Jan Hrubala, a former judge and respected
civic activist. In the same year, the authority for combating corruption was
transferred to the minister of justice. In line with its manifesto, the incumbent
administration established the Special Court of Justice and Special Prosecutor's
Department, both of which focus on combating corruption.

In 2004, the Parliament approved several bills; one constitutional bill in
particular concerned conflicts of interest. Other regular bills 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, protection of witnesses, and the post of controller in
bodies of local and regional self-governance. Last but not least, the discussed
bills sought to make public procurement procedures more transparent.
Unfortunately, the implementation of anticorruption measures often meets
obstacles ranging from red tape to open resistance from public administration
agencies.

TIS warned in October 2004 that the government was falling behind in the
schedule to implement its anticorruption program, particularly in curbing
deputy immunity, and that not all ministries were vigorously combating
corruption. Among the positive examples cited by TIS were the Ministries of
Justice, Labor, Social Affairs, and Family. According to the Corruption
Perceptions Index published annually by Transparency International, in 2004
Slovakia ranked 57th with an index of 4.0.

Slovakia's privatization has considerably reduced the government's
involvement in the national economy and the space for corrupt behavior from
state officials. More than 90 percent of Slovakia's GDP is now produced by the
private sector. The government did retain certain investments in so-called
strategic enterprises (natural monopolies); however, these stakes continue to
diminish as privatization continues.

In recent years, Slovakia has adopted a number of measures to reduce bureaucratic corruption in various areas (for instance, enterprise, real estate, government public procurement orders, and so on) and to increase transparency of public authorities. However, corruption continues to be relatively large owing to the persistent centrality of the public administration and the subjective decision-making processes of officials and clerks.

In May 2004, the Parliament approved a constitutional Law on Conflicts of Interests, which bans the president, members of the cabinet, justices of the Constitutional Court, and other supreme state officials from pursuing any business activities, receiving pay for brokering deals between the government and private entities or corporations, or receiving income generated by either a side job or a contracted business relation that exceeds the minimum wage. The civil and public service laws precisely circumscribe the process for selecting, appointing, supervising, and remunerating civil servants and invested the category of civil servant with special financial and executive powers that carry stricter rules.

Also, the new Law on Conflicts of Interests introduced so-called post-employment restrictions that ban ex civil servants from being employed by legal entities that either received state assistance based on the civil servant's decisions or participated in public procurement for the agency where the civil servant worked. The ban lasts for two years after the individual leaves the civil service. In addition, the new law also states that a public officials that commit major violations of the law, may lose their posts.

The Law on Public Procurement stipulates conditions for holding public tenders to supply goods and services to the state administration. Information on public tenders and their results must be published in official gazettes that are publicly available. According to the Public Procurement Authority (UVO), there are still too many cases where government bodies have organized public procurement without holding proper public tender while using "softening" provisions of the Law on Public Procurement (particularly the so-called time pressure provision). According to UVO, only one in three (33.5 percent) of all public procurement contracts in 2004 was awarded after a proper public tender had been held. In 3 percent of all cases in which the authorities used restricted tenders, 1 percent of contracts were decided in negotiations with prior notification, and almost two in three contracts (62.5 percent) were decided in negotiations without prior notification.

In 2003, Slovak law enforcement prosecuted 147 persons for corruption-related criminal offenses; 49 of them have been convicted. In the first half of 2004, 134 persons were prosecuted and 29 convicted. Persons investigated in 2004 for suspicion of corrupt practices included representatives (or members) of the ruling SDKU and KDH political parties as well as the opposition HZDS; however, there were no documented cases of suspects or accused persons receiving special treatment based on their party affiliation. Likewise, there is
little evidence that investigations of corruption are politically motivated.

All institutions financed from public funds are subject to the supervisory authority of the NKU. Although top officials of the NKU are elected by the Parliament, this agency is fully independent from any political pressure when exercising its powers and performing its duties. Its findings are made public via all types of media, including the Internet, and often become the focus of vivid public debate. In 2004, there were no attempts to restrict the activities of the NKU or question its findings.

In 2004, the Parliament amended the labor code, strengthening protections for persons who inform about corrupt practices in the workplace (so-called whistle-blowers). Slovakia has a number of independent NGOs that are very active in fighting corruption and promoting transparency and accountability in public life (for instance, TIS, Alliance for Transparency and Corruption Combat, Alliance to Stop Conflict of Interests, and Fair Play Alliance). There have been no attempts by the state or private individuals to hinder the activities of these groups or intimidate their activists. The police encourage citizens with information on corrupt civil servants or a personal experience of corruption to participate in exposing concrete cases. The institution of protected witness offers a certain guarantee against intimidation or harm to those who help expose corruption and organized crime.

The Slovak media freely and openly inform the public about corruption cases and suspicions of corrupt practices. The daily press, as well as private and public electronic media, publishes dozens of news stories and analyses focusing on the issue of corruption and clientelism in public life. In the course of 2004, Slovak media presented extensive coverage of corruption scandals and allegations of corruption involving public figures.

The Slovak population perceives corruption as an extremely serious problem. According to a survey conducted by the independent FOCUS polling agency, corruption ranked fourth on the list of the most pressing social problems, trailing only standard of living, unemployment, and health care. The share of citizens who spontaneously cited corruption as the most pressing problem decreased from 24 percent in 2003 to 18 percent in 2004, which might be the result of successful anticorruption measures. On the other hand, a significant share of the Slovak population is critical of the government's efforts; as much as 60 percent of Slovak citizens believe that the incumbent administration is not interested in tackling the problem.

Public opinion polls conducted by FOCUS indicate that Slovak citizens perceive corruption as being widespread especially in health care services, judiciary, police, ministries, police, customs offices, schools, private firms, and tax offices. According to Slovak citizens, the most rampant form of corruption in Slovakia is giving and accepting bribes (according to 58 percent of citizens), nepotism (55 percent), clientelism (50 percent), and giving and accepting gifts (42 percent).

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