



# Slovakia Report

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## Sustainable Governance Indicators 2018

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## Executive Summary

In the parliamentary elections in March 2016, Prime Minister Robert Fico's social-democratic party, Smer-SD, lost its absolute majority of seats. While Smer-SD remained the strongest faction in parliament and Fico was sworn in as prime minister for the third time, the governing coalition only won a marginal majority of 78 out of 150 seats. The coalition also includes "strange bedfellows," namely the nationalist Slovak National Party (SNS) and Most-Híd, a centrist party representing the Hungarian minority. To the surprise of many observers, the coalition turned out to be rather stable in its first year in office. The first coalition crisis only broke out in August 2017. Prompted by the decision of SNS leader Andrej Danko to withdraw from the coalition, the crisis lasted just two weeks. Its main result was the resignation of Minister of Education Peter Plavčan, a SNS nominee involved in a scandal about the misuse of EU funds.

As for the quality of democracy, no significant progress was achieved in the period under review. The country has continued to suffer from intransparent media ownership, a strong politicization of courts and public administration, and rampant corruption. As evidenced by the controversial change in the leadership of the public broadcaster RTVS in June 2017, political pressure on the media has further increased. Despite some legal steps in the right direction, widespread discrimination against Roma, women, LGBTI persons, refugees and Muslims has persisted. On a more positive note, reforms introduced by Minister of Justice Lucia Žitňanská have made the judiciary more transparent, and the long-standing stalemate between President Kiska and the parliament over the appointment of Constitutional Court justices has been overcome.

With GDP growing by almost 3.5% in 2016 and 2017, the Slovak economy remains among the strongest growing EU and OECD countries. The stronger-than-expected economic growth has brought a further decline in the unemployment rate and helped the government to reduce the general government fiscal deficit to below 1.5%. By contrast, there was little progress with much-needed health care, education and R&D reforms. In the case of education and R&D, the implementation of reforms was delayed by resignation of Minister of Education Peter Plavčan in summer 2017.

The change from a one-party to a coalition government after the 2016 elections resulted in some differences between the second and third Fico governments. In the latter, ministerial compliance has become more precarious, particularly since SNS-nominated ministers are not party members and lack experience. After the coalition crisis in August 2017, more formal coordination mechanisms were introduced to improve communication and consultation among the coalition partners.

While Prime Minister Fico pursued a rather confrontational approach toward the European Union in the context of the 2015 refugee crisis, his attitude changed during 2017. In the face of a regression of democracy and rule of law, and the eurosceptic positions of Hungary and Poland, Fico sought to pursue a different policy course. Fico emphasized that he is very much interested in regional cooperation within the Visegrad-4 but that Slovakia's vital interest is with the European Union. He expressed a desire to cooperate in the reform plans of France and Germany, and to be part of a deeply integrated "core" European Union.

## Key Challenges

Since autumn 2017, the political scene in Slovakia has changed. The regional elections in early November saw a continuation of the trend of declining support for Prime Minister Fico and his once dominant Smer-SD party, which set in with Fico's surprise defeat in the 2014 presidential elections and continued with Smer-SD's loss of its absolute majority in the 2016 parliamentary elections. Fico's Smer-SD lost four of six regional governors and a considerable share of chairs in the regional councils. Fico's core message of strength and dominance has begun to fail. His one-week silence after the regional elections raised questions and unrest in his party has grown, as evidenced by the resignation of Marek Mad'aric, the vice-chair of Smer-SD, in December 2017. In mid-March 2018, Fico resigned after the murder of the investigative journalist Jan Kuciak, who had uncovered links between people in government, the mafia and his fiancée, which sparked mass protests and a coalition crisis. The resignation of Fico and some other concessions by Smer-SD cleared the way for a continuation of the coalition of Smer-SD, SNS and Most-Híd, now led by former Deputy Prime Minister Peter Pellegrini. Contrary to opposition and public demands, no early elections were called and Smer-SD has gained an opportunity to win back credibility. This will require Smer-SD to take a clearer position on corruption, and to end its interventionist approach to the media and public institutions.

The resignations of Minister of Interior Robert Kaliňák and Prime Minister Fico will not be sufficient to overcome public frustration with the political class. One critical issue will be dealing with the audit of Slovak anti-corruption legislation, which Fico and the OECD had agreed on at the beginning of 2017. What is also required is the continuation of the reform of the judiciary started by Minister of Justice Lucia Žitňanská (who resigned in March 2018), and a de-politicization of specific public bodies – such as the Public Procurement Office, the Prosecutor General and the Supreme Audit Office – and public administration more generally. In the case of the Constitutional Court, the rules for the appointment of justices should be amended with a view to strengthening professional requirements.

While Slovakia's short-term economic and fiscal situation looks favorable, the country faces a number of policy challenges. Long-term economic prospects are limited by the poor state of the infrastructure, a lack of skilled labor and limited R&I activities. All these aspects require an improvement in order to sustain the economic course in the mid- to long-term perspective.

As for the next parliamentary elections, party competition is likely to focus on the political center. Defying widespread fears, right-wing populist and extremist parties scored poorly in the regional elections in November 2017. Marián Kotleba, the extremist governor of the Banská Bystrica region, was ousted by an independent candidate. This suggests that the good results of far-right parties in the national elections in 2016 do not reflect a deeply anchored attitude in the Slovak public, but were primarily a consequence of the aggressively anti-migration and xenophobic discourse nurtured by Fico and his party in the electoral campaign. As the recent formation of two new centrist and programmatic parties – Spolu – Občianska Demokracia (Together – Civic Democracy) and Progresívne Slovensko (Progressive Slovakia) – indicates, the next elections might bring about substantial changes in the party landscape.

# Policy Performance

## I. Economic Policies

### Economy

Economic Policy  
Score: 6

With real GDP growing by almost 3.5% in 2016 and 2017, the Slovak economy remains among the strongest growing EU and OECD countries in the period under review. For 2018 and 2019, even higher growth rates are expected. Growth continues to be driven by household spending growth and net exports. After the sharp decline of public investment in 2016, overall investment is set to return to growth in 2017 and supposed to accelerate further in 2018. The British carmaker Jaguar Land Rover (JLR) with whom the Slovak government signed a major agreement in December 2015 plans to launch its production by the end of 2018. The plant to be constructed near Nitra is a €1.4 billion project providing work to more than 1,000 people. A further car company, the Chinese producer of e-cars Zhi Dou, is interested in investing in Slovakia. These developments strengthen Slovakia's position as the world's largest producer of cars per capita, but will further increase the already-high dependence of the Slovak economy on a single sector and on export performance. Moreover, long-term growth prospects still suffer from weak infrastructure, a lack of skilled labor, low R&D spending and deficits in public governance.

Citation:

European Commission (2018): Country Report Slovakia 2018. SWD(2018) 223 final. Brussels (<https://ec.europa.eu/info/sites/info/files/2018-european-semester-country-report-slovakia-en.pdf>).

OECD (2017): Economic Survey Slovak Republic 2017. Paris.

### Labor Markets

Labor Market  
Policy  
Score: 4

Due to the strong growth of the Slovak economy, the unemployment rate has gradually fallen in the last years and has declined to about 8% in 2017. At the same time, however, several structural problems persist which have not been

adequately addressed by the third Fico government. Long-term unemployment is one of the highest in the European Union, and the labor market participation of groups such as Roma, young people, women with children, the elderly and low-skilled persons is relatively low. As labor market mobility within Slovakia is low, regional differences in (un-)employment are strong. A more recent problem is the growing shortage of qualified labor for industrial production. While labor market programs have been refined and the implementing of an action plan for the integration of long-term unemployment adopted in November 2016, has started, spending on labor market policy and the rate of participation in such measures are still low.

Citation:

European Commission (2018): Country Report Slovakia 2018. SWD(2018) 223 final. Brussels, 22-26 (<https://ec.europa.eu/info/sites/info/files/2018-european-semester-country-report-slovakia-en.pdf>).

Ministry of Finance (2017): National Reform Programme of the Slovak Republic 2017. Bratislava, 10. (<https://ec.europa.eu/info/sites/info/files/2017-european-semester-national-reform-programme-slovakia-en.pdf>).

## Taxes

Tax Policy  
Score: 6

The introduction of a flat-tax regime in 2004 played a major role in establishing Slovakia's erstwhile reputation as a model reformer and an attractive location for investment. Whereas the first Fico government left the flat-tax regime almost untouched despite earlier criticism, the second Fico government in 2012 reintroduced a progressive income tax and increased the corporate-income tax, thereby increasing vertical equity to the detriment of competitiveness. Under the third Fico government, the focus has rested on the fight against tax evasion and improvements in tax collection. In addition, the government adopted a number of minor tax changes, including a lowering of the corporate-income tax rate from 22% to 21%, increases in the caps on social insurance contributions and a temporary doubling of the special levy on businesses in regulated industries (energy, telecoms, public health insurance, etc.). The introduction of reverse charge on VAT for imported goods was deferred and made subject to a pre-defined level of public budget deficit, which means it will likely not come into effect before 2020. These changes have lacked a clear direction and have further undermined the reliability of the tax system. While corporate-income tax revenues in 2017 were lower than expected, stronger-than-expected revenues from VAT, personal income tax and social insurance contributions helped to reduce the fiscal deficit.

Citation:

European Commission (2018): Country Report Slovakia 2018. SWD(2018) 223 final. Brussels, 16-17 (<https://ec.europa.eu/info/sites/info/files/2018-european-semester-country-report-slovakia-en.pdf>).

Paur, D. (2017): Uncertainty in Corporate Tax. Institute for Financial Policy, Policy Brief 2017/5, Bratislava (<http://www.finance.gov.sk/en/Default.aspx?CatID=740>).

## Budgets

Budgetary Policy  
Score: 7

Slovakia managed to reduce its fiscal deficit from 8% in 2009 to 3% in 2015 and 1.7% in 2016. For 2017, a deficit of below 1.5% is expected, for 2018 even a balanced budget. While the consolidation of the budget has been favored by strong and higher-than-expected economic growth, the government has also succeeded in limiting expenditure growth. In the period under review, the government continued its “Value for Money” project and initiated a second round of spending reviews. At the same time, its calls for exempting state spending on roads and highways from counting toward the constitutional debt ceiling have raised concerns about the credibility of the country’s fiscal framework. Because of population aging, and the lack of pension and health care reform, the long-term risks for public finances have remained high.

Citation:

European Commission (2018): Country Report Slovakia 2018. SWD(2018) 223 final. Brussels, 9, 17-18 (<https://ec.europa.eu/info/sites/info/files/2018-european-semester-country-report-slovakia-en.pdf>).

## Research and Innovation

R&I Policy  
Score: 3

Slovakia has a weak and underdeveloped research and innovation policy. R&D intensity, the number of patent applications and levels of employment in knowledge-intensive activities are below the EU average. Expenditure on R&D, both public and private, has gradually risen, but has done so from a very low level and remains relatively low. The increased private sector investment in R&D has not been sufficient to compensate for the state failure in managing R&D. Competencies have been divided between the Ministry of Economy, and the Ministry of Science, Education, Research and Sports, with each ministry managing its own network of agencies. Originally planned for 2017, the transformation of the organizations of the Slovak Academy of Sciences into public-law institutions, which aimed at facilitating cooperation between the academy and business, was eventually postponed. Weaknesses in the distribution of funds became manifest in summer 2017 when Minister of Education Peter Plavčan resigned following a scandal surrounding the misuse of EU funds for research. His successor, Martina Lubyová, scrapped the call of her predecessor and announced an action plan guaranteeing more transparency for the funding procedures in research.

Citation:

Baláž, V., K. Frank, T. Ojala (2018): RIO Country Report Slovakia 2017. Luxembourg: EU (<https://rio.jrc.ec.europa.eu/en/country-analysis/Slovakia/country-report>).

Ministry of Finance (2017): National Reform Programme of the Slovak Republic 2017. Bratislava, 10. (<https://ec.europa.eu/info/sites/info/files/2017-european-semester-national-reform-programme-slovakia-en.pdf>).

Stabilizing  
Global Financial  
Markets  
Score: 7

### Global Financial System

As a small country, Slovakia has very limited capacity to influence the regulation or supervision of the global financial markets. Regarding these issues, it tends to follow the EU mainstream. Slovakia has been supporting the international regulation of financial markets, including the creation of a banking union and implementing all European Union directives regarding supervision of financial markets as well as the establishment of the European Fund for Strategic Investments. Slovakia supports also the transparency of tax systems in order to enhance investment activities and the monitoring of cross-border financial flows both within Europe and globally.

## II. Social Policies

### Education

Education Policy  
Score: 4

The Slovak education system has suffered from a number of weaknesses. While public spending on education has risen, its level is still among the lowest in the European Union. Teachers' education is inadequate and the teaching profession is unattractive. Because vocational education is underdeveloped and universities focus on non-technical education, Slovakia faces a shortage of skilled workers needed for its industry-oriented economy. In consequence, the education system is insufficiently geared to increasing Slovakia's economic potential. In 2015, Slovakia introduced a dual vocational education training system, but interest among potential participants remains limited. Tertiary educational attainment has improved, but quality control in higher education does not meet international standards. The implementation of the anti-segregation legislation adopted mid-2015 in order to improve education for Roma children has been hindered by low teacher participation and a lack of teachers able to teach in multicultural settings.

Upon coming to office, the third Fico government, as one of its priorities, announced the drafting of a 10-year National Education and Training Development Program by the end of 2016. However, the finalization and implementation of the reform program developed and presented in March 2013 by an independent expert commission was delayed by the resignation of



Minister of Education Peter Plavčan and his replacement by Martina Lubyová in August 2017. The latter dissolved the Institute of Education Policy (IVP) which had been a major analytical pillar of the ministry and had been strongly involved in the drafting the new program. At the beginning of 2017, a new action plan (Strategy of the Slovak Republic for the Integration of the Roma until 2020) was approved for 2016 – 2018 which means that €170 million will go to education in order to reduce the difference between levels of education of the Roma compared to the national average.

Citation:

European Commission (2017): Education and Training Monitor 2017. Luxembourg ([https://ec.europa.eu/education/sites/education/files/monitor2017-sk\\_en.pdf](https://ec.europa.eu/education/sites/education/files/monitor2017-sk_en.pdf)).

Ministry of Finance (2017): National Reform Programme of the Slovak Republic 2017. Bratislava, 23-28 (<https://ec.europa.eu/info/sites/info/files/2017-european-semester-national-reform-programme-slovakia-en.pdf>).

### Social Inclusion

Social Inclusion  
Policy  
Score: 5

The Slovak social-protection system covers standard social risks. Due to the country's relatively uniform income distribution, recently growing employment and a redistributive social policy, income inequality and the risk of poverty remain relatively low. However, there are substantial differences between regions and ethnic groups. As measured by the regional Gini coefficient, Slovakia stands out as the country with the highest regional disparities in the European Union. Roma and children from disadvantaged families continue to be the groups most at risk of social exclusion. The poverty rate among Roma is more than six times higher than for the general population and also higher than in other societies with sizable Roma populations. Access to the labor market, especially for women and people living in the east and north, has remained a challenge. The main reasons for this phenomenon are the combination of low growth and job creation in the country's poorer regions, as well as an insufficient infrastructure and incentives for regional labor mobility to job-rich areas. The underdeveloped long-term care system infringes upon the social inclusion of elderly and frail people.

Citation:

IMF (2017): Slovak Republic: Selected Issues. IMF Country Report No. 17/72, Washington, D.C., 2-14 (<http://www.imf.org/en/Publications/CR/Issues/2017/03/23/Slovak-Republic-Selected-Issues-44751>).

### Health

Health Policy  
Score: 4

Slovakia has a mandatory health-insurance system that provides all residents with primary, secondary and tertiary care, pharmaceuticals and medical devices. The state covers the health-insurance costs of children, students,

pensioners, the (registered) unemployed and women on maternity leave. From a comparative perspective, the quality and efficiency of health care services are relatively low. A government spending review published in autumn 2016 showed that there is significant scope to increase the cost-effectiveness of various areas of health care. Population aging, bad working conditions in the Slovak health sector and mass migration of doctors and nurses to other EU countries have resulted in a shortage of staff. The Slovak Medical Chamber estimates that Slovakia has a shortfall of about 3,000 doctors. If those who have already reached retirement age but are still practicing are counted, then the deficit reaches 5,000 doctors.

The third Fico government initially announced that it would replace the existing reform strategy for 2014 – 2020 with a new and updated strategy, but failed to do so. The implementation of the existing strategy has proceeded slowly and selectively. In 2017, the gradual introduction of DRGs in hospital financing started. After eight years of preparation, the new e-health system is scheduled to become operational in January 2018. Little has been done to tackle the widespread corruption in the health care system. Some steps have been taken in the period under review (rationalization of hospital care) but other initiatives have stalled, such as the integrated care model.

Citation:

Ministry of Finance (2017): National Reform Programme of the Slovak Republic 2017. Bratislava, 44-47. (<https://ec.europa.eu/info/sites/info/files/2017-european-semester-national-reform-programme-slovakia-en.pdf>).

OECD (2017): Economic Survey Slovak Republic. Paris, Chap. 2.

## Families

Family Policy  
Score: 4

In Slovakia, traditional notions of the family are still fairly strong. Mothers of children under two years of age rarely work, the employment rate for women (25-49) with children below six years of age reaches a mere 40%, and the gender employment gap for young women (20-29) is among the highest in the European Union. Working women face an enormous double burden of both professional and domestic responsibilities. This situation is reinforced by the low incidence of part-time employment, income tax splitting and the relatively long duration of parental leave. Child care facilities are limited and have not kept up with the increase in birth rates. Child care for children under three years of age in particular continues to be virtually unavailable. Larger towns have insufficient kindergarten slots. Compared to its predecessors, the third Fico government has paid more attention to the expansion of child care facilities and has begun to shift the focus of family policy away from cash benefits. However, a legal framework for child care services is still missing.

## Pensions

Pension Policy  
Score: 5

Slovakia introduced a three-pillar pension system along World Bank lines in 2004. From 2012 to 2015, the Fico government adopted a number of measures aimed at strengthening the first (public, pay-as-you-go) system to the detriment of the originally relatively strong second (private, fully funded) pillar. These changes have re-increased the role of the state in providing for the elderly, and have given the pension system a more redistributive nature. In order to limit the pressure on the first pillar associated with a rapidly aging Slovak population, the indexation of pensions was gradually changed between 2013 and 2017. Instead of being indexed to the growth of the average wage and the consumer price index (i.e., inflation), the annual adjustment of pensions became dependent on the development of the cost of living of pensioners. In 2017, however, the government reneged on the change in indexation. An ad hoc increase of pensions by 2% in 2017 was followed by the guarantee of a pension increase of at least 2% of an average pension for the period 2018 – 2021. The Council for Budgetary Responsibility and others have warned of the costs for the first pillar resulting from these increases.

Citation:

Minarechová, R. (2017): Valorisation mechanism changes, in: Slovak Spectator, November 11, 2017 (<https://spectator.sme.sk/c/20690030/valorisation-mechanism-changes.html>).

## Integration

Integration Policy  
Score: 3

While the share of foreigners in the Slovak population is still relatively low compared to most other EU countries, the inflow of migrants has increased in recent years. The 105,000 foreigners living in Slovakia in 2017 accounted for 1.92% of the population. More than half were workers; about 40% of came from Austria, the Czech Republic, Hungary, Poland or Ukraine. From January to June 2017, the Slovak Republic granted asylum to 18 people.

Despite the growing labor shortage, the second and third Fico governments have done little to develop consistent and sustainable policies for migrant integration. The second Fico government passed a new document on integration policy that largely embraced the Common Basic Principles for Immigrant Integration Policy in the European Union. Largely implementing EU directives, the third Fico government reduced barriers to the arrival, stay and employment of foreigners from outside the European Union by an amendment to the Act on Residence of Foreigners that went into effect on 1 November 2016. In the context of the EU refugee crisis, Prime Minister Fico has continued to oppose mandatory quotas for distributing refugees within the

European Union. He filed a law suit against the European Council for adopting the quota mechanism in December 2015, which was eventually dismissed by the European Court of Justice in September 2017. During the 2016 election campaign, Fico instrumentalized the issue of migration and fueled anti-refugee sentiments by implicitly linking refugees to the threat of terrorism. In May 2016, shortly before Slovakia took over the EU presidency, Fico stated that “Islam has no place in this country.”

Citation:

International Organization for Migration / Office for the Slovak Republic (2018): Migration in Slovakia. Bratislava (<http://www.iom.sk/en/about-migration/migration-in-slovakia>).

Terenzani, M. (2017): Refugee quota lawsuit is dead, in: Slovak Spectator, September 6, 2017 (<https://spectator.sme.sk/c/20642573/slovakias-lawsuit-against-the-eu-dismissed.html>).

### Safe Living

Safe Living  
Conditions  
Score: 7

Internal security has been a major issue in Slovakia since the onset of the EU refugee crisis. Prime Minister Fico has pursued a double-track strategy on this issue. For one, he has helped fuel fears by issuing a series of negative public statements regarding migrants. For another, the Fico government has sought to demonstrate its commitment to battling crime and terrorism by approving fast-track anti-terrorism legislation that made the prolonged detention of suspected terrorists possible. In addition, the Fico government has established a special police unit of 300 officers in charge of protecting of the Schengen Area’s external borders and increased public spending on domestic security and public order, which, as a percentage of GDP, is now the highest in the European Union. While only 60% of people say that they feel safe walking alone at night, which is less than the OECD average of 69%, the homicide rate (the number of murders per 100,000 inhabitants) is 0.8, much lower than the OECD average of 3.6.

Citation:

OECD, Better Life Index (<http://www.oecdbetterlifeindex.org/topics/safety/>).

### Global Inequalities

Global Social  
Policy  
Score: 6

Slovakia ceased to receive World Bank development aid in 2008, and has been a donor of development assistance ever since. In September 2013, the country became the 27th member of the OECD Development Assistance Committee. However, official development assistance (ODA) has remained substantially below the EU target of 0.33% of GNI. Slovakia’s top priorities with regard to ODA, as formulated in an official strategy for 2014 – 2018, include education and health care as well as the strengthening of stability and good governance

in regions and countries that are of special interest to Slovakia. In line with this strategy, Slovakia focuses its bilateral development cooperation on three countries (Afghanistan, Kenya and South Sudan) as well as on several countries in the Western Balkans (Former Yugoslav Republic of Macedonia, Montenegro and Serbia), Eastern Europe (Belarus, Georgia, Moldova and Ukraine) and Africa (Tunisia), which it shares similar experiences of transformation. In 2017, the Slovak government approved an extraordinary contribution of €1 million to the EU Emergency Trust Fund for Africa aimed at tackling causes of illegal migration.

### III. Environmental Policies

#### Environment

Environmental  
Policy  
Score: 5

Slovakia has considerable natural resources. However, interest groups and policymakers have traditionally assigned priority to economic growth rather than the protection of the environment. Although NGOs have helped draw attention to environmental issues, and EU accession has come with the obligation to meet the European Union's strict environmental standards, this negative legacy is still present in policymaking. As a result, each government's approach to environmental issues has tended to be patchy rather than holistic. A second major problem has been the weak implementation of environmental laws and regulations. A third problem is the country's strong industrial production, which keeps energy demand high. Although the Fico government relies heavily on nuclear power, carbon dioxide emissions increased in 2016. The planned completion of the third and fourth nuclear power plant in Mochovce has been postponed several times, and is planned for 2018 and 2019 respectively. Nuclear power stations keep generating the highest share of electricity in Slovakia (53.8%). Fossil fuels account for 19.4%, hydropower for 17.7% and renewables for 8.9%. Slovakia has not developed a supply of wind energy. Slovak legislation and regulation hinders the installation of small wind turbines that generate electricity for households, and there are only two small wind parks in the country.

#### Citation:

European Environment Agency (2017): Trends and projections 2017. Tracking progress toward climate and energy targets – Slovakia. Copenhagen (<https://www.eea.europa.eu/themes/climate/trends-and-projections-in-europe/trends-and-projections-in-europe-2017/country-profiles-greenhouse-gases-and-energy>).

Liptáková, J. (2017): Slovakia to boost the utilization of renewables, in: Slovak Spectator, November 13, 2017 (<https://spectator.sme.sk/c/20648728/slovakia-to-boost-the-utilisation-of-renewables.html>).

### Global Environmental Protection

Global  
Environmental  
Policy  
Score: 5

Slovakia has not acted as an international agenda-setter for global environmental policy. It is rather difficult for a small country to shape the global framework. Moreover, given Slovakia's state of economic development, environmental issues are not the top priority of policymakers. The overall policy framework regarding climate change in the Slovak Republic is in line with EU strategies. Slovakia also complies with international treaties. In September 2016, the Slovak parliament ratified the Paris Agreement within the United Nations Framework Convention on Climate Change, making the country the fourth to do so. The ratification of the agreement by all key states, including the European Union, featured prominently among Slovakia's priorities during its EU presidency in the second half of 2016. More recently, the Fico government questioned the EU target of producing 27% of final energy consumption from renewable sources by 2030, which will be difficult to achieve for Slovakia.

# Quality of Democracy

## Electoral Processes

Candidacy  
Procedures  
Score: 10

The procedures for registering candidates and parties in Slovakia are fair and transparent. Candidates for presidency must be nominated by at least 15 members of the unicameral National Council or document support from at least 15,000 voters. While independent candidates cannot run for office, candidate lists for parliamentary elections can be nominated by registered political parties, movements and coalitions. For registration, the nominating organizations must obtain 10,000 signatures and make a deposit of €17,000, which is returned only to candidate lists that receive at least 2% of the vote.

While the procedures for registering candidates and parties remained unchanged in the period under review, other elements of election law have undergone change. In February 2017, parliament changed the rules for regional elections. Starting in 2022, regional elections will be held together with municipal elections. Consequently, the terms of regional members of parliament and governors elected in early November 2017 were extended from four to five years. More controversial was the abolition of the second voting round in the elections of regional governors, which was implemented in the 2017 elections. At least in the 2017 elections, however, these fears have turned out to be unjustified, as Marián Kotleba, the extremist governor of the Banská Bystrica region, was not re-elected.

Citation:

Minarechová, R. (2017): Election changes may help extremists, in: Slovak Spectator, December 20, 201620.12.2016 (<https://spectator.sme.sk/c/20411692/election-changes-may-help-extremists.html>).

Media Access  
Score: 9

Despite the government's attempts at controlling the media and the recent changes in media ownership, Slovakia's media market is so pluralistic as to ensure that all candidates and parties have fair access to the media. Election laws mandate that campaign messages must be clearly distinguished from other media content. While the public Radio and Television of Slovakia (RTVS) is required to introduce the candidates and present their campaigns, this is optional for private-media organizations. Since the parliamentary elections in March 2016, the publication of opinion poll results is no longer allowed in the last 14 days before the elections. In the 2017 regional elections,

Voting and  
Registrations  
Rights  
Score: 9

another controversial rule was applied for the first time. The ban on the broadcasting of political advertisement by TV and radio stations in the 48 hours before election day was criticized for being selective by not including internet broadcasting and broadcasting from abroad.

The electoral process is largely inclusive. In principle, all adult citizens can participate in elections. There is a special electoral register for Slovak citizens without permanent residence in the country (i.e., homeless people). Since November 2009, only prisoners who have been sentenced for “particularly serious crimes” have been disenfranchised. Voters that will not be in their place of residence on election day can ask for a special voter’s pass that enables voting elsewhere. The new election law passed in 2015 has united regulations for all types of elections in Slovakia, thereby removing the discrimination of citizens residing or staying abroad at the time of presidential elections. Unlike in the past, they can now vote by mail in both parliamentary and presidential elections.

Party Financing  
Score: 6

After long debate and various failed attempts, new rules on campaign finance were eventually adopted in May 2014 and became effective in July 2015. The new rules limit campaign expenditures to €3 million for parties and €500,000 for candidates for presidential, regional and communal elections. Parties or candidates that exceed these limits can be fined up to €300,000. Parties and candidates are required to have a transparent bank account for electoral purposes that serves as a mechanism for monitoring transactions and donors. Vote-buying is subject to penalty, as is “stealing” the name of another party shortly before it is registered. Since August 2015, a newly created state commission for elections and political party financing has overseen campaigns and elections. The appointment of the 14 members of the commission in August 2015 confirmed concerns about its independence. The governing Smer-SD had a clear majority in the commission, since ten members were chosen by the parliamentary parties on the basis of their shares in seats and four members were nominated by state institutions dominated by Smer-SD (Constitutional Court, Supreme Court, General Prosecutor, Audit Office). No representative of a watchdog institution made it into the commission. Reflecting Smer-SD’s weaker showing in the 2016 elections, the party’s dominance in the commission weakened in the recent parliamentary term. All parties have continued to send party officials rather than more independent persons into the commission. The opposition members have not challenged the parties’ financial reports for 2016 and the campaign for the regional elections in November 2017.

Citation:

OSCE/ODIHR (2016): Election Assessment Mission Final Report Slovakia: Parliamentary Elections March 5. 2016. Warsaw, 9-11 (<http://www.osce.org/odihr/elections/slovakia/235591?download=true>).



Popular Decision-  
Making  
Score: 8

The Slovak constitution provides far-reaching possibilities for citizens to actively propose and take binding decisions on issues of importance to them through popular initiatives and referendums (articles 93 – 100). Referendums are obligatory in the case of the country entering or withdrawing from an alliance with other states (like the European Union). Furthermore, a referendum can be called for in the case of “other important issues of public interest” (Article 93.2); referendums on basic rights and liberties, taxes, levies, and the state budget are forbidden (Article 93.3). There are two ways to call a referendum: by a resolution of the National Council or on the basis of a petition signed by a minimum of 350,000 citizens. The results of referendums are binding, and the constitutional barriers for changing the decisions are high; only a three-fifths majority in the National Council can overrule a decision made by referendum, and can do so only after three years (Article 99.1). Likewise, no referendum on the same issue can be held until three years have passed (Article 99.2). Similar provisions exist at the local level. In the period under review, however, no referendum was held.

#### Access to Information

Media Freedom  
Score: 5

Under the third Fico government, political pressure on the media increased. Prime Minister Fico and Speaker of Parliament Andrej Danko, the head of the SNS, continued to criticize journalists. The situation between the prime minister and the media was strained as Fico refused to answer questions from particular newspapers and launched verbal attacks against the media during his press conferences. Fico and Danko harshly attacked the public broadcaster RTVS, reproaching it for being opposition-oriented. In June 2017, parliament denied Václav Mika, the incumbent director of RTVS, a second mandate and replaced him with Jaroslav Rezník. A director of the Slovak Radio Broadcasting in the late 1990s and former chair of Slovak Press Agency (TASR), Rezník has been criticized by opposition parties (SAS and OĽaNO), NGOs and media professionals for his servility toward those in power, and his responsibility for the controversial cooperation of TASR with the Russian agency Sputnik, which is known as a Kremlin’s propaganda instrument.

Citation:

N.N. (2017): Politics and businesses endanger the freedom of media, in: Slovak Spectator, June 27, 2017 (<https://spectator.sme.sk/c/20568685/politics-and-businesses-endanger-the-freedom-of-media.html>).

Terenzani, M. (2017): Is new RTVS director a threat to media freedom? in: Slovak Spectator, June 20, 2017 (<https://spectator.sme.sk/c/20563948/is-new-rtvs-director-a-threat-to-media-freedom.html>).

Media Pluralism  
Score: 6

As other East-Central European countries, Slovakia has experienced a passing of private media ownership from foreign owners to intransparent domestic owners. A large number of media outlets are now directly or indirectly controlled by various Slovak financial groups (such as Penta, Grafobal Group,

and J&T). In autumn 2014, the Penta financial group entered the media market, buying 45% of Petit Press from the German Rheinisch Bergische Verlagsgesellschaft (RBVG), which publishes the Sme daily, Slovakia's most influential political daily – a transaction finally approved by the Anti-Monopoly Office in June 2016. Penta, whose true owners are still unknown, has also acquired two other publishing houses, and controls the economic weekly Trend, the daily Plus Jeden Deň and the weekly Plus 7 Dní (the latter two of which are tabloids). In addition, it operates websites and purchases advertising space via its media agency. The electronic public media only partly compensate for the ongoing concentration of ownership in print media. More recently, there are plans for the Chinese energy and investment group CEFC and the financial group Penta to jointly purchase the media group Central European Media Enterprises (CME). CME owns several TV stations in six central and eastern European countries, including the most watched private broadcaster in Slovakia, Markíza. If CEFC and Penta bought CME, this would lead to a significant concentration of the media in Slovakia, as all big media outlets would be connected. In response, the minister of culture, Marek Maďarič, announced a plan to strengthen the regulation of media cross ownership.

Access to  
Government  
Information  
Score: 8

Access to government information is guaranteed by the constitution and the Act on Free Access to Information (Infolaw), which was originally approved in 2000 and has been amended several times since. In mid-2015, parliament started to discuss an ambitious amendment which had been prepared by a commission established by the Ministry of Justice. Moreover, shortly before the parliamentary elections in March 2016, three prominent watchdog organizations (Transparency International Slovensko, Fair-Play Alliance, INEKO) lobbied for improvements in the Infolaw. In particular, they recommended subjecting companies that are fully owned by the state or municipalities to the Infolaw and making public the salaries and CVs of state nominees. Moreover, the agreements signed by the state and municipalities should be published at one place and the state should start to systematically connect the databases about public procurement, founding and ownership of companies, EU funds and owners of property. After the elections, Lucia Žitňanská, the new minister of justice in the third Fico government, prepared a new draft amendment that incorporates most of these recommendations. Though the draft amendment had not been sent to parliament by November 2017.

Citation:

Školkay, A. (2015): Complex amendment to Slovakia's FOI Act might make it one of the most liberal in Europe. LSE, Media Policy Project Blog, London (<http://blogs.lse.ac.uk/mediapolicyproject/2015/04/24/complex-amendment-to-slovakias-foi-act-might-make-it-one-of-the-most-liberal-in-europe/>).

### Civil Rights and Political Liberties

Civil Rights  
Score: 7

In Slovakia, civil rights are largely respected. However, the integrity of the judiciary and the long duration of court proceedings remain a problem, as do the police discrimination and mistreatment of the Roma population. In the period under review, clashes over these issues between the government and Public Defender of Rights (Ombudswoman) Jana Dubovcová continued.

Political Liberties  
Score: 8

In Slovakia, political rights are largely respected. Citizens can freely join independent political and civic groups. The Ministry of Interior has registered over 35.000 such associations and over 60 political parties, though only 23 of which took part in the 2016 parliamentary elections. In the period under review, several mass protests against corruption took place, calling for the dismissal of Interior Minister Robert Kaliňák, Police Corps President Tibor Gašpar and Special Prosecutor Dušan Kováčik.

Non-discrimination  
Score: 5

While Slovakia has fairly sophisticated anti-discrimination legislation in place, the discrimination of Roma, women and LGBTI persons continues to be a major problem. The Roma population has suffered from the lack of access to adequate housing, the pervasive segregation of Roma children and their very high dropout levels in the education system, the excessive use of force by police officers during raids carried out in Roma settlements and various manifestations of hate speech. The second and the third Fico governments alike have not cooperated with Public Defender of Rights (Ombudswoman) Jana Dubovcová who has again and again drawn public attention to the discrimination of Roma. The new commissioner (government proxy) for Roma affairs appointed by the third Fico government (nominated by Most-Híd) has been only slowly gaining public support and political standing. Since the onset of the refugee crisis, Prime Minister Fico stirred a discriminatory discourse on refugees and migrants. Intolerance of immigrants, and discrimination and violence against minorities in Slovakia is relatively high. The most recent report of the United Nations Committee on the Elimination of Racial Discrimination (CERD) underlines the continuing discrimination of Roma and recommends effective measures to eliminate discrimination against members of the Roma minority. Moreover, CERD also expressed regret over the Slovak government ignoring its previous recommendations on creating an independent institution to investigate crimes committed by the police. The CERD again recommended that the government quickly create such an institution. The conclusions of the European Council's Commission against Racism and Intolerance (ECRI) issued in March 2017 recommended the adoption of legislative changes to tackle racism and racial discrimination, the introduction of a mechanism for collecting joint data on hate speech incidents, the adoption of legislation banning political parties openly hostile to human rights, and the ratification of the Additional Protocol the Convention on

Cybercrime. Moreover, the report states that the Ministry of Justice set up a working group in 2016 in order to develop proposals for the reform of the Slovak National Center for Human Rights. This task has not been accomplished yet.

Citation:

European Commission against Racism and Intolerance (ECRI) (2017): Conclusions on the implementation of the recommendations in respect to the Slovak Republic subject to interim follow up. CRI(2017) 24. Strasbourg ([https://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Slovakia/Slovakia\\_CBC\\_en.asp](https://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Slovakia/Slovakia_CBC_en.asp)).

United Nations Committee on the Elimination of Racial Discrimination (2018): Concluding observations on the combined eleventh and twelfth periodic reports of Slovakia. CERD/C/SVK/CO/11-12, Geneva (<http://www.ohchr.org/EN/Countries/ENACARRegion/Pages/SKIndex.aspx>).

### Rule of Law

Legal Certainty  
Score: 6

Government and administration in Slovakia largely act on the basis of the law. However, legal certainty has suffered from frequent legal amendments and opaque laws. The high level of political polarization in Slovakia, combined with frequent changes in government, has made many laws rather short lived. A second problem has been the growing complexity of laws. As a result of frequent amendments, many laws have come opaque and inconsistent. This situation was widely criticized by many NGOs and watchdog organizations (e.g., Via Iuris, TIS, SGI). In response, parliament in November 2015 approved two important amendments to improve things. First, it changed the act on lawmaking, introducing the public's right to participate in lawmaking and stipulating that each governmental legislative draft has to be submitted for public discussion. Second, the rules of procedure for parliament were changed to prohibit "legislative adjuncts," that is, the opportunity to change existing legislation by amending drafts that are currently under discussion, a practice often used to avoid lengthy parliamentary readings.

Judicial Review  
Score: 6

The Slovakian court system has for long suffered from low-quality decisions, a high backlog of cases, rampant corruption and repeated government intervention. Positive changes brought about from within the judiciary after the disempowerment of Stefan Harabín, a controversial figure who had held major positions in the Slovak judiciary for some time. Lucia Žitňanská, the minister of justice in the third Fico government, has sought to foster transparency and fight corruption in the judicial system. Among other things, the ministry has started to create a new database to be used for improving the training of justices and their allocation to the courts. The Constitutional Court has generally operated independently of the executive branch of government. However, its performance has suffered from a high backlog of cases, aggravated by a long-standing stalemate between President Kiska and

parliament over the appointment of new justices. In its most important decision in the period under review, the court ruled that the amnesties granted by then-prime minister Mečiar in 1998 were not in line with his duty of restraint. This ruling has enabled the criminal prosecution of Mečiar for the kidnapping of Mr. Kováč, Jr., the son of the former president.

Citation:

Lalík, T. (2017): Tracing constitutional changes in Slovakia between 2008-2016, in: *Hungarian Journal of Legal Studies* 58(2): 117-138.

Appointment of  
Justices  
Score: 6

The justices of the Constitutional Court (CC) and the Supreme Court (SC) are selected by the president on the basis of proposals made by the parliament (National Council of the Slovak Republic), without any special majority requirement. Since 2014, the selection of justices has been paralyzed by a struggle between President Kiska, who had made judicial reform a priority in his successful presidential campaign in 2014, and the Smer-SD-dominated parliament. Ignoring a decision by the CC, Kiska blocked the appointment of new justices, arguing that the candidates greenlighted by the National Council do not fulfill the high requirements for Constitutional Court justices. As a result, three out of 19 seats in the CC remained vacant for about three years. Following recommendations by the so-called Venice Commission (Council of Europe's European Commission for Democracy Through Law) in March 2017, Kiska eventually gave in in early December 2017, so that the vacancies could be filled. Minister of Justice Lucia Žitňanská (Most-Híd) has clarified the rules on the selection of CC justices. In 2018, another nine justices will have to be replaced.

Citation:

Slovak Spectator (2017): President to appoint missing Constitutional Court justices, 13.12.2017 (<https://spectator.sme.sk/c/20717565/president-to-appoint-missing-constitutional-court-justices.html>).

Corruption  
Prevention  
Score: 5

Corruption is the most sensitive political problem undermining political stability and quality of democracy in Slovakia. The previous two governments headed by Robert Fico did not pay much attention to anti-corruption efforts and were shaken by several corruption scandals. The government manifesto of the third Fico government contained some anti-corruption measures, and the new minister of justice, Lucia Žitňanská (Most-Híd) initiated several reforms to fight corruption. In the period under review, the alleged corruption case involving Minister of Interior Robert Kaliňák and Prime Minister Fico has continued to attract the most attention. Their links to Ladislav Basternak, a business man involved in fraud, have led to several votes of no confidence. Thanks to the government's parliamentary majority, the interior minister survived all of them. Given the governing coalition's intransigence on this issue, all attempts by the justice minister to introduce and strengthen transparency, the new rules to protect whistleblowers, the cooperation of the

government with the OECD on combating corruption, and the establishment of the Department for the Prevention of Corruption at the Slovak Government Office have not achieved any substantial change.

Citation:

Šimalčík, M. (2017): Napriek zlepšeniu „veľké ryby“ stále nechytáme. November 11, 2017 (<http://transparency.sk/sk/napriek-zlepseniu-velke-ryby-stale-nechytame/>).

N.N. (2017) Slovaks are unsatisfied with police uncovering corruption, in: Slovak Spectator, December 11, 2017 (<https://spectator.sme.sk/c/20716114/five-embassies-call-on-slovak-cabinet-to-further-combat-corruption.html>).

# Governance

## I. Executive Capacity

### Strategic Capacity

Strategic  
Planning  
Score: 4

The institutional capacity for strategic planning in Slovakia is weak. Capacities for planning in the ministries are limited, and there is no central policy planning unit in the Government Office. The strengthening of the expertise of the Government Office and the creation of the Council for Solidarity and Development, a new advisory body, under the second Fico government failed to improve planning capacities in any substantial way. The council has been a facade for dialog, primarily used by Prime Minister Fico, who chairs it, for exposing his political plans. At the meeting in June 2017, for instance, Fico presented his ideas on Slovakia's future in Europe. Due to the second Fico government's initial emphasis on fiscal consolidation, the role of the Institute for Financial Policy, a research institute affiliated with the Ministry of Finance, has increased. However, the Institute has taken a relatively narrow fiscal perspective and has focused on the short to medium term rather than on the long term. As for the latter, the Slovak National Bank and the Council for Budget Responsibility have become more important.

OECD (2015): Public Governance Review Slovak Republic: Better Co-ordination for Better Policies, Services and Results. Paris.

Scholarly Advice  
Score: 5

Slovak governments rely on various permanent or temporary advisory committees. The current government has 15 such bodies. Prime ministers have their own advisory body. Prime Minister Fico's advisers largely come from his circle of associates and include only a few truly independent experts. There are several public research institutions with close linkages to ministries that are

largely dependent on state funding and provide their analysis to the government. However, the impact of any of these bodies on decision-making is not really transparent. Prime Minister Fico does not publicly include non-governmental academic experts outside of his circle in government decision-making processes.

### Interministerial Coordination

GO Expertise  
Score: 5

Slovakia has a strong tradition of departmentalism and collegial cabinets, and these two features have deepened under the current coalition, comprised of three very different parties, which was formed after the parliamentary elections in April 2016. The Government Office focuses on the legal and technical coherence of draft bills, but lacks the capacity and sectoral expertise to evaluate their policy content.

Citation:

Blondel, J., F. Müller-Rommel, D. Malová et al. (2007): *Governing New Democracies*. Basingstoke/London: Palgrave.

GO Gatekeeping  
Score: 5

The Government Office (GO) has primarily administrative and technical functions. It mostly supports the work of the various advisory bodies of the government, including the Legislative Council and the Council for Solidarity and Development (which includes selected civil society actors), as well as the work of ministers without their own ministry. The GO takes part in the interministerial coordination process, but while it has the formal power to return draft laws on policy grounds, its gatekeeping role has traditionally been limited. In 2016, bodies tasked with monitoring the distribution of EU structural funds have become subsumed under the GO.

Line Ministries  
Score: 4

In Slovakia, the government manifesto defines certain priorities that are elaborated in legislative plans. These additionally divide tasks and responsibilities among the line ministries and other central bodies, and set deadlines for the submission of bills to the cabinet. In their policy-development process, the line ministries legally must include a range of institutions and interest groups that are defined as stakeholders in their respective fields. Ministries are also obliged to consult with the Government Office and its legislative council as they develop bills. However, full responsibility for drafting bills has traditionally rested with the line ministries, and consultation with the Government Office is mainly technical. In its attempt to formalize his leading position within the government, Prime Minister Fico has increased the monitoring activities of the Government Office, especially those related to EU structural funds.



Cabinet  
Committees  
Score: 6

The importance of cabinet and ministerial committees has varied over time in Slovakia, with every government modifying the committee structure. The third Fico government have had only one cabinet committee composed exclusively of ministers, the Council for National Security. Other ministerial committees consisting of ministers and senior civil servants and chaired by the four appointed vice prime ministers or line ministers have played a major role in the preparation of government proposals, and have been quite effective in settling controversial issues prior to cabinet meetings. However, they are still neither formally nor systematically involved in the preparation of cabinet meetings, partly as these bodies usually reside at the line ministries.

Ministerial  
Bureaucracy  
Score: 5

In Slovakia, senior ministry officials have traditionally been heavily involved in the interministerial coordination process at the drafting stage. In contrast, coordination at the lower levels of the ministerial bureaucracy has suffered from a strong departmentalist culture and the top-down approach taken in most ministries. Under the second Fico government, the role of senior civil servants in interministerial coordination decreased and coordination within the Smer-SD party gained importance. Since coming to power, SNS and Most-Híd have also weakened the role and independence of the civil service by seeking to provide positions to party members.

Informal  
Coordination  
Score: 7

Informal coordination has played a significant role in policy coordination under the third Fico government. For one thing, Fico has continued to capitalize on his weakening, but still rather strong role as party leader. For another, the new coalition decided to establish a complex system of coalition councils. The main coalition council, which coordinates the work of various sub-councils and consists of the chairmen of the three parties in government, meets at least once a month and adopts decisions unanimously. After the coalition crisis in August 2017, the leaders of the coalition partners agreed on measures for better communication, including regular Monday meetings, disclosing their proposals to each other no later than 24 hours before the cabinet session and forming a working group for improving communication between the three parties at the local and regional level.

### Evidence-based Instruments

RIA Application  
Score: 6

When RIA was introduced in Slovakia back in 2001, no central unit in charge of RIA was created at the government's core. In response, the first Fico government introduced a Uniform Methodology of Assessment of Selected Impacts in 2008, which was updated by the Radičová government in 2010. Four ministries are involved in the process (Ministry of Economy, Ministry of Finance, Ministry of Environment, Ministry of Labor, Social Affairs and Family), with the Economic Analysis Division of the Ministry of Economy playing a coordinating role. While these changes have improved the efficiency of RIA, its application still suffers from a high degree of fragmentation. RIA

continues to play a marginal role in the third Fico government. Options articulated by the supervising bodies remain non-binding, so that there are no sanctions if RIA is low.

Citation:

Staroňová, K. (2016): 'Regulatory Impact Assessment in Slovakia: Performance and Procedural Reform, in: Impact Assessment and Project Appraisal 34(3): 214-227.

Staronova, K., Hejzlarová, E., Hondliková, K. (2017): Making Regulatory Impact Assessment Gender-Sensitive: The Case of the Czech Republic and Slovakia, in: Transylvanian Review of Administrative Sciences 51(E): 89-105 (<http://rtsa.ro/tras/index.php/tras/article/download/526/515>).

Quality of RIA  
Process  
Score: 5

The general quality of RIA has slowly improved thanks to the new methodology introduced under the first Fico government and the attention that the Radičová government paid to the issue. However, while a more efficient implementation of RIA, mainly with a view to improving the business environment, has been a declared priority of all Slovak governments, full achievement of this goal has been elusive. Consultations with stakeholders take place, but have become more selective under the second and third Fico government.

Sustainability  
Check  
Score: 3

The new RIA methodology (in place since 2010) lacks effective sustainability checks. The methodology draws a distinction between five different dimensions (public finance, the social environment and labor markets, the business environment, the natural environment, and the information society); however, it does not differentiate between short-, medium- and long-term impacts. The process is unsystematic even in theory, and the reality is even weaker.

### Societal Consultation

Negotiating  
Public Support  
Score: 6

The third Fico government has not assigned much importance to consultation with societal actors. If consultation has taken place, it has often boiled down to window dressing. The Council for Solidarity and Development established in 2012 has not included social and environmental NGOs or representatives of national minorities. As in previous years, the tripartite consultation on the minimum wage failed, so that the cabinet took the decision to raise the minimum wage to €480 in 2018 unilaterally.

### Policy Communication

Coherent  
Communication  
Score: 5

While Prime Minister Fico was able to capitalize on his uncontested position as party leader to streamline communication in the second Fico government, the situation has changed since the elections in March 2016. However, the positions of the members of the new coalition government on major issues in

2016 – 2017 have been broadly similar, so that open conflicts have been confined to minor issues. Until the coalition crisis in August 2017, SNS and Most-Híd, the junior coalition partners, have been cautious to avoid engaging in open conflict.

### Implementation

Government  
Efficiency  
Score: 6

The government manifesto of the third Fico government reiterated many goals of the previous one. Although it comprised around 70 pages, it lacked action plans, timelines and budgets. Long-due reform projects in, for example, education and health care have been or delayed or tackled in an erratic manner. The concept for the education reform was announced in December 2016, although Education Minister Plavčan only presented it in full in March 2017. But then the scandal in which he was involved and which led to his ousting put the reform on hold.

Ministerial  
Compliance  
Score: 7

Ministerial compliance in the third Fico government has been complicated by the fact that it rests on an “unnatural” coalition that includes parties as diverse as the Slovak National Party (SNS) and the mostly Hungarian minority based party Most-Híd (Bridge). While the government manifesto is fragmented, ministerial compliance follows party-ministry lines. Moreover, the ministers nominated by the SNS are not party members and have little experience as civil servants, which means they are less loyal than would normally be the case.

Monitoring  
Ministries  
Score: 6

Although Prime Minister Fico has been able to count on a significant degree of ministerial compliance, he nevertheless expanded the Government Office’s responsibilities in monitoring line ministries, particularly with respect to European affairs and economic and fiscal issues, during his second term. Under the third Fico government, monitoring has remained strong in the case of ministries in the hands of Smer-SD, but has weakened in the ministries led by its coalition partners.

Monitoring  
Agencies,  
Bureaucracies  
Score: 5

The politicization of agencies is a continuing issue in Slovakia. While the independence and accountability of the eight major regulatory and controlling bodies increased, a recent study shows that half of the leaders of these institutions have been selected on the basis of their party affiliation and social connections rather than expertise and widespread reputation. The Office for Public Procurement and the Supreme Audit Office – both quite critical bodies – stand out in this regard. As with the line ministries, the government has closely monitored the agencies’ implementation activities.

Task Funding  
Score: 6

In Slovakia, the degree of decentralization is relatively high. However, funding for subnational governments has been precarious. While the shares of both municipalities and regional self-governments in personal income tax revenues have substantially risen since 2014, subnational governments have

Constitutional  
Discretion  
Score: 3

continued to complain about unfunded mandates. Their strong reliance on personal income tax has made their revenues highly dependent on the performance of the economy.

All Fico-led governments pursued a hands-on approach limiting the constitutional discretion of subnational governments. The creation of the new district offices under the second Fico government has not led to a greater concentration of power, but to the further politicization of local government bodies. The politics of direct patronage for party-loyal municipalities (such as building sports facilities in towns and villages led by Smer-SD party members) has continued under the third Fico government.

National  
Standards  
Score: 4

Public-service standards are poorly defined, especially with regard to the independent functions of subnational governments. Moreover, the monitoring of compliance with these standards is often fragmented. The Ministry of the Interior is responsible for overseeing subnational self-government, but largely focuses on formal compliance with existing laws and cost efficiency. While the ministry regularly monitors all levels of self-government, the number of breaches of the law and the extent and effects of ministerial intervention are not transparent. Clearly, there are differences between national and EU standards that negatively influence the effective use of EU structural funds. The second Fico government's ESO project has focused on increasing the administrative capacity of subnational governments by realizing economies of scale and by sharing and centralizing services such as facility management, procurement and payroll management.

### Adaptability

Domestic  
Adaptability  
Score: 5

In the past, Slovakia's ability to adapt domestic government structures to international and supranational developments, most notably at the EU level, has been weak. Despite several attempts at reform, the rate of absorption of EU funds has remained low, as the absorption of EU funds has been hindered by dysfunctional planning procedures, poor project design and selection, and the failure to comply with the requirements of environmental impact assessments. Recommendations by EU or international organizations like the OECD, Council of Europe or U.N. divisions have been considered selectively.

International  
Coordination  
Score: 6

Because of its size, Slovakia's capacity to shape strategic global frameworks is limited. For a long time, the country was eager to be seen as a reliable and trustworthy partner within NATO and European Union. In recent years, however, this reputation and Slovakia's standing in the European Union has suffered from the Fico governments' positions on the Greek debt crisis, relations to Russia and the refugee issue, where Slovakia has joined ranks with the other Visegrad countries. This stance made it difficult for Fico to be accepted as an "honest broker" during Slovakia's first EU presidency in the

second half of 2016. As Fico was very much willing to make the presidency a success, he faced a balancing act reconciling mainstream EU positions with his own views. In light of the democratic regression in Hungary and Poland, and increasing euroscepticism in these countries, Fico distanced himself during 2017 from the Visegrad consensus that had developed over the last two years. He clearly positioned Slovakia in the core of the European Union as a supporter of EU reform together with France and Germany. Moreover, Fico prioritized EU relations as the vital interest of the country, before the Visegrad-4.

Citation:

Jancarikova, T. (2017): Slovakia's future is with core EU, not eurosceptic eastern nations: PM, in: Reuters, August 15, 2017 (<https://www.reuters.com/article/us-slovakia-politics-eu/slovakias-future-is-with-core-eu-not-eurosceptic-eastern-nations-pm-idUSKCN1AV1YY>).

### Organizational Reform

Self-monitoring  
Score: 3

There is no regular and systematic self-monitoring of institutional arrangements in Slovakia. Governments and governmental bodies (such as the parliament, Government Office) must issue annual reports and a final report at the end of their term in office, however, these documents focus more on policies and formal financial accounting rather than institutional design. In addition, there are sporadic audits within particular ministries. The institutions and processes of governing are analyzed only infrequently and selectively. Shortcomings in audit procedures persist.

Institutional  
Reform  
Score: 5

In the period under review, practically no changes in institutional arrangements were adopted. The planned amendment of the Act on Civil Service has progressed, but the planned Civil Service Council has not yet started functioning. In 2017, the implementation of the Operational Program Efficient Public Administration funded by the European Social Fund started. In May, the first 12 national projects were launched.

## II. Executive Accountability

### Citizens' Participatory Competence

Policy  
Knowledge  
Score: 6

While the liberal legislation on access to public information has improved the availability of information about policymaking, the population's overall policy knowledge has suffered from the public disenchantment with politics and the political elite. Fico's main message to the public continues to limit incentives

for citizen participation, as he prefers that the government takes a “caretaker” role, meaning that the government takes care of people’s everyday worries as well as the national interests of Slovakia. However, this kind of paternalism seems to be counterproductive, as his party and the prime minister himself is losing support.

### Legislative Actors’ Resources

Parliamentary  
Resources  
Score: 6

Members of the National Council, the Slovak parliament, have some resources enabling them to monitor government activity. Most members of parliament have a support staff of at least two persons, and there is a parliamentary library (with about 65,000 books). In addition, there is the Parliamentary Institute – a research unit providing expertise for parliamentary committees, commissions and individual legislators. However, most members of parliament tend to rely on other sources of information. Whereas members of parliament from the governing party have access to government organizations such as the Institute for Financial Policy, members of parliament from the opposition parties make heavy use of experts among party members or draw on analyses by think tanks.

Obtaining  
Documents  
Score: 5

Parliamentary committees have the formal right to ask for almost all government documents. The main limits stem from the logic of party competition. Smer-SD members of parliament are highly disciplined and do not support opposition members of parliament in their activities. As a result, the committees’ access to government documents is limited.

Summoning  
Ministers  
Score: 7

The right of parliamentary committees to summon ministers is enshrined in Article 85 of the Slovak constitution. In practice, however, committees make little use of this right.

Summoning  
Experts  
Score: 8

In Slovakia, parliamentary committees may invite experts. However, this is not a very common practice.

Task Area  
Congruence  
Score: 9

In the third Fico government, the Slovak National Council had more parliamentary committees than there were ministries (by a ratio of 19 to 13), and two committees (the European Affairs Committee and the Committee for Human Rights and Minorities) had several ministerial counterparts. However, committees have covered all ministerial task areas and the control responsibilities for major issues have not been split; thus, the division of subject areas among committees has not hampered parliamentary oversight of ministries.

Audit Office  
Score: 7

The Supreme Audit Office of the Slovak Republic (NKÚ) is an independent authority accountable exclusively to the National Council. The chairman and the two vice-chairmen are elected by the National Council for seven years each, and the office reports regularly and whenever requested by the council. There is an informal agreement that the chairman should be proposed by the

opposition. After NKÚ Chairman Ján Jasovský's term expired in 2012, Fico's Smer-SD successfully prevented the election of a new chairman four times. In May 2015, the National Council eventually elected a new chairman, Karol Mitrík, the co-founder and the former member of parliament for the Dzurinds's party SDKÚ (2002 – 2006). He was also the head of the State Intelligence Service under the former government of Iveta Radičová (2010 – 2012). While Mitrík was suggested by one of the opposition parties, he did not muster the support of the majority of the opposition, which has raised doubts about his independence from the government. In 2017, the NKÚ was criticized for being too lenient on overpriced cultural events and dubious commissions during Slovakia's EU presidency.

Citation:

N.N. (2017): Probe into Foreign Ministry scandal shows Slovakia in bad light, in: Slovak Spectator, November 21, 2017 (<https://spectator.sme.sk/c/20700405/probe-into-foreign-ministry-scandal-shows-slovakia-in-bad-light.html>).

Ombuds Office  
Score: 7

In addition to the Petitions and Complaints Office of the National Council, there is an independent ombudsman, the Public Defender of Rights, who is accountable exclusively to the Council. The Public Defender is elected by the Council for a term of five years and reports regularly to it. From March 2012 to March 2017, Jana Dubovcová, a former judge and one of the most vocal critics of the current state of the Slovak judiciary, took the position. Dubovcová adopted a quite proactive role with regard to anti-discrimination issues and was a vocal critic of unlawful detention cells and the excessive use of force by Slovak police officers in Roma settlements. However, most of her critique was ignored by the ruling majority in parliament and the government, as she was perceived as a “opposition” figure. Usually her reports were not approved by the parliamentary committee for human rights. In March 2017, when her term had expired, Dubovcová was succeeded by Mária Patakyová, a law professor at Comenius University in Bratislava nominated by Most-Híd. Like her predecessor, Patakyová has taken her advocacy role seriously. Despite fierce criticisms by the SNS, she has participated in the Pride Parada in Bratislava in August 2017 and has actively defended LGTBI rights.

Citation:

Minarechová, R. (2017): Ombudswoman: I need to point out human rights violations, in: Slovak Spectator, August 24, 2017 (<https://spectator.sme.sk/c/20633169/ombudswoman-i-need-to-point-out-human-rights-violations.html>).

## Media

Media Reporting  
Score: 5

The quality and professionalism of media reporting in Slovakia is not extraordinarily high. The public TV and radio stations provide daily news programs and some analytical, critical programs on a weekly basis. However,

much of the commentary is superficial, and debates usually serve as a vehicle for the views of the parliamentary parties. The commercialization of nationwide broadcasters, with a consequent negative impact on public-interest news and current-affairs coverage, has not left the public stations untouched. TA3, a private TV channel dedicated to news, is heavily influenced by its owner, who allegedly sponsors SNS and its leader. The commercial media sector tends to eschew in-depth analysis of current affairs and instead follows an infotainment or scandal-driven news agenda. As for the print media, the recent ownership changes have raised concerns about the political agenda of the new owners and the resulting decline in journalistic quality. A new risk is the growing popularity of conspiracy websites, many of which are sponsored by Russia. For example, the negative and often inaccurate articles on migration issues in most of the print media testify to the lack of quality.

### Parties and Interest Associations

Intra-party  
Democracy  
Score: 3

All Slovak parties are elite projects that are dominated by a few party leaders. In the parliamentary elections in March 2016 new parties entered the parliament: the extreme right ĽSNS, the populist Sme Rodina and the center party Siet'. The nationalist party SNS, a former coalition partner of Prime Minister Fico's Smer-SD) could renew its parliamentary presence while two standard parties – the former government parties SDKU-DS and KHD – remained outside. Smer-SD remains strongly centered around Fico, who has led the party since its founding in 1999. The inner circle of the party and the number of party representatives with influence are rather limited. Rank-and-file members have little influence on decision-making. Since 2016, dissatisfaction with Fico within the party has grown. After the losses of Smer-SD in the regional elections in November 2017, the party's vice-chairman, Marek Maďaric, voiced criticism and stepped down from his party position. The two newly formed centrist parties – Spolu – Občianska Demokracia (Together – Civic Democracy) and Progresívne Slovensko (Progressive Slovakia) – are relatively democratic.

Association  
Competence  
(Business)  
Score: 6

In Slovakia, business associations and unions alike have some policy competence. Business associations are in a better position to provide full-blown policy proposals as they have more resources and some of them run or support think tanks. In the period under review, the National Union of Employers (RUZ), the Federation of Associations (AZZZ) and the Business Alliance of Slovakia (PAS) were quite active and made many policy proposals. Trade unions are less well equipped and have suffered from fragmentation. Some trade unions, including those representing medical doctors, nurses and teachers, can analyze the impact of decisions and formulate relevant policies. KOZ SR, the main Trade Union Confederation representing almost 30 sectoral unions, has focused primarily on increasing the



minimum wage and an assortment of less controversial issues such as workplace security.

Association  
Competence  
(Others)  
Score: 8

Slovakia has a vibrant third sector and many competent interest associations whose analyses and proposals have featured prominently in the media. Think tanks are an integral part of civil society, feature close links to academia and other experts and profoundly influence public discourse. They often serve as a substitute for political opposition. Following the 2012 change in government, many experts from the Radičová government became active in NGOs or have cooperated with them, thereby providing important policy knowledge. Some of them now cooperate with Most-Híd.

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