



Slovakia Report

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Sustainable Governance Indicators 2019

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Executive Summary

For Slovakia, the year 2018 provided several occasions for commemorating events with historical and political relevance: There was the 100th anniversary of the Czechoslovak independence, 70 years of the communist state and 50 years since the Prague Spring. Even more important for the young country might have been the 30th anniversary of the Candle Demonstration, which was the central event of popular protest against the communist regime and the beginning of its end, and the 25th anniversary of the separation of Slovakia from the Czech Republic. Eventually, however, it was the murder of investigative journalist Ján Kuciak and his fiancée Martina Kušnírová that shook Slovakia in 2018.

Kuciak, a young journalist, was investigating connections between the mafia, oligarchs and top politicians, in particular members of governing parties. The murder itself, but also the fact that threats were made to Kuciak before his murder and the reluctance demonstrated in the investigations afterwards have provided further evidence of the existence of intransparent and corrupt elite networks in the country. In addition, this highlighted the limits to media freedom in Slovakia, the lack of judiciary independence and the failure of the state to protect its citizens. In his state of the nation address in June 2018, President Andrej Kiska identified a crisis of trust in justice and the rule of law and interpreted the murder as a “materialization of the consequences of the tolerance of criminal behavior.”

Kuciak and Kušnírová’s murder has had a deep impact on Slovak society. As a result, the country experienced the biggest national protests since the Velvet Revolution in 1989. The “For a Decent Slovakia” movement associated with the hashtag #AllForJan played a key role in organizing and sustaining the protests. Dissatisfaction with the country’s trajectory was also felt in the municipal elections in November 2018. While the ruling Smer-SD remained the strongest party, its shares in mayoral and council seats dropped from 25% to 18% and 29% to 20% respectively. The clear winners of the elections were independent candidates, many of them activists from the “For a decent Slovakia” movement, which won 42% of all mayoral seats.

The consequences of this societal turmoil on government policy have been limited. After the murder of Kuciak and Kušnírová, several members of the

government resigned or were pushed to resign, including finally Prime Minister Robert Fico, the key figure in Slovak politics since 2002. However, the governing coalition consisting of the left-populist Smer-SD, the Nationalist Slovak National Party (SNS) and Most-Híd, a centrist party representing the Hungarian minority, stuck together and rejected all calls for early elections. The new prime minister since March 22, the former Deputy Prime Minister Peter Pellegrini, stressed the government's commitment to the original 2016 manifesto of the coalition and refrained from initiating any changes in policy. The good and better-than-expected performance of the Slovak economy has enabled the government to pass a balanced budget for 2019, one year earlier than foreseen in the government manifesto. At the same time, long-due reform projects in education and health care have been delayed or tackled in an erratic manner. The same applies to the improvement of the public transport infrastructure, as there have been constant delays in building highways and railways. The transformation of the Slovak Academy of Sciences from a budget-based to a more independent organization that was widely perceived as an important contribution to improving the R&D System, has stalled.

Prime Minister Fico pursued a rather confrontational approach toward the European Union in the context of the 2015 refugee crisis. In the period under review, however, Fico and his successor Pellegrini have clearly sought to reposition Slovakia in the core of the EU and have been keen on distancing themselves from part of the positions taken by Hungary and Poland. In 2018, Slovakia has also been actively involved in two major international initiatives. It participated in the voluntary national review of the SDGs and elevated them to a national priority. Moreover, as acting UN General Assembly president from September 2017 to September 2018, Slovak Foreign Minister Miroslav Lajčák was intensively involved in the formulation of the UN's Global Migration Compact. Eventually, however, the SNS, one of the junior coalition partners, prevented the Slovak signing of the Compact.

Key Challenges

After the shockwave sent by the murder of Kuciak and Kušnírová, Slovakia appears to be standing at a crossroads. Awareness of ruling elites' corrupt behavior and dissatisfaction with the worsening quality of democracy have increased. As could be seen in the municipal elections in November 2018 and the presidential elections in March 2019, the new movement "For a decent Slovakia" that was born out of the protest could play an important role. The traditionally fluid Slovak party system is up for further changes, and after the parliamentary elections in 2020, new majorities might be forged.

At the moment, Slovakia is not following the pattern observed in Hungary and Poland, as Slovak civil society and media have mobilized large numbers of voters against corruption and in favor of “decency,” that is, for values that are linked with effective governance as well as liberal democracy. If the coming elections in Slovakia manage to deliver punishing defeats to illiberal forces and strengthen agents of liberal democracy, the country will continue to deviate from the course taken in Hungary and Poland.

Fico’s resignation and some other concessions made by Smer-SD in 2018 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. This has given Smer-SD the opportunity to restore its credibility. This will require that Smer-SD take a clearer position on corruption, and that stop interfering with the media and public institutions. The resignations of Minister of Interior Robert Kaliňák and Prime Minister Fico will not be enough to assuage public frustration with the political class. 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 police, the Public Procurement Office, the Office of the Prosecutor General and the Supreme Audit Office – in addition to public administration more generally.

Addressing these issues will also help make Slovakia’s impressive economic growth more sustainable. Long-term economic prospects are further limited by the poor state of the infrastructure, a lack of skilled labor and limited research and innovation activities. All these aspects require an improvement in order to sustain the economic course in the medium to long term.

Party Polarization

Slovakia has a weakly institutionalized party system. After almost 30 years of free party competition, the party system remains in flux, with frequent fusions and fissions, new parties emerging and once-strong parties dissipating. At the same time, the party system has been “standing on only one leg” as a result of the polarization between dominant parties that invoke nationalist and leftist appeals (i.e., Vladimír Mečiar’s HZDS from 1991–1998 and Robert Fico’s Smer-SD since 2006) in one camp and a group of fragmented center-right parties on the other. These two voting blocs have been fairly stable in size and ideological preferences. As a result, having stable governments has required sophisticated coalition-building skills. Smer-SD leader Robert Fico succeeded

in forming two coalition governments in 2006 and 2016, the latter consisting of two polarized coalition partners: namely the nationalist-rightist Slovak National Party (SNS) and the centrist party of the Hungarian minority Most-Híd. Conflicts between the two coalition partners – most notably on issues of human and minority rights and judicial reform – have often had a negative impact on the policymaking process. Since the 2016 parliamentary elections, the government has very rarely supported legislative proposals from opposition parties. The murder of investigative journalist Ján Kuciak and his fiancée Martina Kušnírová in February 2018 has further aggravated the polarization between the two big political camps. (Score: 5)

Citation:

Malová, D., B. Dolný (2016): Economy and Democracy in Slovakia During the Crisis: From a Laggard to the EU Core, in: Problems of Post-Communism, 63 (5-6), 300-312.

Policy Performance

I. Economic Policies

Economy

Economic Policy
Score: 6

With real GDP growing by at a robust pace of 3.4% in 2017 and more than 4% in 2018, the Slovak economy remains among the strongest growing in the EU and the OECD in the period under review. Growth continues to be driven by solid household spending growth and a strong labor market recovery. Moreover, the economy displays a solid rise in exports. Both private and government investment is likely to accelerate in 2018 and 2019. The British-Indian carmaker Jaguar Land Rover (JLR) launched its brand-new production plant in Nitra end of October 2018. More than 1,300 people are currently working at the plant; in 2020 2,800 are intended to be employed. This development strengthens Slovakia's position as the world's largest per capita producer of cars, 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 (2019): Country Report Slovakia 2019. SWD(2019) 1024 final, Brussels (https://ec.europa.eu/info/sites/info/files/file_import/2019-european-semester-country-report-slovakia_en_0.pdf).

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, falling below 7% in 2018. Further improvement of the labor market is expected in the medium term. At the same time, however, several structural problems persist which have not been adequately addressed by the Fico and Pellegrini governments. Long-term unemployment is one of the highest in the EU, 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. The Pellegrini government has sought to reduce it by simplifying recruitment procedures for non-EU workers and expediting permit issuance. However, the new provisions apply only to certain sectors and administrative barriers are still relatively high. Spending on active labor market policies in Slovakia remains one of the lowest in the EU.

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. Since 2016, tax policy has focused 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.). Both the Fico and the Pellegrini governments have thus largely ignored the long-standing calls by the European Commission, the OECD and the IMF to change the tax mix by financing a reduction of the relatively high tax burden on labor by increases in real estate tax, excises or environmental taxes. While tax revenues have soared on the back of a growing economy, they remain low in relation to GDP. Despite the improvements made in tax compliance, more could be done to reduce tax gaps.

Budgets

Budgetary Policy
Score: 7

Slovakia managed to reduce the general government fiscal deficit from about 8% of GDP in 2009 to 3% in 2015 and 1.7% in 2016. The deficit went further down in 2017 and fell to about 0.8% of GDP in 2018. 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, it continued its "Value for Money" project and initiated a third round of spending reviews covering poverty and social exclusion, agriculture, the public wage bill and health care. The new Minister President Pellegrini has stuck to the third Fico government's commitment to a

balanced budget. As a matter of fact, the better-than-expected economic performance has enabled the government to pass a balanced budget for 2019, one year earlier as foreseen in the 2016 government manifesto. While Slovakia has a relatively high public debt, risks to the public finances are largely long-term and related to population aging and the lack of pension and health care reform. The budgeting framework still shows certain gaps in terms of coverage, time horizons and reliance on cash accounting.

Citation:

European Commission (2019): Country Report Slovakia 2019. SWD(2019) 1024 final, Brussels, 19-20 (https://ec.europa.eu/info/sites/info/files/file_import/2019-european-semester-country-report-slovakia_en_0.pdf).

Research, Innovation and Infrastructure

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 all well below the EU average and the lowest among the four Visegrád countries. 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. Corporate funds account for only a quarter of the total Slovak funding, and almost 90% of all foreign resources are EU money.

During the period under review, the matter of the Slovak Academy of Sciences (SAV) has shown the government's lack of strategic vision. Ever since 2016, the transformation of the SAV from a budget-based to a more independent organization has been on the way. Originally prepared by the then-Minister of Education, Science and Research Pellegrini, this institutional shift was aimed at fostering the cooperation between the academy and the business sector. In 2018, however, the controversies over the changes between the SAV and Minister of Education Martina Lubyová escalated due to personal animosities between the minister, who had been a member of the SAV, as well as controversies over the SAV's land ownership. Initially, the ministry designed a registration process that was criticized by the SAV as too complex and cumbersome. Eventually, the ministry initiated an amendment that effectively reversed the whole transformation process. Passed by parliament, this amendment was vetoed by President Andrej Kiska. In September 2018, however, parliament overrode the president's veto, leaving further institutional changes at the SAV in limbo.

Global Financial System

Stabilizing
Global Financial
System
Score: 7

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. The teaching profession is unattractive, therefore the graduates tend to opt for different, better paid jobs. There are huge regional disparities in teaching outcomes, and students from socially disadvantaged groups tend to achieve only half the points of their peers from socially more favorable environments. Vocational education has been neglected since the fall of communism and universities focus on non-technical education. As a result, the education system is insufficiently geared to increasing Slovakia's economic potential in that Slovakia faces a shortage of skilled workers needed for its industry-oriented economy. In 2015, Slovakia reintroduced a dual vocational education training system, but the implementation is slow and interest among potential participants remains limited. At the beginning of 2018, there were only 2,500 students and 70 companies involved. Tertiary educational attainment has improved, but remains below EU average and 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.

After the 2016 elections the 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 was delayed by the resignation of Minister of Education Peter Plavčan and his replacement by Martina Lubyová in August 2017. At the beginning of 2018, Lubyová dissolved the Institute of Education Policy (IVP), a major analytical pillar of the ministry, and dismissed its head. After harsh criticism, the minister eventually backtracked and promised to restore the IVP. This episode illustrates the administrative chaos and the lack of political consensus that have haunted education policy in Slovakia.

Citation:

European Commission (2018): Education and Training Monitor 2018: Slovakia. Luxembourg (https://ec.europa.eu/education/resources-and-tools/document-library/education-and-training-monitor-2018-slovakia-report_en).

Social Inclusion

Social Inclusion
Policy
Score: 5

The Slovak social-protection system covers standard social risks, however society and public policies remain rather non-inclusive. 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, gender 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. Slovakia continues to segregate Roma children and children with disabilities in education. Although showing slight improvements, 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 elderly people.

In the period under review, neither the Fico nor the Pellegrini government have done much to address these problems. In 2018, however, an old debate about improving integration opportunities for children of marginalized groups by making nursery school obligatory re-emerged. In December, the government eventually reintroduced compulsory nursery school for 5-year-olds as of September 1, 2020.

Citation:

Council of Europe, Commissioner for Human Rights (2018): Slovak Republic: adopt a bolder approach to

ensure inclusive education and strengthen the safety of journalists, March 13, Strasbourg (<https://www.coe.int/en/web/commissioner/-/slovak-republic-adopt-a-bolder-approach-to-ensure-inclusive-education-and-strengthen-the-safety-of-journalists>).

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. 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 average age of medical doctors ranges between 55-57 years.

After the 2016 elections, the Fico government 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 became operational in January 2018. By contrast, other initiatives such as the implementation of a new integrated care model have been stalled. Under the new prime minister, Peter Pellegrini, Minister of Health Tomáš Drucker became Minister of the Interior and was replaced by the former state secretary Andrea Kalavská. In July 2018, Pellegrini himself announced new plans for hospital reforms that focused on introducing a stronger differentiation between general hospitals and those with a specialized or highly specialized focus.

Citation:

European Commission (2019): Country Report Slovakia 2019. SWD(2019) 1024 final, Brussels, 20-22 (https://ec.europa.eu/info/sites/info/files/file_import/2019-european-semester-country-report-slovakia_en_0.pdf).

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. Slovakia is among the countries with the highest level of discouraging impact as a result of motherhood and care on employment. Childcare facilities have remained limited since the late 1990s' and have not kept up with the increase in birth rates. Childcare 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 Fico and the Pellegrini governments have paid more attention to the expansion of childcare facilities and have begun to shift the focus of family policy away from cash benefits. Since January 2018, the Social Services Act has expanded access to childcare to unemployed parents, on the condition that their child does not take the place of a child whose parents are employed or in education. In December 2018, the Pellegrini government reintroduced compulsory nursery school for 5-year-old children as of September 2020.

European Commission (2018): Education and Training Monitor 2018: Slovakia. Luxembourg (https://ec.europa.eu/education/resources-and-tools/document-library/education-and-training-monitor-2018-slovakia-report_en).

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. These changes have improved the situation of pensioners, but have reduced the financial sustainability of the first pension pillar. In May 2018, Smer-SD launched a debate about capping the envisaged gradual increase in the retirement age at 65.

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 due to a shortage of labor. 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 Czechia, Hungary, Poland or Ukraine. Although the Slovakian economy desperately needs foreign labor, successive governments have failed to formulate a clear integration policy. During the 2016 election campaign, Prime Minister Fico instrumentalized the issue of migration and fueled anti-refugee sentiments by implicitly linking refugees to the threat of terrorism. In the context of the EU refugee crisis, his government opposed mandatory quotas for distributing refugees within the European Union. It even filed a lawsuit 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.

Since Fico's resignation, the government has softened its strong anti-immigration stance. At the EU Summit in June 2018, new Prime Minister Peter Pellegrini agreed to accept 1,200 migrants. Moreover, the government has announced plans to ease foreign access to the Slovak labor market. First measures include the removal of the obligation to provide evidence of education for certain professions, a reduction in the number of documents needed to obtain a work permit, as well as a more frequent updating of the list of vacant jobs. However, the state administration still enjoys a high degree of discretion in granting permission for recruitment of workers from non-EU countries.

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>).

Safe Living

Internal Security
Policy
Score: 7

Although government spending on public order and safety is among the highest in the EU and the actual levels of crimes against rank-and-file citizens is low, internal security has been one of the major political issues in Slovakia for some time. While the homicide rate (the number of murders per 100,000 inhabitants) stands at 0.8 and is much lower than the OECD average of 3.6, only 60% of people say that they feel safe walking alone at night, which is less than the OECD average of 69%. The subjective feeling of security in private or public space or has decreased due to several factors. First, from the

beginning of the EU refugee crisis, almost all politicians, headed by Prime Minister Fico, fueled fears by painting negative consequences of the migration crisis. Second, since the murder of the investigative journalist Ján Kuciak and his fiancée Martina Kušnírová, trust in the police and security forces has dramatically dropped. Third, a brutal attack in central Bratislava in May 2018 on Filipino expat Henry Acorda, who later died as a result of his injuries, sparked debates about no-go zones and the safety of people, particularly foreigners, in the capital and became a topic in the campaign for the municipal elections in November 2018.

Citation:

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

N.N. (2018): What institutions do Slovaks trust the most? in Slovak Spectator, July 23 (<https://spectator.sme.sk/c/20876623/slovaks-trust-the-slovak-academy-of-sciences-the-most.html>).

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), with which it shares similar experiences of transformation.

In 2018, Slovakia took part in the 2018 voluntary national review of the UN's High Level Political Forum on Sustainable Development and has started to draw up a medium-term strategy for development cooperation for 2019-2030. While official development assistance has continued to increase, there is still no set plan how to achieve the country's official target of slating 0.33% of GNI for ODA by 2030.

Citation:

OECD (2019): Development Co-Operation Peer Review Slovakia 2019. Paris.

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.

Slovakia relies heavily on nuclear power, which means low greenhouse emissions, but this comes with other risks. Around 54% of the energy mix is nuclear energy, while around 19% come from thermal power and 17.6% from hydroplants. The share of renewable energy sources is a mere 6.8%. 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. The country's heavy dependence on nuclear energy has made the planned completion of the third and fourth nuclear power plant in Mochovce a major issue for some time. After considerable delay, the completion of the third bloc now looks near.

In the period under review, the Institute of Environmental Policy at the Ministry of Environment has been drafting a new strategy for environmental policy up to 2030. An amendment to the act on support for renewable energy sources and highly efficient cogeneration in October 2018 has further limited the support of renewables.

Citation:

European Commission (2018): Energy Union fact sheet Slovakia. Brussels (https://ec.europa.eu/commission/publications/energy-union-factsheets-eu-countries_en).

Kapitán, P. (2018): Huba: Most people in top positions are environmentally ignorant and illiterate, in: Slovak Spectator, January 11 (<https://spectator.sme.sk/c/20735079/huba-most-people-in-top-positions-are-environmentally-ignorant-and-illiterate.html>).

Minarechová, R. (2018): No new nuclear power plant planned, in: Slovak Spectator, December 18 (<https://spectator.sme.sk/c/20721155/no-new-nuclear-power-plant-planned.html>).

Ministry of the Environment (2018): Mid-term Progress Report of the Environmental Performance Review of the Slovak Republic. Bratislava (<http://www.oecd.org/environment/country-reviews/Mid-term-report-EPR-Slovakia-feb-2018.pdf>).

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. 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. Regulations governing the electoral process were consolidated in the 2014 election code. Provisions regarding the registration of parties and candidates are liberal and ensure a fair registration procedure. 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. In October 2018, parliament passed an amendment to the Act on Political Parties which changed the rules for the registration of parties for parliamentary elections and elections to the European Parliament. It has introduced the new requirement of a minimum number of party members of 300 and has banned the use of an individual's name in the names of parties. Promoted by the Slovak National Party (SNS), a junior coalition party, the amendment was directed against elite party projects with less than 100 party members such as Freedom and Solidarity (SaS), Ordinary People and Independent personalities (OLaNO) and We Are Family – Boris Kollár (Sme rodina – Boris Kollár). However, none of these parties has announced plans to challenge the amendment as discriminatory.

Citation:

N.N. (2018): New law introduces membership regulations for political parties. In: Slovak Spectator, October 17 (<https://spectator.sme.sk/c/20939322/new-law-introduces-membership-regulations-for-political-parties.html>).

Media Access
Score: 9

Slovakia's media market is so pluralistic as to ensure that all candidates and parties have fair access to the media. In the case of the 2018 municipal elections, all of the candidates were able to make themselves heard. However, the politicization of the public radio and TV broadcaster RTVS under its new director Jaroslav Rezník has raised some concerns about public media coverage of the upcoming national elections.

Election laws mandate that campaign messages must be clearly distinguished from other media content. 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, 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. Both problems have not been addressed by parliament or the State Commission for Elections and Political Parties Finance.

Voting and
Registration
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 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. Their number is estimated at about 1,600. 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 Code valid since July 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. In October 2018, further amendments to the Act on Political Parties were passed, some of them related to party financing. Financial gifts to political parties from a single donor can no longer exceed €300,000 a year. Other amendments have obliged parties to publish detailed information on loans accepted on their website and to open a central account at the State Treasury to which all financial contributions from the state will be transferred. While the formal rules on party and campaign financing have thus been further refined, their enforcement is still relatively weak.

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 nationwide referendum was held, only several local ones took place along with the municipal elections. Moreover, the trade unions have started to collect signatures to initiate a referendum on capping the increase in the retirement age.

Access to Information

Media Freedom
Score: 4

The murder of investigative journalist Ján Kuciak and his fiancée Martina Kušnírová in February 2019 has highlighted the limits to media freedom in Slovakia. Of concern is the fact that prominent representatives of the governing coalition, most notably Robert Fico, Smer leader and prime minister until March 2018, and Andrej Danko, head of the SNS and speaker of parliament, have shown a habit of criticizing and intimidating journalists. In addition, the increased politicization of the public radio and TV broadcaster RTVS since June 2017, when Jaroslav Rezník became its new director, has also raised concerns. The government also failed to deal with the threats to Kuciak by the politically well-connected businessman Marian Kočner, a major subject of Kuciak's investigative work, and has only half-heartedly sought to clarify and investigate the murder. Fico himself downplayed the murder by consistently speaking of the "death of two people" rather than a murder of a journalist. He has continued his attacks on journalists after his resignation as prime minister. In November 2018, over 500 Slovak journalists denounced in a public statement his degrading and offensive statements about journalists.

The conflicts over the politicization of RTVS have intensified since the murder of Kuciak and Kušnírová. In April 2018, Rezník fired four reporters (out of 60) who signed a critical open letter to management. In May 2018, 12 RTVS reporters resigned in protest of the politicization of news coverage under Rezník's leadership. These conflicts led to an unprecedented mobilization of journalists and the public that forced the RTVS top management to restore the investigative TV program Reportéri, which had been suspended in January 2018, and to rein in its intervention in political affairs. Petra Stano Matášovská, the head of the RTVS radio news section, had to resign in October 2018 after she had formulated internal rules for RTVS journalists that showed a strong bias for the governing parties.

Citation:

Kalan, D. (2018): Press Freedom Is Still Under Attack in Slovakia, in: Foreign policy, August 8 (<https://foreignpolicy.com/2018/08/06/press-freedom-is-still-under-attack-in-slovakia-rtvs-reznik-jan-kuciak-murder-fico-kocner/>).

Reporter without borders (2018): Press freedom in Slovakia after investigative reporter's murder, February

28 (<https://rsf.org/en/news/press-freedom-slovakia-after-investigative-reporters-murder>).

Školka, A. (2018): Why Press Freedom in Slovakia is More Complicated Than it looks (Interview), in: World Politics Review, June 13 (<https://www.worldpoliticsreview.com/trend-lines/24874/why-press-freedom-in-slovakia-is-more-complicated-than-it-looks>).

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 a limited number of politically well-connected 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. In 2018, however, Penta's plans to purchase the media group Central European Media Enterprises (CME) together with the Chinese energy and investment group CEFC failed as CEFC went into some trouble. 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 would have bought CME, this would have further increased the concentration of the media in Slovakia. Penta's plans prompted calls for strengthening the regulation of media cross ownership. However, Marek Maďarič, minister of culture in the three Fico governments and a prominent advocate of such a strengthening, resigned after the murder of Ján Kuciak and his initiative has not been taken up by the Pellegrini government.

Citation:
Mediaguru (2018): Infografika: Přehled vlastníků slovenských médií (<https://www.mediaguru.cz/clanky/2018/09/infografika-prehled-vlastniku-slovenskych-medii/>).

Access to
Government
Information
Score: 7

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 2016 elections, Lucia Žitňanská, the minister of justice in the third Fico government who resigned after the murder of Ján Kuciak, prepared a draft amendment that incorporated most of these recommendations. However, the Pellegrini government has not pursued the issue.

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: 6

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, the murder of Ján Kuciak and his fiancée Martina Kušnírová in February 2018 has raised concerns about the state's ability to protect its citizens. In his state of the nation address in June 2018, President Kiska identified a crisis of trust in justice and the rule of law and interpreted the murder as “materialization of the consequences of the tolerance of criminal behavior.” A controversial issue for some time has been the ratification of the Istanbul Convention. Within the governing coalition, Smer-SD and SNS have opposed ratification, and after the resignation of Prime Minister Fico, SNS leader Andrej Danko was quick to put the issue on the government agenda. These events led the members of the government's Council for Human Rights, National Minority and Gender Equality to issue a joint statement expressing their concern that an issue of fundamental rights has become a topic of negative political and ideological campaigning.

Citation:

Terenzani, M., R. Minarechová (2018): Istanbul ratification still nowhere in sight, in: Slovak Spectator, April 19 (<https://spectator.sme.sk/c/20807159/istanbul-ratification-still-nowhere-in-sight.html>).

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 35Pr,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, the murder of Kuciak and Kušnírová evoked the biggest protests since the Velvet revolution in 1989. The movement “For a Decent Slovakia” that

Non-discrimination
Score: 5

emerged from these protests continued to rally in autumn, criticizing the lack of progress made in investigating the murder. Prominent representatives of the governing coalition have defamed the demonstrators.

While Slovakia has fairly sophisticated anti-discrimination legislation in place, the discrimination of women, Roma, LGBTI persons and migrants 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 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. A 2018 report of the United Nations Committee on the Elimination of Racial Discrimination (CERD) underlined the continuing discrimination of Roma and recommended 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.

Citation:

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. As a result of frequent amendments, many laws have come opaque and inconsistent. This situation was widely criticized by many NGOs and watchdog organizations. 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. Legal certainty has suffered also from the fact that the Constitutional Court has lacked a unifying

Judicial Review
Score: 6

normative background. While many court decisions have been inspired by the case law set by the European Court of Human Rights and the rulings of other European constitutional courts, particularly the German one, others have been based on specific and not always transparent views of individual justices.

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 were 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 from March 2016 to March 2018 sought to foster transparency and fight corruption in the judicial system. Among other things, the ministry launched a new database to be used for improving the training of justices and their allocation to the courts. While the length of court proceedings has been shortened, concerns over the independence of the judiciary persist. The EU Justice Scoreboard ranks Slovakia as the country with the worst perception of judicial independence. 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 the period under review, a number of decisions by the Constitutional Court have been criticized for an inconsistent interpretation of the law. The murder of Kuciak and Kušnírová has further reduced citizens' low level of trust in their courts.

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 for 12 years by the president on the basis of proposals made by the parliament (National Council of the Slovak Republic), without any special majority requirement. From 2014 to the end of 2017, the selection of justices was 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 lack the proper qualifications for Constitutional Court justices. As a result, three out of 19 seats in the CC remained vacant until Kiska eventually gave in in early December 2017. Kiska's retreat was favored by recommendations by the so-called Venice Commission (Council of Europe's European Commission for Democracy Through Law) in March 2017. While the latter criticized Kiska for blocking the appointments, it sided with him in calling for stricter criteria for nominated judges. Despite a broad consensus on the need for changes, an amendment proposed by Justice

Minister Gál failed to muster sufficient support in parliament in October 2018. As a result, the coming replacement of nine out of 13 CC judges in February 2019, which will have considerable influence on the Slovak judicial system in the next decade, will take place under the old rules.

Citation:

N.N. (2018): Parliament election of Constitutional Court judges will not change, in: Slovak Spectator, October 24 (<https://spectator.sme.sk/c/20945235/parliament-election-of-constitutional-judges-will-not-change.html>).

Ovádek, M. (2018): Drama or Serenity? Upcoming Judicial Appointments at the Slovak Constitutional Court, in: Verfassungsblog, January 29 (<https://verfassungsblog.de/drama-or-serenity-upcoming-judicial-appointments-at-the-slovak-constitutional-court/>).

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 Lucia Žitňanská (Most-Híd), the minister of justice until her voluntary resignation in March 2018. 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 businessman 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, and had to resign only after the murder of Ján Kuciak and Martina Kušnírová. The fact that Kuciak was murdered because of his investigations regarding links between the mafia, oligarchs and top politicians testifies to the pervasiveness of corruption in Slovakia, and so does the reluctant investigation of the two murders. In the wake of anti-corruption demonstrations, a new initiative 'Chceme Verit' (We Want to Believe) launched by leading NGOs (Fair-Play Alliance, Via Iuris, Slovak Governance Institute, Human Rights League, Open Society Foundation, Pontis Foundation and Stop Corruption foundation) has demanded that the new Pellegrini government implement more effective measures to combat corruption. These demands include installing trustworthy leadership in the police force and among prosecution efforts, strengthening police independence, and subjecting the Prosecutor's Office to mechanisms of public control.

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 fragmented nature and the rigid departmentalism of public administration in the country have complicated strategic planning. So has the high degree of staff turnover which, driven as it is by a politicized public administration, limits the continuity of institutional expertise. The strengthening of the expertise of the Government Office and the creation of the Council for Solidarity and Development (an advisory body established under the second Fico government) have failed to improve planning capacities in any substantial way. The council has been a facade for dialog, primarily used by Prime Minister Fico, who chaired it, for exposing his political plans. Since the government reshuffle in March 2018, the institutional capacity for strategic planning has remained unchanged.

Expert Advice
Score: 5

Slovak governments rely on various permanent or temporary advisory committees. Prime ministers have their own advisory body. Prime Minister Fico's advisers largely came from his circle of associates and include only a few truly independent experts, and this pattern has not changed after the reshuffling of government. 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. Within the ministries, expert advice is provided by so-called "analytical centers," which are separated units composed of experts with different backgrounds, but a common sense of mission.

Citation:

Sedlačko, M., K. Staroňová (2018). Internal ministerial advisory bodies: An attempt to transform governing in the Slovak Republic, in: *Central European Journal of Public Policy* 12(1), 1-16.

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 partners. 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.

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. Prime Minister Fico tried to increase the monitoring activities of the Government Office, especially those related to EU structural funds. Peter Pellegrini, his successor, has continued this approach.

Cabinet
Committees
Score: 6

The importance of cabinet and ministerial committees has varied over time in Slovakia, with every government modifying the committee structure. Since the parliamentary elections in 2016, there has been 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 after the 2016 elections,

Informal
Coordination
Score: 7

SNS and Most-Híd have weakened the role and independence of the civil service by seeking to provide ministerial positions to party members.

Informal coordination has played a significant role in policy coordination since the 2016 parliamentary elections. The new coalition decided to establish a complex system of coalition councils. The 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. In April 2018, the system was further refined, when Peter Pellegrini, the new prime minister, and Andrej Danko, the leader of the SNS, agreed to hold additional bilateral meetings every Thursday. Until March 2018, there was another form of informal coordination in that Prime Minister Fico continued to capitalize on his weakening, but nonetheless strong role as leader of Smer-SD, the leading party in government.

Citation:

N.N. (2018): Pellegrini and Danko agree on better communication, in: The Slovak Spectator, April 19 (<https://spectator.sme.sk/c/20808014/pellegrini-and-danko-agree-on-better-communication.html>).

Digitalization for
Interministerial
Coordination
Score: 4

Slovakia ranks 20th out of the 28 EU Member States in the European Commission's Digital Economy and Society Index (DESI) 2018, having made progress on previous years, but all in all belonging to the low-performing cluster of countries. In October 2017, the "Detailed Action Plan on the Digitisation of Public Administration" was published. It aims at developing an e-government system for citizens, public administration, businesses and academia. In November 2017, an amendment to the Act on e-Government became effective which has introduced a central delivery system for official documents. As it stands, however, digital technologies play only a limited role in interministerial coordination.

Citation:

European Commission (2018): Digital Economy and Society Index (DESI) 2018. Country Report Slovakia. Brussels (<https://ec.europa.eu/digital-single-market/en/scoreboard/slovakia>).

Evidence-based Instruments

RIA Application
Score: 6

When RIAs were 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. The “RIA 2020 Better Regulation Strategy” which was approved by the cabinet in January 2018 has further strengthened the methodological basis for assessing the economic impact of regulation in particular. However, impact assessments only apply to measures initiated by the government, and ministries still often struggle with the quantification of wider impacts, focusing mainly on budgetary impacts and, to a lesser extent, impacts on business.

Citation:

OECD (2019): Indicators of Regulatory Policy and Governance Europe 2019: Slovak Republic. Paris (<http://www.oecd.org/gov/regulatory-policy/indicators-of-regulatory-policy-and-governance-2019-slovak-republic.pdf>).

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>).

World Bank (2018): Global Indicators of Regulatory Governance. Washington, D.C. (<http://rulemaking.worldbank.org/en/data/explorecountries/slovak-republic#>).

Quality of RIA
Process
Score: 5

Procedures for public consultations in the later stage of the regulation-making process are well developed, and include the automatic publication of all legislative documents on the government portal. However, the strong focus of Slovak RIA on the impact on the business sector means that business associations are involved in the process more strongly than other stakeholders. Quality control suffers from fragmentation. In the Permanent Working Committee of the Legislative Council, four ministries are involved in checking the quality of regulatory impact assessments (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.

Sustainability
Check
Score: 3

Slovakia took part in the 2018 voluntary national review of the UN’s High Level Political Forum on Sustainable Development and has initiated a review of the country’s national sustainable development strategy with a view to incorporating the 2030 Agenda for sustainable development. The RIA methodology manual requires that sustainability concerns be incorporated in assessment reports. In practice, however, sustainability checks do not feature very prominently and are not done in a comprehensive manner.

Citation:

Deputy Prime Minister’s Office for Investments and Informatization of the Slovak Republic (2018): Voluntary National Review of the Slovak Republic on the Implementation of the 2030 Agenda for Sustainable Development. Bratislava (https://sustainabledevelopment.un.org/content/documents/20131Agenda2030_VNR_Slovakia.pdf).

Quality of Ex
Post Evaluation
Score: 3

Ex post evaluations have not been required by law so far. If they have been carried out, they have focused mainly on administrative burdens. However, the RIA 2020 Better Regulation Strategy, as approved by cabinet in January 2018, has envisaged more systematic ex post evaluations.

Societal Consultation

Public
Consultation
Score: 5

In Slovakia, comprehensive legal requirements for the consultation with societal actors, including social dialog in the tripartite Economic and Social Council, exist. However, the third Smer-SD-led government has not assigned much importance to consultation with societal actors. In cases where consultations have taken place, they have been driven primarily by the fact that they were required by a law. The Council for Solidarity and Development newly established by the second Fico government 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 decided to raise the minimum wage unilaterally. A few months after his resignation, Fico was cited in the national journal “Sme” lamenting about the third sector “silently crawling to power.” Despite the chasm in the Slovak society, the new prime Minister Peter Pellegrini has not tried to increase the legitimacy of its government by taking public consultation more seriously.

Citation:

Fico, R. (2018): Kto má vládnuť? Konflikt s médiami nie je škodlivý, in: Sme, August 1 (<https://komentare.sme.sk/c/20882709/kto-ma-vladnut-pise-robert-fico.html>).

Policy Communication

Coherent
Communication
Score: 5

The formation of a coalition government after the 2016 parliamentary elections has made it more difficult to streamline government communication. However, until the coalition crisis in August 2017, SNS and Most-Híd, the junior coalition partners, were cautious to avoid engaging in open conflict. In the 2018 government crisis, Smer-SD’s coalition partners were initially demanding the resignation of the minister of interior, but as more was revealed, they pushed Prime Minister Fico to step down. Eventually, all coalition partners agreed to not hold early elections but continue in this government constellation with a new prime minister. Occasionally, the policy statements of individual ministers have deviated from the government strategy designed in the program manifesto.

Implementation

Government
Effectiveness
Score: 5

The government manifesto of the third Fico government reiterated many goals of his previous ones. Although it comprised around 70 pages, it lacked action plans, timelines and budgets. After the reshuffling of the government in March 2018, the new prime minister did not formulate new policies goals but declared to adhere to the existing manifesto. The implementation of the manifesto has been limited. Long-due reform projects in education and health care have been or delayed or tackled in an erratic manner. The same applies to the promised improvement of the public transport infrastructure, as highway and railway construction has been subject to several delays. In November 2018, the governing coalition withdrew (for reasons that remain unclear) from parliamentary discussion a draft of Slovakia's new defense and security strategy, which was supposed to replace its valid but highly outdated 2005 strategy.

Ministerial
Compliance
Score: 6

Since the 2016 elections, ministerial compliance has been complicated by the fact that the government 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). The vagueness of the government manifesto has allowed ministers to pursue sectoral interests and to follow party lines. Some of the ministers of the junior coalition partners are political newcomers who have proven difficult to integrate. Those nominated by the SNS have felt committed to the oligarchs behind the party leadership. After the murder of Ján Kuciak and Martina Kušnírová, several ministers resigned, either involuntarily or by choice. The new Prime Minister Pellegrini has relied on “loyal” candidates in filling the open positions.

Monitoring
Ministries
Score: 6

When returning to power in 2012, Prime Minister Robert Fico expanded the Government Office's responsibilities in monitoring line ministries, particularly with respect to European affairs and economic and fiscal issues. Since the 2016 parliamentary elections, 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

Slovakia features a large number of agencies increasingly subject to politicization. Leaders of agencies or semi-autonomous entities are selected on the basis of their party affiliation and social connections (family bonds) rather than their expertise and public reputation. The politicization of agencies has not changed under the third Fico and the Pellegrini governments.

Citation:

Nemec, J. (2018): Slovakia, in: N. Thijs, G. Hammerschmid (eds.), *Public Administration Characteristics and Performance in EU28*. Luxembourg: European Union, 896-897 (<https://publications.europa.eu/en/publication-detail/-/publication/a7c9b4c2-960f-11e8-8bc1-01aa75ed71a1/language-en>).

Task Funding
Score: 6

In Slovakia, the degree of decentralization is relatively high. However, funding for subnational governments has been precarious. About a third of the revenues come from state transfers. While the shares of both municipalities and regional self-governments in personal income tax revenues have substantially risen since 2014, subnational governments have 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. Nonetheless, the Association of Towns and Communities of Slovakia (ZMOS) is a powerful player and has been relatively successful in articulating the interests of municipalities vis-à-vis the central government.

Citation:

Nemec, J. (2018): Slovakia, in: N. Thijs, G. Hammerschmid (eds.), *Public Administration Characteristics and Performance in EU28*. Luxembourg: European Union, 891-894 (<https://publications.europa.eu/en/publication-detail/-/publication/a7c9b4c2-960f-11e8-8bc1-01aa75ed71a1/language-en>).

Constitutional
Discretion
Score: 3

All Fico-led governments pursued a hands-on approach limiting the constitutional discretion of subnational governments. After the 2016 elections, 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. The pattern may change in the months following the municipal elections held in November 2018, as Smer-SD lost all regional capitals to predominantly independent candidates or candidates supported by the opposition parties. Most of the persons elected represent a different generation and a different attitude toward subnational self-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.

Effective
Regulatory
Enforcement
Score: 3

A core weakness of the Slovak public administration system is the politicization of public decision-making and the influence of economic lobbies and other organized interest groups on policymaking. Thus, government agencies tend to enforce regulations ineffectively and demonstrate bias in their activity.

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 and its performance ambiguous and confusing. 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. However, Slovakia's reputation and standing in the EU have suffered from the Radičová government's positions on the Greek debt crisis, Slovakia's joining of ranks with the other Visegrád countries in the EU refugee crisis, and Prime Minister Fico's "flirt" with Russia. In the period under review, however, Fico and his successor Pellegrini have clearly sought to position Slovakia in the core of the EU and have been keen on distancing themselves from aspects of the positions taken by Hungary and Poland. In 2018, Slovakia has also been actively involved in two major international initiatives. It participated in the voluntary national review of the SDGs and elevated them to a national priority. Moreover, as acting UN General Assembly president from September 2017 to September 2018, the Slovak foreign minister Miroslav Lajčák, was intensively involved in the formulation of the UN's Global Migration Compact. Eventually, however, the SNS, one of the junior coalition partners, prevented the Slovak signing of the Global Migration Compact.

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

Since the parliamentary elections in June 2016, the institutional arrangements of governing have remained largely unchanged. The new Pellegrini government has not initiated any major institutional reforms so far. However,

there has been some progress with the implementation of earlier reforms. In January 2018, the new Civil Service Council, an independent coordinating and monitoring body, eventually began operating.

II. Executive Accountability

Citizens' Participatory Competence

Political
Knowledge
Score: 6

Given the liberal legislation on access to public information and the existing media pluralism, information about policymaking is available to all citizens. However, population's overall policy knowledge has suffered from the Fico government's paternalistic approach. Fico's main message to the citizens was that the government takes care of people's everyday worries as well as the national interests of Slovakia, so that there is no need for citizens to engage in politics and to deal with policymaking. Social media have also had a negative impact on citizens' understanding of public policies, as they contribute to the spread of different "alternative" news and conspiracy theories promoted by low-quality media such as Hlavné správy and Zem a Vek. In the wake of the Kuciak and Kušnírová murders, however, the political interest among broad strata of the population has increased, and this has contributed to a growing interest in policymaking as well.

Open
Government
Score: 5

Slovakia joined the Open Government Partnership in 2011 and opened an Open Data Portal in 2015 (www.data.gov.sk). In its 2016 government manifesto, the third Fico government pledged to increase public administration transparency and make public information available in the form of open data. It also emphasized its ambition to support a data-based economy and stimulate the business environment. The current quality of published datasets at the open data portal suffers from persistent problems with insufficient updates to some datasets and the non-standardization of formats.

Citation:

Schneider, J. (2015): Bringing Government Data into the Light: Slovakia's Open Data Initiative, 2011-2015. Princeton, N.J. (https://successfulesocieties.princeton.edu/sites/successfulesocieties/files/JS_OGP_Slovakia_FORMATTED_012Oct2015.pdf).

Office of the Plenipotentiary of the Government of the Slovak Republic for the Development of Civil Society (2017): Open Government Partnership National Action Plan of the Slovak Republic 2017 – 2019. Adopted by the Government Resolution No. 104/2017. Bratislava (https://www.minv.sk/swift_data/source/rozvoj_obcianskej_spolocnosti/otvorene_vladnutie/akcne_plany/2017_2019/Slovakia-OGP-nap-2017-english.pdf).

Legislative Actors' Resources

Parliamentary
Resources
Score: 6

Members of the National Council, the Slovak parliament, can draw on a set of resources for monitoring government activity. Members of parliament have a budget for assistants and expertise and tend to have a support staff of at least two persons. They can draw on the Parliamentary Institute, an information, education and research unit providing expertise for parliamentary committees, commissions and individual legislators. In addition, there is a parliamentary library.

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 do not support opposition members of parliament in their legislative activities. As a result, the committees' access to government documents is often not timely.

Summoning
Ministers
Score: 7

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

Summoning
Experts
Score: 8
Task Area
Congruence
Score: 9

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

In the current term, the Slovak National Council has more parliamentary committees than there are ministries (by a ratio of 19 to 13). Two committees (the European Affairs Committee and the Committee for Human Rights and Minorities) have several ministerial counterparts and three committees enjoy the status of a special committee, that is, as supervising intelligence services. However, committees cover all ministerial task areas and thus, the allocation of subject areas among committees does not hamper parliamentary oversight of ministries.

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. The Kuciak and Kušnírová murders have somehow united journalists and has fostered interest in investigative journalism, but has not changed the structural constraints on media quality.

Parties and Interest Associations

Intra-party
Decision-Making
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 LSNS, the populist Sme Rodina and the center party Siet'. The nationalist SNS, came back to parliament while the former governing parties SDKU-DS and Christian Democratic Movement (KDH) remained outside. Smer-SD remains strongly centered around Robert Fico, who has led the party since its founding in 1999 and has remained its head even after his resignation as prime minister in March 2018. The inner circle of the party and the number of party representatives with influence are rather limited. The two centrist parties established in 2017/18 – Spolu–Občianska Demokracia (Together – Civic Democracy) and Progresívne Slovensko (Progressive Slovakia) – are more inclusive and engage in open decision-making with their members.

Association
Competence
(Employers &
Unions)
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.

Independent Supervisory Bodies

Audit Office
Score: 6

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. While Mitrík was suggested by one of the opposition parties, he did not muster the support of the majority of the opposition. While the NKÚ has been active, its findings have often been conspicuously inconclusive. In a number of sensitive cases, such as overpriced cultural events and dubious commissions during Slovakia's EU presidency in the second half of 2016 or the suspicious allocation of EU funds for farmers in the Nitra Region, the NKÚ has found no crimes, but only "flaws." This recurrent pattern has raised some doubts about its independence from the government.

Citation:

Nemec, J. (2018): Slovakia, in: N. Thijs, G. Hammerschmid (eds.), *Public Administration Characteristics and Performance in EU28*. Luxembourg: European Union, 899-900 (<https://publications.europa.eu/en/publication-detail/-/publication/a7c9b4c2-960f-11e8-8bc1-01aa75ed71a1/language-en>).

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. 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. In 2018, she announced that she would focus on education rights and the right to compensation for Roma women subject to unlawful sterilization.

Data Protection
Authority
Score: 7

Based on the 2013 Act on Personal Data Protection, the Office for Personal Data Protection was established in 2014. Headed by Soňa Pótheová, the office contributes to the protection of the fundamental rights and freedoms by supervising how personal data is processed. The effectiveness of the office has been limited by a lack of resources and a lack of clarity and differing interpretations of individual parts of Slovak data protection legislation. The amendment of the act on personal data protection in January 2018, which has aimed at incorporating the EU's General Data Protection Regulation, has further aggravated the problems.

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