

## Slovakia

**Country:**

Slovakia

**Year:**

2016

**Freedom Status:**

Free

**Political Rights:**

1

**Civil Liberties:**

1

**Aggregate Score:**

89

**Freedom Rating:**

1.0

**Overview:**

In 2015, Slovakia's prime minister, Robert Fico, joined a number of other Central European leaders who responded to Europe's refugee crisis by pushing back against the mandatory resettlement quotas prescribed by the European Union (EU). In December, Slovakia filed a lawsuit with the European Court of Justice, challenging the refugee redistribution scheme.

Domestically, the ruling Direction–Social Democracy (Smer-SD) party maintained its single-party majority in 2015, with opinion polls showing its popularity rising in the latter half of the year as the standoff with the EU continued.

**Political Rights and Civil Liberties:**

**Political Rights: 36 / 40 (-1) [Key]**

**A. Electoral Process: 12 / 12**

Voters elect the president for up to two five-year terms. Members of the 150-seat, unicameral National Council are elected for four-year terms through nationwide proportional representation. Parties must obtain at least 5 percent of the vote to win seats. The prime minister is appointed by the president but must have majority support in the parliament to govern. The presidency is mostly ceremonial, though the president has the power to name judges to the Constitutional Court, appoints 3 of the Judicial Council's 18 members, may veto legislation, and approves any proposal by the prime minister to recall a member of the government.

Early parliamentary elections in 2012 resulted in a landslide victory for Fico's Smer-SD, which won 83 seats. The two main parties in the outgoing center-right government, the Christian Democratic

Movement (KDH) and the Slovak Democratic and Christian Union–Democratic Party (SDKÚ–DS) captured 16 and 11 seats, respectively. Most-Hid (Bridge), which advocates for better cooperation between the country’s ethnic Hungarian minority and ethnic Slovak majority, took 13 seats, and the Freedom and Solidarity (SaS) party won 11 seats. A new party composed of former SaS members, the Ordinary People and Independent Personalities (OLaNO), secured 16 seats.

Andrej Kiska—an independent candidate without previous political experience—won the presidency in 2014, beating his primary competitor, Fico, by a significant margin.

New electoral legislation came into effect in July 2015 that unified voting procedures across the country, set new campaign spending limits and finance regulations, and prescribed fines for violating election rules. The changes also included a moratorium on campaigning for two days before an election and a ban on publishing opinion poll results for two weeks before the first round of voting. A 14-member committee, appointed with input from political parties and members of the judiciary, will now oversee elections and campaigning.

Slovakia’s next parliamentary elections will take place in March 2016.

## **B. Political Pluralism and Participation: 15 / 16**

Slovakia is home to a competitive multiparty system. Since the country joined the European Union in 2004, power has shifted between center-left and center-right coalitions. The left-leaning Smer-SD, then in opposition, won the 2012 parliamentary elections by a margin large enough to form Slovakia’s first-ever single-party government.

Relations between Smer-SD and the opposition center-right parties remained confrontational throughout 2015, with the opposition accusing Smer-SD of using its majority to rush through legislation or block other factions’ proposals. Analysts interpreted Kiska’s landslide victory in the 2014 presidential election as a reflection of growing concern that Fico and Smer-SD—which controls more than half of seats in Slovakia’s National Assembly—are developing a monopoly on political power in the country. However, both Fico and his party remained popular throughout 2015. Meanwhile, the popularity of the nationalist Slovak National Party (SNS) rose.

Oligarchs, some of whom have ties to the political class in Slovakia, have seen their influence grow in recent years through purchases of large media companies.

Slovakia’s first-ever Romany representative, Peter Pollak, was elected to the legislature in 2012 and later became the plenipotentiary for Romany communities, the government’s top policy coordinator for the Roma.

## **C. Functioning of Government: 9 / 12 (–1)**

Corruption remains a problem, most notably in public procurement and the health sector.

In late 2014, Pavol Paška resigned as parliamentary speaker over allegations that he had helped to rig public contracts in the health care sector. Paška denies wrongdoing and he appears unlikely to face charges, but most anticorruption groups believe such practices are widespread. In late 2015, a contract worth €25 million (\$27.6 million) for managing ferry transport across the Danube River came under scrutiny over questions about the transparency and fairness of the bidding process.

A full decade since the emergence of the so-called “Gorilla file”—a leaked document concerning government surveillance of allegedly corrupt relationships between politicians and prominent businessmen—prosecutors are still reluctant to confirm the authenticity of the transcripts. In May 2015, special prosecutor Dušan Kováčik twice refused to attend parliamentary committee hearings where he was meant to update deputies on the status of the investigation.

Controversial revisions to Slovakia’s public-procurement rules, adopted in 2013, introduced an electronic marketplace designed to increase competition and transparency in procurements, but included exemptions that would allow ministries and offices to award contracts without a tender process. A nine-member council was established to serve as an appeal body for the Public Procurement Office (ÚVO) to accelerate appeal proceedings and unify ÚVO decision making. The council is headed by the chair and vice chair of ÚVO. Nongovernmental organizations (NGOs) will nominate candidates to serve as the remaining seven members, who are appointed by the cabinet.

In the wake of a health care procurement scandal involving Paška, the parliament drafted more revisions to the public-procurement law in 2014 and 2015 intended to bar shell companies from involvement in the public procurement process. Critics in the opposition claimed that the legislation is still too easy for such companies to circumvent. In December, Kiska returned the bill to parliament for further consideration.

Legislation is frequently passed with little opportunity for public discussion. Statements and recommendations of Slovakia’s human rights ombudswoman, Jana Dubovcová, rarely receive close consideration by the government; fewer than a dozen parliamentary deputies attended the presentation of her 2014 annual report. Her November 2015 report about unlawful police practices was not approved by a parliamentary committee on human rights and ethnic minorities.

*According to Transparency International, many state-owned companies still do not publish even basic information, such as annual reports. Slovakia was ranked 50 out of 168 countries and territories surveyed in Transparency International’s 2015 Corruption Perceptions Index.*

## **Civil Liberties: 53 / 60**

### **D. Freedom of Expression and Belief: 15 / 16**

Freedoms of speech and the press are protected by the constitution, but media outlets sometimes face political interference. Journalists continue to encounter verbal attacks and libel suits by public officials. In general, government relations with the independent and opposition media are tense. In May 2015, opposition-oriented daily *Denník N* ran an appendix of cartoon stickers that lampooned Prime Minister Fico and portrayed him as a thief. In retaliation, the prime minister’s entire cabinet declared that they would no longer respond to questions from *Denník N* journalists. The same week, two *Denník N* reporters who were supposed to have traveled to Russia with Fico had their accreditations revoked by the cabinet.

Under the criminal code, persons convicted of libel can face up to eight years in prison. Though no journalists have been imprisoned in recent years, courts have awarded inappropriately high compensations to public officials in such suits. In early 2015, Milan Kňažko, who unsuccessfully ran for mayor of Bratislava in 2014, launched a defamation suit against the publisher of the *Týždeň* weekly, demanding an apology and €100,000 (\$112,000) in damages over a pair of critical articles the paper had published ahead of the election. Separately, recent years have seen a number of media buyouts by prominent Slovak individuals and firms. The government does not restrict internet access.

The government respects religious freedom in this largely Roman Catholic country. Registered religious organizations are eligible for tax exemptions and government subsidies. However, religious groups must have at least 20,000 members to register, effectively preventing the small Muslim community and other groups from claiming government benefits. Academic freedom is respected. Outside of restrictions on what the government deems to be extremist speech, people are free to engage in private discussions without fear of punishment.

#### **E. Associational and Organizational Rights: 12 / 12**

Authorities uphold freedom of assembly and association. NGOs generally operate without government interference. Labor unions are active, and organized workers freely exercise their right to strike.

#### **F. Rule of Law: 12 / 16**

The constitution provides for an independent judiciary. However, the court system continues to suffer from corruption and a significant backlog, and public trust in the judiciary is low.

In 2014, then–Supreme Court chairman and Judicial Council head Štefan Harabin, an ally of Smer-SD, lost reelection to his dual post, but stayed on as a judge on the high court. Throughout his tenure, he had been accused of cronyism and intimidation in the selection and appointment of judges. In 2015, Supreme Court President Daniela Švecová sought Harabin’s ouster, in her third attempt to bring disciplinary action against him, but the panel of judges assigned with evaluating the charges did not rule on his dismissal in the allotted time.

A 2014 constitutional amendment introduced new screening procedures for judges, including background checks conducted by the National Security Office (NBÚ) with Judicial Council oversight. Critics denounced the new procedure as a potential channel for political influence on the selection of judges and a threat to their public accountability. In the second half of 2015, the first two rounds of judicial candidates screened by the NBÚ were submitted to the Judicial Council for approval.

Prison conditions in Slovakia meet most international standards, but overcrowding remains a concern. NGOs and members of the Romany community report that Romany suspects are often mistreated by police during arrest and in custody.

LGBT (lesbian, gay, bisexual, and transgender) people continue to report discrimination. A 2014 constitutional amendment defines marriage as a union of a man and a woman, effectively banning same-sex unions and adoptions. In February 2015, a referendum intended to cement these changes was held as a result of an energetic campaign by the Alliance for Family, an umbrella organization linked to over 100 conservative and religious groups. More than 90 percent of referendum participants voted in favor of constitutionally limiting marriage and adoption to heterosexual couples, but turnout was so low that the referendum failed. Slovakia does not allow same-sex couples to register as partners.

Minority groups in Slovakia—including sizable Hungarian and Romany populations—have the right to develop their own culture, the right to information and education in their mother tongue, and the right to use their language in official communication. Nevertheless, some groups—most notably the Roma—experience widespread discrimination. The Roma have reported forced evictions and de facto segregation of Romany children in schools. A 2015 report by the United Nations Committee against Torture (UNCAT) expressed concern about cases of excessive use of force by police against Roma, including minors, noting that investigations into allegations of such ill-treatment are

carried out by a department within the Interior Ministry—the same body that employs and supervises the alleged perpetrators. The UNCAT report noted that no charges have been brought against the police officers who participated in a violent 2013 raid on a Roma settlement in the Košice region.

In February 2015, policemen accused of physically abusing six Roma juveniles in Košice in 2009 were acquitted after a district court refused to admit as evidence a video appearing to show the incriminating acts.

The governor of the Banská Bystrica self-governing region, Marian Kotleba, is the head of the extremist People's Party—Our Slovakia (L'SNS). When the Ministry of Foreign Affairs allocated about €7,000 (\$1,100) in 2015 to a local theater project aimed at educating high school students in tolerance of minorities, Kotleba refused to accept the allocation. The project ultimately received funding from other sources, but the governor still insisted that it should be rescheduled outside of school hours to make time for a regional beauty pageant. In November, L'SNS filed a criminal complaint against a World War II remembrance organization for publishing the memoirs of a woman who saved thousands of Hungarian Jews during the Holocaust. The woman was a member of a Jewish defense organization founded by Zionists; Zionism, says L'SNS, is an ideology that suppresses human rights.

In a televised debate in November, Prime Minister Fico blamed recent terrorist attacks in Paris on Europe's ongoing refugee crisis, characterizing the influx of Muslim migrants as a threat to European security. Fico added that Slovak citizens' security is more important than the rights of migrants and that his government will "monitor every single Muslim in Slovakia." Slovak police searched several hotels and guesthouses that month, apparently looking for illegal migrants. A September 2015 report from the ombudswoman's office criticized police for conducting violent searches of refugees earlier that month at the Medvedov refugee camp. Also in September, L'SNS organized a protest against the placement of asylum seekers in Gabčíkovo, a town on Slovakia's Hungarian border, where a local referendum had been held on the issue. In the vote, 97 percent of participating residents had backed keeping the migrants out. Police broke up the demonstration.

## **G. Personal Autonomy and Individual Rights: 14 / 16**

The government respects the freedom of movement and does not arbitrarily interfere with citizens' rights to own property, establish private businesses, or freely choose their residence, employment, and educational institution.

Although women enjoy the same legal rights as men, they continue to be underrepresented in senior-level government and business positions. Currently, 20 percent of parliamentary deputies are women. Domestic violence is punishable by imprisonment but remains widespread. The U.S. State Department's 2015 Human Trafficking Report found that the Slovak government complies with international standards for combatting human trafficking, but noted that certain populations, including the Romany community, were particularly vulnerable to trafficking in Slovakia.

### **Scoring Key: X / Y (Z)**

**X = Score Received**

**Y = Best Possible Score**

**Z = Change from Previous Year**

## **Full Methodology**

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