

SGI Sustainable
Governance
Indicators

2014 Slovakia Report

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Executive Summary

Slovakia experienced a change in government from a center-right to a leftist government in 2012. In June 2010 the leftist-populist government of Robert Fico was replaced following parliamentary elections by a center-right coalition under the first female Prime Minister Iveta Radičová. But in the second half of 2011 Radičová's government ran into heavy seas when one of its four coalition partners, the neoliberal Freedom and Solidarity party (Sloboda a Solidarita, SaS), opposed Slovakia's support for European Financial Stability Facility (EFSF). Radičová's attempt at disciplining SaS by linking the vote on the EFSF with a motion of confidence in her government failed. As a result, early parliamentary elections were called for March 2012. They were won by the social democratic party Direction-Social Democracy (Smer-SD), with its leader Robert Fico, with a majority of 44% – who took power once more. For the first time in Slovakia's post-communist history, a single-party government emerged.

Under the Radičová government, the quality of democracy in Slovakia improved. Unlike its predecessor, it respected the independence of the media, ensured a pluralistic composition of the Council for Broadcasting and Retransmission, which supervises public TV and radio stations, and largely refrained from interfering with public broadcasting programming. The Radičová government also amended the controversial 2008 Press Act which had favored self-censorship among journalists and editors through a “right to response” for any public official and potentially high libel charges for journalists. Two major amendments of the Act on Free Access to Information increased the pressure on the public administration to follow court rulings on access to government information and abolished the existing restrictions on the publication of public spending figures. Moreover, the Radičová government launched a comprehensive reform of the judiciary and intensified the fight against corruption as well as against the discrimination against ethnic Hungarians and Roma.

Given Fico's confrontational style toward the media, the judiciary, NGOs and ethnic minorities during his first term as prime minister, the 2012 change in government raised strong concerns about the future of democracy in Slovakia. This time, however, Fico has been eager to cultivate a different image and has

shown a greater respect for the division of powers. Compared to the Radičová government, however, the Fico government has paid less attention to fighting corruption and discrimination. In particular, it has not implemented the reform of party financing agreed upon by the main political parties in January 2012.

The Slovak economy has recovered quickly from the great recession and has shown one of the highest growth rates in the OECD and the European Union in the period under review. However, foreign direct investment (FDI) inflows, which had driven strong growth before the great recession, have fallen, and the appreciation of the euro vis à vis other East-Central European countries outside the euro area has reduced the international competitiveness of Slovakian exporters and the attractiveness of the country as an investment location for export production. The Radičová government put strong emphasis on fiscal consolidation and on maintaining Slovakia's reputation as a dynamic, business-friendly country. In contrast, the Fico government has adopted a more statist approach. Measures such as the abolition of Slovakia's famous flat income tax, the re-tightening of labor market regulations and the weakening of private pension and health insurance funds have raised concerns about a deterioration of the business climate in Slovakia. The Fico government's commitment to fiscal consolidation has been less clear-cut, too. On the one hand, Fico supported the 2011 Constitutional Act on Fiscal Responsibility when in opposition, and was keen on preventing an increase in deficits when back in power. On the other, he has openly criticized the austerity policy in the eurozone and has defied the concerns of the newly created Council for Budgetary Responsibility about medium-term fiscal development.

Policymaking has differed strongly between the Radičová and the Fico government. Whereas the former rested on a coalition of four heterogeneous parties and did not have a strong center, the latter has been strongly dominated by Prime Minister Fico. Compared to his first term, Fico has made more use of the formal competencies of his Government Office. Both governments have adopted major institutional reforms. In the case of the Radičová government, the establishment of the Council for Budgetary Responsibility and the appointment of the Plenipotentiary for the Development of Civil Society featured prominently and helped to improve the government's strategic capacity. The Fico government created a new advisory board – the Council for Solidarity and Development – and reshuffled the competencies within the government for human rights. By replacing executive bodies with advisory boards and by increasing institutional fragmentation, however, the reshuffling weakened rather than strengthened the government's capacity for the protection of human rights.

Key Challenges

Since coming to office in 2012, the Fico government has defied some of the concerns of its critics. It has shown more respect for democracy than during its first term, and short-term economic performance has not suffered from the change in government. Despite high unemployment and some controversial measures, the government has managed to keep public support high. In doing so, it has benefited from the sorry state of the political opposition. None of the center-right parties of the former government reached 10% of the votes in the 2012 elections. Freedom and Solidarity (Sloboda a Solidarita, SaS), which caused the collapse of Iveta Radičová's government, experienced a split, and new platforms or parties are mushrooming. The center-right parties suffer from weak leadership and from constant controversies over personal issues.

However, the Fico government still lacks a clear course in economic and social policy. During its first term, it essentially stuck to the liberal strategy of promoting growth and employment by attracting FDI. As capital inflows have fallen and the appreciation of the euro has limited the competitiveness of exports from Slovakia, the limits to this growth and employment strategy have become more visible. However, the Fico government has not yet developed a credible alternative. Despite some announcements in the government manifesto, it has paid relatively little attention to research and innovation and education policy and has so far failed to expand active labor market policy, which is almost non-existent in Slovakia. Deficits also exist with regard to fiscal policy. While the abolition of the flat income tax and the weakening of the second pension pillar have helped to cultivate the government's "pro-social" image and to improve the short-term fiscal situation, they are not sufficient to address the medium-term fiscal problems and the long-term sustainability of pensions. A major challenge here is the tackling of tax evasion which is relatively widespread from a comparative perspective. In addressing these problems, the Fico government would benefit from taking the expertise of the Council for Budgetary Responsibility more seriously and from being more open to non-government academic experts.

By not implementing the 2012 all-party agreement on the reform of party finances, the Fico government has lost an important opportunity to combat corruption. Neglecting this issue will make it difficult to restore citizens' trust in politicians, which has suffered heavily from the 2012 "Gorilla Affair" and

other cases of corruption. It was largely because of the feeling of pervasive corruption across the whole political spectrum that citizens in 2012, unlike in previous parliamentary elections, did not expect anything from a change in government. Due to a lack of government initiatives, NGOs continue to play a crucial role in corruption prevention.

Another obstinate issue in Slovakia which has not been sufficiently addressed by the Fico government, is the discrimination against the Roma minority. During the economic crisis, the negative attitudes of the majority toward the Roma have definitely increased. This makes it politically risky for politicians to address the issue. For that reason, the European Union can play an important role. The new National Strategy for the Integration of Roma, mandated by the European Commission, is a good starting point.

Policy Performance

I. Economic Policies

Economy

Economic Policy
Score: 6

The Slovak economy has recovered quickly from the great recession and has shown one of the highest growth rates in the OECD and the European Union in the period under review. However, FDI inflows, which had driven the strong growth before the great recession, have fallen, and the appreciation of the euro vis à vis other East-Central European countries outside the eurozone has reduced the international competitiveness of Slovakian exporters and the attractiveness of the country as an investment location for export production (Fidrmuc et al. 2013). The Radičová government put strong emphasis on fiscal consolidation and on maintaining Slovakia's reputation as a dynamic, business-friendly country. In contrast, the Fico government has adopted a more statist approach. Measures such as the abolition of Slovakia's famous flat income tax, the re-tightening of labor market regulations and the weakening of private pension and health insurance funds have raised concerns about a deterioration in the business climate in Slovakia.

Citation:

Fidrmuc, Jarko, Caroline Klein, Robert Price, Andreas Wörgötter, 2013: Slovakia: A Catchin-Up euro Area Member In and Out of the Crisis. OECD, Economics Department, Working Paper No. 1019, Paris.

Labor Markets

Labor Market Policy
Score: 4

Despite Slovakia's relatively good growth performance, the unemployment rate has not decreased. Currently standing at 13.7%, it is one of the highest in the OECD. Unemployment is especially high in the south, among the low-skilled and the Roma. Labor market policy featured prominently in the 2012 election manifesto by the Smer-SD. However, neither the Radičová nor the Fico government have managed to implement an effective labor market policy, and

Slovakia has remained one of the OECD countries with the lowest spending for active labor market policy. The single most important deficit has been a lack of activation measures.

Taxes

Tax Policy
Score: 7

The introduction of a flat tax regime in 2004 played a major role in establishing Slovakia's reputation as a model reformer and an attractive location for investment that led to many imitators in East-Central Europe. Whereas the first Fico government left the flat tax regime untouched despite earlier criticism, the second Fico government reintroduced a progressive income tax and raised the corporate income tax. As part of its attempts at fiscal consolidation, it added a second rate of 25% on higher incomes to the hitherto uniformly valid personal income tax rate of 19% and increased the corporate income tax from 19% to 23%. The decision to increase direct rather than indirect taxes – as the Radičová government had done in 2010 – was justified with concern about horizontal equity. With an estimated increase of government revenues by 0.5% of GDP in 2013, the revenue effects have been limited. At the same time, they have raised concerns about the direction of economic policy in Slovakia and the country's competitiveness.

Budgets

Budgetary Policy
Score: 7

Slovakia's public debt has risen, but has been relatively low from a comparative perspective. The Radičová government was strongly committed to fiscal consolidation and succeeded in reducing the fiscal deficit by more than 3% of GDP from 2009 to 2012, largely by cuts in spending. It also initiated the passage of a Constitutional Act on Fiscal Responsibility in late 2011 that has required the government to pass consolidation measures when the public debt (as measured by Eurostat) exceeds 53% of GDP and has led to the creation of an independent Council for Budgetary Responsibility to monitor fiscal developments. The Fico government's commitment to fiscal consolidation has been less clear-cut. On the one hand, Fico backed the Constitutional Act on Fiscal Responsibility when in opposition, and was keen to prevent an increase in deficits when back in power. On the other, he has openly criticized the austerity policy in the eurozone and has ignored concerns by the Council for Budgetary Responsibility about medium-term fiscal development.

Research and Innovation

R&I Policy
Score: 4

Slovakia has a weak and underdeveloped research and innovation policy. R&D intensity, public expenditure on R&D, the number of patent applications and employment in knowledge-intensive activities are below the EU average. As the European Commission's 2011 Innovation Union Competitiveness Report states bluntly (Part B, p. 211): "At present, the very low R&D investment, both in the public and private sectors, results in poor scientific and technological production that reinforces the international dependency of the system and hinders its ability to create, use and diffuse knowledge." For the European Commission, even the very transition to a knowledge-based economy is at stake. After years of neglect, Slovak governments have finally addressed the issue. The Radičová government set up targets for increasing R&D intensity until 2020. The manifesto of the Fico government included a separate chapter on the "knowledge-based society" and called for various measures, including the transformation of the Slovak Research and Development Agency into a public institution, the creation of a new agency for financing industrial research, experimental development and innovation in industrial companies, and a comprehensive evaluation of the existing research centers in the country.

Citation:

European Commission, Innovation Union Competitiveness Report 2011;
http://ec.europa.eu/research/innovation-union/index_en.cfm?section=competitive+ness-report&year=2011
<http://www.proinno-europe.eu/inno-grips-ii/newsroom/slovakia-innovation-policy-2011-2013>

Global Financial System

Stabilizing Global
Financial Markets
Score: 7

Slovakia's banking system has been relatively sound, in part because of the central bank's intensive monitoring of risk management practices. Within the European Union, Slovakia supports the international regulation of financial markets, including the creation of a banking union. While Slovak governments do not act as agenda-setters, they often side with Germany at EU level.

II. Social Policies

Education

Education Policy
Score: 4

In Slovakia, the reform of the education system has been a leftover from prior governments. The reforms prepared by the Radičová government fell victim to its collapse and did not pass the National Council. The Fico government initiated a complex reform in 2013 which has been partly accepted by opposition parties and think tanks. In line with the structure of the Slovak economy, it focuses on the improvement of secondary vocational and tertiary technical education. However, the government does not plan to improve the funding of the severely underfinanced education system, arguing that fiscal sustainability does not allow bigger spending in this sector.

Social Inclusion

Social Inclusion
Policy
Score: 5

The Slovak social protection system covers standard social risks. Social policy measures include financial and non-financial benefits, direct and indirect payments as well as tax measures. Social protection expenditures are below the EU-27 average and social inclusion expenditures slightly it. According to Eurostat, the share of people at risk of poverty was 13.7% in 2011, which means a slight increase from 13.1% in 2010. As Slovak citizens tend to compare themselves to more “happy and rich” nations, the percentage of those feeling poor is substantially higher and life satisfaction is low. The part of the Slovak population most dramatically endangered by poverty is the Roma minority. Here, the unemployment rate amounts to 70%.

Health

Health Policy
Score: 5

Slovakia has a mandatory health insurance system that provides all residents with primary, secondary and tertiary care, pharmaceuticals and medical devices. The state covers health insurance for children, students, pensioners, (registered) unemployed and women on maternity leave. Since 2004, citizens can choose between a public and two private health insurance funds. From a comparative perspective, the quality and efficiency of health care services are relatively low, and the high politicization of and the frequent changes to health care policy have not helped to achieve improvements. While the Radičová

government stressed market principles and individual responsibility, the Fico government has put more emphasis on equity issues and on improving the financial situation of the public health insurance fund. It has called for the return to a single public health insurance fund and the nationalization of the two private health insurance funds, threatening repeatedly that the government would be ready to use all legal means to reach this aim.

Families

Family Policy
Score: 5

In Slovakia, traditional notions of the family are still fairly strong. Mothers of children under two years rarely work, maternal employment rates are below the OECD average, and 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. The lack of kindergarten slots is felt in larger towns in particular. However, neither the Radičová nor the Fico government have really addressed these problems. In its government manifesto, the Fico government has called for making family policy “the focal point of the state’s social policy” and for a “new Strategy of State Family Policy of the Slovak Republic until 2020 to define strategic objectives, principles and measures for its implementation in order to revitalize family life and substantially renew its social function.” Yet these announcements have not yet led to the adoption of major measures.

Pensions

Pension Policy
Score: 5

Slovakia introduced a three-pillar pension system along World Bank lines in 2004. During its first term the Fico government adopted a number of measures aimed at strengthening the first – public, pay-as-you-go – system to the detriment of the relatively strong second – private, fully funded – pillar. First, it changed the distribution of the pension contribution from an even nine percentage points each for the first and second pillars to 14 percentage points for the first pillar and only 4 percentage points for the second. Secondly, it “opened” the second pillar by allowing people to enter or leave it between September 2012 and January 2013. Finally, it replaced the compulsory membership of school graduates in the second pillar with the voluntary entry of citizens under 35. In addition to this rebalancing of the pillars, the government changed the rules for the investment of private pension funds and increased the contribution rates for self-employed people. These changes have increased once more the role of the state in provisioning for the elderly, have improved

the short-term financial situation of the public pension scheme and have made the pension system more redistributive. At the same time, however, they have weakened the nexus between contributions and benefits and have infringed upon intergenerational fairness and long-term sustainability.

Integration

Integration Policy
Score: 5

While the share of foreigners in the Slovak population is still low, the inflow of migrants has increased in recent years. The Radičová government adopted a new official strategy for migration policy lasting till the year 2020 which prioritized the immigration of high-skilled workers with an emphasis on culturally related countries. In line with this strategy, the Ministry of Labor, Social Affairs and Family adopted the Action Plan of Migration Policy in 2012 – 2013. At the same time, however, Act 404/2011 on Residence of Aliens, which became effective at the beginning of 2012, featured a different approach and tightened the conditions for granting temporary residence to third country nationals.

Citation:

Kodaj, Daniel/Dubová, Alexandra, 2013: An overview of the migration policies and trends – Slovakia (migrationonline.cz)

Safe Living

Safe Living
Conditions
Score: 7

The Slovak police meets EU standards of border management and is quite effective in protecting the national borders in line with the Schengen agreement. As a result, Slovak citizens are only weakly concerned about illegal migration or porous EU borders. In spite of modest crime figures and low security risks, however, overall trust in the police remains low. The police suffer from underfunding and corruption. Marginalized groups like Roma and homosexuals run the risk of being discriminated against by the police.

Global Inequalities

Global Social Policy
Score: 6

Slovakia ceased to be a recipient of 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. Slovakia's top official development assistance (ODA) priorities for the 2009 – 2013 period included the strengthening of stability and good governance in regions and countries that are of special concern for Slovakia, as well as reducing poverty and hunger in developing countries through more

effective and better-targeted development and humanitarian aid. Under the current medium-term strategy, priority areas include Afghanistan, Albania, Belarus, Bosnia and Herzegovina, Kenya, Montenegro, Ethiopia, Georgia, Kazakhstan, Kyrgyzstan, Macedonia, Moldova, Mongolia, Serbia, Sudan, Tajikistan, Ukraine, Uzbekistan and Vietnam. In 2011, Slovakia's total ODA amounted to €61.9 million – i.e., 0.091% of its GNI and thus below the EU target. Bilateral ODA reached 25% and multilateral 75%. In 2012, ODA slightly increased.

III. Environmental Policies

Environment

Environmental
Policy
Score: 5

Slovakia is a country with 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 raised attention for environmental issues and although EU accession has brought the obligation to meet the European Union's strict environmental standards, this negative legacy is still present in policymaking. As a result, both governments' approach to environmental issues has tended to be patchy rather than holistic. Neither the Radičová nor the Fico government have updated Slovakia's 1993 Environment Strategy or developed an environmental strategy focusing on Slovak priorities rather than on the mere compliance of EU requirements. A second major problem has been the weak implementation of environmental laws and regulations.

Citation:
OECD, 2011: Environmental Performance Review Slovak Republic. Paris.
(<http://www.oecd.org/env/country-reviews/slovakrepublic2011.htm>)

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. However, Slovakia has taken a constructive role in developing EU environmental policy.

Quality of Democracy

Electoral Processes

Candidacy
Procedures
Score: 10

The procedures for registering candidates and parties in Slovakia are fair and transparent, and were not changed in the period under review. 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. The registration of parties that want to take part in the national elections requires 10,000 signatures. Moreover, registered parties must make a deposit of about €16,500, which is returned only to parties which receive at least 2% of the vote. The introduction of this requirement in 2004 has not led to a decline in the number of parties participating in national elections.

Media Access
Score: 9

Media pluralism in Slovakia ensures that all candidates and parties have equal access to the media (Bútora et al. 2013, pp. 84-85). After the 2010 change in government, public media coverage became more balanced. Unlike in the past, there were no complaints about a partisan bias in public media during the 2012 parliamentary election campaign. Access to the media has been further favored by a pluralist private media. The Council for Broadcasting and Retransmission demonstrated its commitment to equal access to the media by imposing fines of ,€100,000 on two private TV stations, TV Markíza and TV JOJ, for broadcasting advertisements for the newly founded 99 Percent – Civic Voice party (99% – občiansky hlas) several weeks before the official start of election campaign (21 days before the election).

Citation:

Bútora, Martin/Mesežnikov, Grigorij/Kollár, Miroslav (eds), 2013: Slovakia 2012. Trends in Quality of Democracy, Bratislava: IVO.

Voting and
Registrations Rights
Score: 9

The electoral process is largely inclusive. In principle, all adult citizens can participate in elections. There is a special electoral register for traveling communities, most notably Roma, and other Slovak citizens without permanent residence in the country. Voters that will not be in their place of residence on election day can ask for a special voter's pass that allows voting elsewhere. Slovak citizens residing or staying abroad can vote by mail. Since November 2009, only prisoners who were sentenced for "particularly serious crimes" have

been disenfranchised. However, some problems arise from the amendment to the Citizenship Law passed by the first Fico government (2006 – 2010) in reaction to the Hungarian status law. This amendment annuls the citizenship of those Slovak citizens who voluntarily (i.e., apart from cases of birth or marriage) acquire the citizenship of another state. In the 2012 parliamentary elections, this provision led to some complaints by members of the Hungarian minority in Slovakia. The Radičová government undertook several attempts to soften this provision by allowing Slovak citizens with “genuine” ties (residence, work) to other countries to keep their Slovak passport when applying for a second citizenship. Due to frictions in her coalition and the lack of cooperation from the Hungarian government, however, these attempts failed.

Party Financing
Score: 5

As a number of financial scandals in the past have made clear, party and campaign financing in the Slovak Republic have suffered from insufficient regulation and weak monitoring. In January 2012 the main political parties agreed on a bundle of measures aimed at increasing transparency in party funding, including more detailed property returns from politicians, higher penalties for violations of political transparency rules, oversight of political expenses incurred by third parties, as well as detailed records of party spending on local elections. Despite strong pressure by watchdogs like Fair-Play Alliance, Transparency International Slovensko, the Slovak Governance Institute and the Institute for Economic and Social Reforms (INEKO), however, these changes have not been implemented yet.

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 referenda (Articles 93 – 100). Referenda 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); referenda 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 referenda are binding, and the constitutional barriers for changing the decisions are high: only a three-fifths majority in the National Council can overrule the decision and can do so only after three years (Article 99.1). Likewise, only after three years have passed can a referendum on the same issue be called for (Article 99.2). Similar provisions exist at local level. In practice, relatively little use has been made of these provisions. From 1994 to 2013, only seven national referenda were initiated, and only one of them was successful – namely the referendum on EU accession. In the period under review, no national referendum took place. The Slovak National Party (Slovenská národná strana, SNS) tried to initiate a

referendum on language issues before the 2012 early election, but failed to collect the required number of signatures.

Citation:

Láštic, Erik, 2007: Referendum experience in Slovakia: a long and winding road,” in: Pállinger, Zoltán Tibor/Kaufmann, Bruno/Marxer, Wilfried/Schiller, Theo (eds.), *Direct Democracy in Europe*, Wiesbaden, pp. 189-198.

Access to Information

Media Freedom
Score: 8

Media freedom in Slovakia has significantly improved. Unlike its predecessor, the Radičová government respected the independence of the media, ensured a pluralistic composition of the Council for Broadcasting and Retransmission (which supervises public TV and radio stations) and largely refrained from interfering with public broadcasting programming. The Radičová government also amended the controversial 2008 Press Act which had favored self-censorship among journalists and editors through a “right to response” for any public official and potentially high libel charges for journalists. More controversial was the Radičová government’s plan to finance public service broadcasting directly from the state budget rather than by public fees. The plan raised concerns about increasing political influence on the public media, but, because of the change in government, did not get implemented. More fundamental doubts about media independence in Slovakia were prompted by the so-called “Gorilla Affair.” In December 2011, wiretap files collected by the Slovak Secret Service were leaked documenting massive, high-level corruption throughout all political camps in 2005 – 2006. Some media had access to the files for almost two years, but refused to cover the story because they feared political and legal repercussions. After the 2012 change in government, political pressure on the media has increased. While Prime Minister Fico, in stark contrast to his first term, has largely refrained from verbal attacks and lawsuits against journalists, some politicians of the governing Smer-SD have fallen back into the confrontational approach characteristic of the first Fico government.

Media Pluralism
Score: 6

Media pluralism is facilitated by a diversified ownership structure and a substantial share of foreign ownership. In the period under review, a certain consolidation of the public media took place. In response to severe financial problems in public service broadcasting, the Radičová government merged Slovak Television (STV) and Slovak Radio (SRo) into Radio and Television of Slovakia (RTVS) in 2011. However, the private media market has suffered from a lack of transparency, and the provision in the Act on Broadcasting that no person or company is allowed to hold more than one national television or

Access to
Government
Information
Score: 8

radio license or to be a publisher of more than one national daily is not really enforced.

Access to government information is guaranteed by the constitution and the Act on Free Access to Information approved in 2000. The Radičová government closed some of the gaps in legislation that had become visible under the Fico government. A November 2011 amendment to the Act on Free Access to Information increased the pressure on the public administration to follow court rulings on access to government information. A second important amendment abolished the existing restrictions on the publication of public spending figures. It has helped the media and other public watchdogs to uncover dubious expenses attributed to the state administration and state-owned enterprises.

Civil Rights and Political Liberties

Civil Rights
Score: 7

In Slovakia, civil rights are largely respected. The Radičová government's reform of the judiciary succeeded in improving the integrity of the judiciary and in shortening the duration of court proceedings. The mistreatment of the Roma population is a persistent problem. In a number of cases, the police has mistreated Roma suspects. Moreover, Roma women have been sterilized without their informed consent. The Fico government's reforms of the pension and health system have raised some concerns about the protection of property rights.

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. Slovak citizens have traditionally made less use of the freedom of assembly. Since the end of 2010, however, collective protests and strikes have become more frequent. In 2012, some court decisions on the freedom of speech raised controversies about the protection of political liberties. In two prominent cases – one about a book by investigative journalist Tom Nicholson on the “Gorilla Affair,” the other about Zuzana Piussi's critical documentary (The Disease of the Third Power) about the shortcomings of Slovakia's judiciary – courts put the protection of privacy over the freedom of speech. However, both cases were eventually settled in favor of the freedom of speech.

Non-discrimination
Score: 5

Slovakia has fairly sophisticated anti-discrimination legislation. In practice, however, discrimination, especially against women and Roma, is rarely the subject of legal enforcement. To highlight its break with the nationalist and racist discourse of the first Fico government, the Radičová government established a separate Ministry for Human Rights, Ethnic Minorities and Gender Equality, led by a vice prime minister, and moved the Office of the

Plenipotentiary for Roma Communities to the Prime Minister's Office (PMO). As mandated by the European Commission, it also passed in January 2012 a National Strategy for the Integration of Roma which would last until 2020. A package of changes to help Roma children integrate into the education system and alleviate poverty in their communities fell victim to the 2012 change in government. The manifesto of the Fico government did not contain a single word on the Roma issue. According to Prime Minister Fico, the Roma issue is a "European," not a Slovak problem. The new Fico government changed the institutional framework for anti-discrimination policy, with the effect of somewhat lowering its political weight, but, contrary to the first Fico government, largely refrained from engaging in anti-Hungarian rhetoric.

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. One example is the law on inadequate conditions in retail chains which was adopted by the first Fico government to improve the position of domestic suppliers, abolished by the Radičová government and reenacted by the second Fico government in October 2012. A second case in point are the recurrent changes in the basic parameters of the pension system. Although fully in line with the constitution, changes such as these have led to uncertainty and confusion among the population and investors. A second problem has been the growing complexity of laws. As a result of frequent amendments, many laws have come opaque and inconsistent. Compared to the first Fico government, however, both the Radičová and the second Fico government have shown a greater respect for the law.

Judicial Review
Score: 6

The Slovakian court system has traditionally suffered from a low quality of decisions, a high backlog of cases, rampant corruption and a high level of government intervention. The Radičová government tried to address these problems by increasing transparency through public access to court proceedings and the publication of court decisions on the internet, as well as by changing the recruitment and promotion of lower court justices. Moreover, Justice Minister Lucia Žitňanská dismissed 14 regional and district justices for delaying court proceedings, bias and non-compliance with the random assignment of cases. Her changes were strongly opposed by Supreme Court Chair Stefan Harabin, a close ally of Robert Fico, the head of the previous government. This political polarization also shaped the role of the Constitutional Court. Slovak politics returned to a pattern of decision-making

which was notorious in the mid-1990s, with the Court becoming a final arbiter settling political controversies.

Citation:

Bojarski, Lucasz/Köster, Werner Stemper, The Slovak judiciary: its current state and challenges. Report prepared for the Open Society Foundation, Bratislava 2012: 71-75, 90-95.

Appointment of
Justices
Score: 7

The justices of the Constitutional Court and the Supreme Court are selected by the president on the basis of proposals made by the National Council and without special majority requirements. In the period under review, no new constitutional court justices were appointed.

Corruption
Prevention
Score: 5

The reduction of corruption featured prominently on the agenda of the Radičová government. In August 2011, the government passed the Strategic Plan for Combating Corruption. Even though the plan could not be fully implemented because of the collapse of the government, a number of important improvements were achieved, including judicial reform, the mandatory disclosure of government contracts, greater transparency on grants given by the Government Office and new rules on public procurement (Transparency International 2012). The activities of the government were complemented by initiatives by NGOs. Transparency International Slovakia, for example, designed the Open Municipality project in order to reveal and compare levels of transparency, the quality of anti-corruption mechanisms and municipalities' openness toward citizens. Two other organizations – Fair-Play Alliance and Via Iuris – set up the White Crow award to recognize people who fight corruption and suffered significant personal consequences. In contrast, the Fico government has paid little attention to the issue of corruption. However, the new government has justified the centralization of the public procurement system as a way to limit both public expenses and corruption.

Citation:

Transparency International, "Radičová's government successfully restarted the fight against corruption"; <http://www.transparency.sk/en/vlada-i-radicovej-uspesne-restartovala-b-proti-korupcii/>
Corruption Risks in the Visegrad Countries, Visegrad Integrity System Study Hungary 2012; http://www.transparency.org/files/content/pressrelease/20120726_Visegrad_integrity_system_study.pdf

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 Radičová government sought to take a long-term perspective, but its attempts at strategic planning were complicated by controversies within the governing coalition and the internal tensions within the party itself. Under the Fico government, the strengthening of the expertise of the Government Office and the creation of the Solidarity and Development Council, a new advisory body, have partly aimed to improve planning capacities.

Scholarly Advice
Score: 6

The Radičová government actively sought the advice of non-government experts. Herself a university professor, Prime Minister Radičová was highly familiar with think tanks and the academic realm. The Fico government, by contrast, has taken a more “corporatist” approach toward seeking advice. Its new advisory body, the Solidarity and Development Council, predominantly consists of representatives of the social partners and other interest organizations. However, five of Fico’s 13 personal advisors have been experts from the Slovak Academy of Sciences.

Interministerial Coordination

GO Expertise
Score: 5

Slovakia has a strong tradition of departmentalism and collegial cabinets (Blondel et al. 2007). 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. Under the Radičová government, the tensions within the governing coalition inhibited a strengthening of the Government Office and even the full use of its policy expertise. As part of his attempt to build a “shadow Cabinet” within the Government Office, Prime Minister Fico has sought to strengthen the policy expertise of the Government Office.

Citation:

Blondel, Jean, Ferdinand Müller-Rommel, Darina Malová et al., 2007: *Governing New Democracies*. Basingstoke/ London: Palgrave.

GO Gatekeeping
Score: 5

The Government Office has the formal power to return draft laws on policy grounds. In the case of the Radičová government, however, the gatekeeping role of the Government Office was of limited importance only, as most legislative projects were discussed in the coalition council and underwent a complex process of interministerial coordination. Prime Minister Fico has tried to strengthen the gatekeeping role of the Government Office and has exerted his control over the Cabinet in a less informal way than during its first term.

Line Ministries
Score: 4

In Slovakia, the Government Office is not systematically involved in line ministries' preparation of policy proposals. Once the government manifesto and, in the case of coalition governments, the coalition council have defined certain projects, the full responsibility for drafting bills has traditionally rested with the line ministries. In its attempt to formalize his leading position within government, Prime Minister Fico has increased the monitoring activities of the Government Office.

Cabinet Committees
Score: 6

In Slovakia, the importance of Cabinet committees has varied and every government has established its own committee structure. Prime Minister Radičová's attempt to coordinate ministers by establishing a special ministerial council and various Cabinet committees failed, as she did not enjoy sufficient support from the coalition partners or even her own party. In fact, the Ministry of Finance and the Foreign Minister dominated the government and played a major role in interministerial coordination. The Fico government does not have any Cabinet committees composed exclusively of ministers. However, ministerial committees consisting of ministers and senior civil servants and chaired by the five newly appointed vice prime 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.

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 Fico government, the role of senior civil servants in interministerial coordination has decreased. As the Fico government has been a single-party government, the autonomy of the ministries and of the ministerial bureaucracy have declined and the coordination within the Smer-SD party has gained importance.

Informal
Coordination
Score: 7

Informal coordination has played a significant role in policy coordination under both the Radičová and the Fico government. In Radičová's four-party government, most major decisions were prepared and taken in the Coalition Council as well as in informal meetings within government or with predetermined groups of government members. While Prime Minister Fico has extended the formal role of the Government Office in policy coordination, he has also resorted to informal negotiations with individual ministers, advisors and economic and social stakeholders to settle issues prior to Cabinet meetings.

Evidence-based Instruments

RIA Application
Score: 6

When RIA was introduced in Slovakia back in 2001, no central unit in charge of RIA was installed in the center of government. 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 with its Economic Analysis Division taking the coordinating role. While these changes have improved the efficiency of RIA, the use of RIA still suffers from a high degree of fragmentation.

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 Radičová's 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, the reality is still different. Consultations of relevant stakeholders take place, and their results are communicated to government and the National Council.

Sustainability
Check
Score: 3

Effective sustainability checks are missing even in the new RIA methodology (in place since 2010). This draws a distinction between five different dimensions (public finance, social situation and employment, business environment, environment, and informatization of society), but does not differ between the short-, the medium- and the long-term impact. Even on paper, a systematic approach is missing and the reality is even weaker. In the case of the Fico government's laws on income taxes and labor legislation, for instance, the adopted RIA, in line with analyses by the Fiscal Responsibility Board, indicated negative effects on economic growth. Confronted with this negative assessments, however, the Fico Cabinet adjusted the fiscal forecasts rather than the laws.

Societal Consultation

Negotiating Public
Support
Score: 7

The approaches of the Radičová and the Fico government toward consulting societal actors have differed. The Radičová government put strong emphasis on improving the relationship between the government and the third sector, which had been strained under the first Fico government, and installed a new Government Plenipotentiary for the Development of Civil Society. Filip Vagač, the new plenipotentiary and a well-known civic activist, drafted a strategy of civil society development. The results were the Strategy of Civil Society Development in Slovakia and the Open Government Partnership Action Plan. In comparison, the Fico government paid more attention to the traditional interest organizations. For instance, the newly established Solidarity and Development Council has not included social and environmental NGOs and representatives of national minorities. However, pressure by the NGOs forced the Fico government to implement the initiatives of the Radičová government.

Policy Communication

Coherent
Communication
Score: 6

Policy communication has strongly differed between the Radičová and the Fico government. Prime Minister Radičová did not put much emphasis on coherence in government communication, but allowed, and even opened, controversies within the governing coalition. This pluralistic policy style often sent incoherent signals to the public. By contrast, Prime Minister Fico, leading a single-party government dominated by himself, has largely succeeded in streamlining government communication. Members of his Cabinet have made contradictory statements on only a few occasions.

Implementation

Government
Efficiency
Score: 7

The Radičová and the Fico government have differed with regard to the specification and implementation of their objectives. The Radičová government was in office only very shortly and ended prematurely. Therefore, the possibility of implementation was limited. However, most approved projects and laws could be implemented. This especially applies to the major policy priorities of the government such as judicial reform and the increase of transparency in public administration, which were publicized in a detailed way in the government manifesto. By contrast, the government manifesto of the Fico government has been very vague, so that it is difficult to define clear benchmarks and to assess policy implementation.

Ministerial
Compliance
Score: 7

Ministerial compliance has strongly differed between the two governments. As Prime Minister Radičová headed a heterogeneous coalition government and lacked support even in her own party, her options to bring ministers into line were limited. As an academic, she believed in the virtues of discussion and remained skeptical of top-down approaches. In the Fico government, by contrast, Prime Minister Fico's dominant position within Smer-SD and strong party discipline have ensured a high degree of ministerial compliance.

Monitoring
Ministries
Score: 6

As the overall position of prime ministers within government has differed between the Radičová and the Fico government, so has the extent of monitoring of line ministries. Prime Minister Radičová largely respected the autonomy of the line ministries and lacked the power and the capacities to monitor their activities. Although Prime Minister Fico could count on high ministerial compliance anyway, he expanded the monitoring of the line ministries by the Government Office, in particular in European affairs and economic and fiscal issues.

Monitoring
Agencies,
Bureaucracies
Score: 5

In Slovakia, the politicization of agencies that began under the first Fico government has continued. The appointment of agency heads has become a political power play; the Radičová government tried to bring in their own people. Because of controversies within the governing coalition, however, it did not always succeed. For instance, it failed to replace the head of the Regulatory Office for Network Industries and to fill the vacant position of the chairman of the Public Procurement Authority. Prime Minister Fico initially made some concession to the opposition, but eventually pushed through his own candidates for various positions. The politicization of agencies has infringed upon their independence and their professional monitoring.

Task Funding
Score: 6

In Slovakia, the level of decentralization is relatively high. However, the funding of subnational governments has been precarious. Municipalities and regional self-governments often complain about unfunded mandates. At the same time, their fiscal discipline is poor and part of their fiscal problems stems from their leaders' irresponsible behavior. As part of a broader administrative reform, the Fico government in early 2013 launched an audit of the efficiency and effectiveness of subnational governments, which might result in changes in the functions and financing of local government (Jacko/ Maliková 2013).

Citation:

Jacko, Tomáš/Malíková, Ľudmila, "A Chance to Restart Public Administration Reform in Slovakia," paper presented at the Annual Conference "Regionalisation and Inter-regional Cooperation," May 16-18, 2013 / Belgrade, Serbia;

http://www.nispa.org/files/conferences/2013/papers/201304221020090.Paper_Malikova,%20Jacko.pdf?fs_papersPage=4

Constitutional
Discretion
Score: 4

Whereas the Radičová government favored decentralization, the Fico government has pursued a hands-on approach limiting the constitutional discretion of subnational governments. The government's plans to streamline the central administration have raised concerns that it might further limit the role of subnational governments (Bútora 2013, 45).

Citation:

Bútora, Martin/Mesežnikov, Grigorij/Kollár, Miroslav (ed.) 2013:Slovakia 2012. Trends in Quality of Democracy, Bratislava.

National Standards
Score: 4

There are only poorly defined standards of public services, especially with regard to the independent functions of subnational governments. Moreover, the monitoring of standards is often fragmented. The Fico government's plans for administrative reform have not addressed this issue.

Adaptability

Domestic
Adaptability
Score: 5

In the past, Slovakia has been characterized by a weak adaptation of domestic government structures to international and supranational developments, most notably at the EU level. Both the Radičová and the Fico government have initiated institutional reforms aimed at increasing the absorption of EU funds. Radičová presented a comprehensive analysis of the problems, but failed to push through the suggested changes because of resistance within the governing coalition. Fico faced less resistance and succeeded in centralizing the coordination of EU funds and in moving the Central Coordination Unit from the Ministry of Transport to the Government Office. A second major reform that has brought the domestic institutional setup in line with EU priorities and goals has been the establishment in December 2011 of the Council for Budgetary Responsibility, an independent expert body in charge of monitoring the country's fiscal development. Like the approval of the European Financial Stability Facility (EFSF), the introduction of the new Council was backed by Fico when still in opposition.

International
Coordination
Score: 6

Slovakia is well integrated into NATO and the European Union. It has participated in a number of peacekeeping missions, including Afghanistan, Cyprus, and Bosnia and Herzegovina and is widely seen as a reliable partner in the European Union. The Radičová and the Fico government alike have supported the euro rescue measures. While institutional capacities for international coordination have improved, there are still some deficiencies with regard to interministerial coordination. Because of its size, Slovakia's power to shape strategic global frameworks is limited.

Organizational Reform

Self-monitoring
Score: 3

In Slovakia, there is no regular self-monitoring of institutional arrangements. The institutions and processes of governing are analyzed only seldom and selectively. The Radičová government undertook a detailed analysis of decision-making on EU funds, and the Fico government launched an audit of the efficiency and effectiveness of subnational governments in early 2013.

Institutional Reform
Score: 6

Slovakia has seen major institutional reforms in the period under review. In the case of the Radičová government, the establishment of the Council for Budgetary Responsibility and the appointment of the Plenipotentiary for the Development of Civil Society featured prominently and helped to improve the government's strategic capacity. The Fico government created a new advisory board with the Council for Solidarity and Development and reshuffled the competencies within the government for human rights. By replacing executive bodies with advisory boards and by increasing institutional fragmentation, however, the reshuffling weakened rather than strengthened the government's capacity in the protection of human rights.

II. Executive Accountability

Citizens' Participatory Competence

Policy Knowledge
Score: 6

Since the Radičová government has obliged all state, regional and municipal offices to publish their contracts, invoices and purchase orders on the internet, access to information about government policymaking has substantially improved. This information, designed to show how the government spends public money, has helped the media, NGOs and activists to uncover the dubious expenses of state offices and state-run companies. While the available information has increased, the policy knowledge of the population has suffered from the rising public disenchantment with politics and the political elite, especially after the so-called "Gorilla Affair" in 2012, which showed that corruption and cronyism have prevailed among politicians of all camps.

Legislative Actors' Resources

Parliamentary
Resources
Score: 6

In Slovakia, members of the unicameral National Council (MPs) have some resources to monitor government activity. Most of the MPs have a support staff of at least two persons, and there is a parliamentary library (with about 65,000 books) and the Parliamentary Institute – a research unit providing expertise for parliamentary committees, commissions and individual MPs. However, the quality of the Parliamentary Institute's analysis is limited, so MPs tend to rely on party resources.

Obtaining
Documents
Score: 5

In Slovakia, parliamentary committees have the right to ask for almost all government documents. However, the second Fico government, like the first one, delivered draft bills and other documents with considerable delay, thereby infringing on the work of the committees.

Summoning
Ministers
Score: 8

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 and has not been exercised significantly under either government in the period under review.

Task Area
Congruence
Score: 9

In both terms of the Slovak National Council in the period under review (2010 – 2012 and 2012 –), there have been more parliamentary committees than ministries (19:14), and two committees (the European Affairs Committee and the Committee for Human Rights and Minorities) have had several ministerial counterparts. However, committees have covered all ministerial task areas and the control responsibilities for major issues have not been split, so that the division of subject areas among committees has not hampered the parliamentary control of ministries.

Audit Office
Score: 7

The Supreme Audit Office of the Slovak Republic is an independent authority accountable exclusively to the National Council. The chairman and the two vice-chairmen are elected by the unicameral National Council for seven years each, and the office reports regularly and whenever requested to the Council. There is an informal agreement that the chairman should be suggested by the parliamentary opposition. Despite a long vacancy, caused by the inability of the current opposition to agree on a candidate, the Audit Office has maintained its independence (Jancsics 2012). However, it has not made full use of its far-reaching competencies and has often argued very formalistically.

Citation:

Jancsics, Dávid, 2012: Corruption Risks in the Visegrad Countries. Visegrad Integrity System Study. Budapest, p. 47.

Ombuds Office
Score: 8

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. In March 2012, Jana Dubovcová, a former judge and one of the most vocal critics of the current state of the Slovak judiciary, took the position from Pavel Kandráč. In the first annual report under her leadership, she complained about a lack of resources. As a result, the National Council refused to approve the report.

Media

Media Reporting
Score: 5

The quality and professionalism of media reporting is not extraordinarily high. The public TV and radio stations have lost market shares. Moreover, the commercialization of nationwide broadcasters with its negative impact on public interest news and current affairs coverage has not left the public stations untouched. One important problem is the quality of journalists.

Parties and Interest Associations

Intra-party
Democracy
Score: 3

All Slovak parties are elite projects that are dominated by a few party leaders. The only party that gained more than 10% of the votes in the 2012 parliamentary election is Prime Minister Fico's Smer-SD. It is 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.

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. Trade unions are less well equipped and have suffered from fragmentation. However, some trade unions, including those representing medical doctors, nurses and teachers, are able to analyze the impact of decisions and to formulate relevant policies. KOZ SR, the main Trade Union Confederation, which represents almost 30 sectoral unions, focuses mostly on uncontroversial 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. Under the Radičová government, many representatives of NGOs – and think tanks associated with NGOs – moved into, or worked with, the government. For instance, Viktor Nižňanský, first director then President of MESA 10, an

important think tank, and later on Director of the Municipal Research and Advisory Center, served as head of the Government Office. Under the Fico government, the relationship between the government and NGOs has become more tense. Following the change in government, experts from the Radičová government have become active in NGOs or have cooperated with them, thereby providing important policy knowledge.

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