



Slovakia Report

Marianne Kneuer, Darina Malová,
Frank Bönker (Coordinator)

Sustainable Governance Indicators 2022

©vege - stock.adobe.com

Executive Summary

The murder of investigative journalist Ján Kuciak and his fiancée Martina Kušnírová in February 2018 continued to impact political developments in 2020 and 2021. The investigations and the trials that eventually started in 2020 revealed the unimaginable size of the corrupt network built by businessman Marián Kočner and the involvement of several high-profile state representatives, including the long-serving Prime Minister Robert Fico, in this network. Correspondingly, the main theme in the campaign to the parliamentary elections in February 2020 was corruption and integrity in the political and legal sphere (Haughton et al. forthcoming). The relatively high turnout of 66%, the highest since the 2002 elections, shows just how mobilized the public has been.

In the 2020 elections, the parties of the former governing coalition under Prime Minister Peter Pellegrini lost substantially. The share of votes for Smer-SD, the strongest Slovak party since 2006, fell from almost 30% to less than 20%, and Smer-SD's smaller coalition did not make it into parliament. The surprising winner of the elections was the center-right party OĽaNO, whose founder and leader Igor Matovič had run an effective campaign on an anti-corruption ticket. Matovič was able to form a coalition with three ideologically distinct parties: the amorphous social-conservative populist movement Sme-Rodina (We are the Family) of the media entrepreneur Boris Kollár, the libertarian SaS party of Richard Sulík and the liberal Za ľudí (For People) of former President Andrej Kiska. Contrary to expectations, Spolu–Občianska Demokracia (Together – Civic Democracy) and Progresívne Slovensko (Progressive Slovakia), two centrist parties which had played a major role in the mobilization of the public after the 2018 murders, failed to enter parliament, as many voters believed that Matovič was the only candidate capable of defeating Fico.

The new center-right government took over at the height of the first wave of the COVID-19 pandemic. It stuck to the strict lockdown imposed by the outgoing Pellegrini government and succeeded in dampening the output decline by pursuing substantial fiscal expansion and limiting an increase in unemployment by introducing various job retention and short-time work schemes. The government's response to the second wave of the pandemic was more erratic. While infection and death rates were kept relatively low at the

outset of the pandemic, they later exceeded those in many neighboring countries.

The government manifesto of the new center-right government has been long and ambitious, but also relatively vague. One important priority has been to improve the quality of democracy by strengthening the independence of the judiciary and the media and by fighting corruption. Already at the end of 2020, the government adopted a comprehensive judicial reform. It has included a reform of the Judicial Council, the establishment of a new, Supreme Administrative Court, property checks of justices, an age cap for justices, changes in the appointment of Constitutional Court justices as well as changes in the territorial layout of district and regional appeal courts. However, the implementation of these reforms has faced resistance not only by those justices and prosecutors most affected by such reforms, but has partly fallen victim to struggles within the governing coalition. Progress with media independence and institutional mechanisms against corruption has been slow. While the new Office for the Protection of Whistleblowers, formally created in 2019, eventually started to operate in late 2021, draft legislation on lobbying, “revolving doors,” asset declarations, conflicts of interest of members of parliament and public procurement is still at the initial stage. At the same time, however, the numbers both of initiated proceedings in corruption cases of individuals convicted for corruption offenses have risen substantially in 2020 and 2021.

Along with the short-term pressures associated with the COVID-19 pandemic, the massive frictions within the governing coalition have also contributed to a delay and a watering down of the many reforms announced in other fields, such as taxes, pensions, healthcare or education. The rifts within the coalition have been aggravated by Matovič’s erratic behavior. A severe coalition crisis over the purchase of the Russian vaccine led to a government reshuffle in April 2021 with Matovič and Minister of Finance Eduard Heger changing their positions. The new prime minister has taken a more conciliatory approach, but has been confronted with Matovič’s heavy-handed attempt to be a backseat driver. The center-right government has failed to improve its strategic capacity through institutional reforms. It has used expert advice rather selectively and has alienated the social partners and the subnational governments through its unilateral decisions.

Citation:

Haughton, T., M. Rybář, K. Deegan-Krause (forthcoming): Corruption, Campaigning and Novelty: The 2020 Parliamentary Elections and the Evolving Patterns of Party Politics in Slovakia, in: *East European Politics, Societies and Cultures* (<https://doi.org/10.1177/08883254211012765>).

Key Challenges

In line with its ambitious government manifesto, the center-right government that came to office after the 2020 elections has initiated substantial reforms. However, many of them still need to be hammered out or finally implemented. This applies to media and anti-corruption legislation as well as to tax and pension reform or R&I policy. Given the animosities within the governing coalition, the confrontational stance of Smer-SD, the main opposition party, and the municipal and regional elections approaching in autumn 2020, this will be an uphill struggle. There is a real danger that the government will neglect ongoing reforms and focus on keeping the coalition from falling apart to ensure survival until the next parliamentary elections.

The continuation of reforms is also important for making the best of the EU's Recovery and Resilience Facility. For Slovakia, the latter provides grants up to €6.3 billion which will help tackle the negative effects of the COVID-19 pandemic and help the country catch-up in areas where it has lagged behind, such as transitioning toward a green economy, R&I or digitalization. However, the recovery and resilience plan Slovakia has agreed upon with the EU contains 196 mutually agreed upon deliverables. At the end of 2021, Slovakia was behind schedule in implementing those reforms agreed upon as preconditions for the release of the first tranche from the Recovery and Resilience Facility. To get the money, Slovakia thus needs to continue the initiated reforms. Moreover, the beneficial impact of the new funds can only unfold if the government considerably improves its institutional capacity for absorbing EU funds. During the programming period from 2014 to 2020, Slovakia drew less than a third of all available funds, which is one of the lowest shares in the EU.

Another important issue is Slovakia's international orientation. For a long time, the country has positioned itself clearly in the Western Alliance and has been eager to be seen as a reliable and trustworthy partner within NATO and European Union. However, Slovakia's international reputation and its standing have suffered from Slovakia aligning with the position of other Visegrád countries in the EU refugee crisis and the increasingly pro-Russian stance of some political parties. At the end of 2021, Smer-SD as well as the far-right ĽSNS invoked and stirred pro-Russian and anti-American sentiments by mobilizing strongly against the bilateral defense agreement with the United States eventually signed in February 2022. This mobilization, which has helped to increase the popularity of Smer-SD, threatens to further weaken

Slovakia's international reputation. If the governing parties do not take a clear position and counter such campaigning, the credibility of the country as well as their own credibility will be at stake.

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 nationalist-populist and liberal-democratic camps have increasingly polarized (Kneuer 2018; Malová/ Dolný 2021). Whereas the former has been dominated by one party (Vladimír Mečiar's HZDS from 1991–1998 and Robert Fico's Smer-SD since 2006), the latter has suffered from fragmentation, which means that the country's party system is now “standing on only one leg.” The polarization between the two camps has been fueled by controversies over migration since 2015 as well as the murder of investigative journalist Ján Kuciak and his fiancée Martina Kušnírová in February 2018, which has revealed the far-reaching penetration of state structures by corruption in the country. Before the Russian invasion of Ukraine, Smer-SD as well as the far-right ĽSNS have invoked and stirred pro-Russian and anti-American sentiments by mobilizing strongly against a bilateral defense agreement with the United States.

The combination of fragmentation and polarization has complicated government formation and policymaking. When Smer-SD lost its absolute majority in the 2016 parliamentary elections, it was forced to form a coalition with two polarized coalition partners, namely the nationalist, right-wing 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. The parliamentary elections in February 2020 brought a coalition of four parties (OLaNO, Sme-Rodina, SaS, Za ľudí) into office (Gyárfášová 2020; Mesežnikov 2020; Haughton et al. forthcoming) which had all campaigned against the corrupt Smer-SD regime, but have taken diverse positions on many policy issues. Despite its strong losses in the 2020 elections, Smer-SD has continued with its confrontational stance. The controversial and polarizing Robert Fico, who was forced to resign as prime minister after the murder of Kuciak and Kušnírová, held his position as leader of Smer-SD and has successfully pushed his critics out of the party. (Score: 5)

Citation:

Gyárfášová, O. (2020): Slovenské voľby 2020: potvrdenie 'stabilnej nestability,' Heinrich Böll Stiftung Prague, March 6, Prague (https://cz.boell.org/cs/Slovak_elections_2020).

Haughton, T., M. Rybář, K. Deegan-Krause (forthcoming): Corruption, Campaigning and Novelty: The 2020 Parliamentary Elections and the Evolving Patterns of Party Politics in Slovakia, in: East European Politics, Societies and Cultures (<https://doi.org/10.1177/08883254211012765>).

Kneuer, M. (2018): The tandem of populism and Euroscepticism: a comparative perspective in the light of the European crises, in: Contemporary Social Science 14(1): 26-42 (DOI: 10.1080/21582041.2018.1426874).

Malová, D., B. Dolný (2021): Slowakei: Zwischen nationalem Populismus und liberaler Demokratie, in: G. Verheugen, K. Vodicka, M. Brusis (eds.), Demokratie im postkommunistischen EU-Raum: Erfolge, Defizite, Risiken. Wiesbaden: Springer VS, 145-159.

Mesežnikov, G. (2020): A political map of Slovakia two years after the tragedy of the murder of Ján and Martina. Heinrich Böll Stiftung, March 11, Berlin (<https://www.boell.de/en/2020/03/11/political-map-slovakia-two-years-after-tragedy-murder-jan-and-martina>).

Sustainable Policies

I. Economic Policies

Economy

Economic Policy
Score: 6

The new center-right government took over during the first wave of the COVID-19 pandemic. It tried to dampen the output decline by pursuing substantial fiscal expansion and by keeping firm insolvencies low through loan payment deferrals, loan guarantees and sectoral aid to compensate for the lockdown's adverse effects (IMF 2021; OECD 2022; Simons 2022). Along with resilient export demand, these measures helped mitigate economic contraction in 2020, which was lower than the euro area average.

In its April 2020 government manifesto, the new government also committed itself to far-reaching structural reforms aimed at improving the business environment by stepping up investment in infrastructure, R&I, human capital and public services. In October 2020, the Ministry of Finance published a working document called "Modern and Successful Slovakia" which also served as first draft of Slovakia's national recovery plan. However, this draft was not coordinated with OL'aNO's coalition partners and led to protracted negotiations within the coalition. Investments and reforms adopted in 2020 and 2021 remained modest. From 2022 to 2024, the EU's Recovery and Resilience Facility could bring Slovakia around €4.59 billion. However, Slovakia performs rather poorly when it comes to drawing EU funds; during the programming period between 2014 and 2020, the government only drew 30.71% of the available funds. Hence, the expected boost by the Recovery and Resilience Fund will very much depend on a more efficient performance of the government in this regard. At the end of 2021, Slovakia was behind schedule in implementing those reforms agreed upon as preconditions for the release of the first tranche of money from the Recovery and Resilience Facility.

As COVID-19 restrictions were eased and economies gradually reopened, the Slovak economy rebounded in spring 2021 (OECD 2022). Real GDP grew by

3% in 2021. This was less than in most other East-Central European countries, as Slovakia's industry-heavy economy has been heavily hit by global supply chain disruptions and especially the semiconductor shortage which constrained the automotive industry in 2021 and will continue to do so in 2022.

Citation:

IMF (2021): Slovak Republic. IMF Country Report No. 21/133, Washington, D.C.

OECD (2022): Economic Survey Slovak Republic. Paris (<https://doi.org/10.1787/78ef10f8-en>).

Simons, J. (2022): Slovakia: Moderate but inclusive COVID-19 response, in: D. Bohle, E. Eihmanis, A. Toplišek (eds.), *The Political Economy of COVID-19 Responses in East-Central Europe*. San Domenico di Fiesole: European University Institute, 155-173 (<https://op.europa.eu/de/publication-detail/-/publication/0bb54570-b3be-11ec-9d96-01aa75ed71a1/language-en>).

Labor Markets

Labor Market
Policy
Score: 5

Before the COVID-19 pandemic, the unemployment rate had fallen to 5.6% in 2019, the lowest level in Slovak history. Introducing various job retention and short-time work schemes, the government helped limit rising unemployment to about 6.7% in 2020 and 2021. Thus, the pandemic resulted in a decline in hours worked rather than in spiraling unemployment. The government also improved benefits for the unemployed, both by extending the duration of existing entitlements and by introducing a new benefit for self-employed individuals affected by the pandemic (SOS benefit) (Gerbery 2020).

While labor market policies have kept unemployment numbers low, the COVID-19 pandemic has aggravated some of the already existing structural problems of the Slovak labor market such as the shortage of highly qualified workers in several sectors and the lack of digital skills. Women have been disadvantaged due to the closing of daycare centers and schools. Other vulnerable groups such as low-skilled workers, young people and marginalized Roma have also suffered disproportionately. Similar to other OECD countries, the work model has changed. In spring 2021 and in response to the pandemic and digitalization developments, the government amended its labor code to provide a legal framework for remote work (Liptáková 2021).

Citation:

Gerbery, D. (2020): Slovakia's responses to the COVID-19 outbreak in the fields of employment and social protection. European Social Policy Network, ESPN Flash Report 2020/53, Brussels: European Commission.

Liptáková, J. (2021): Amended Labour Code reflects the pandemic, in: *Slovak Spectator*, June 4 (<https://spectator.sme.sk/c/22676843/amended-labour-code-reflects-the-pandemic.htm>).

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. In the 2016-2020 term, tax policy 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 thus largely ignored the long-standing calls by the European Commission, the OECD (2022: 35-37) and the IMF to change the tax mix by financing a reduction of the relatively high tax burden on labor through increases in real estate tax, excises or environmental taxes.

The first finance minister of the new center-right, Eduard Heger, started to design a tax reform along these lines, announcing a lower tax burden on labor and a higher taxation of property and consumption. The coalition crisis in February 2021 and persistent controversies within the governing coalition delayed the specification of the reform. It wasn't until November 2021 that the new minister of finance, Igor Matovič, eventually presented the details of the much-awaited reform. This "tax revolution," with a still unclear implementation schedule, consists of four parts: The first part contains a family package that involves a child allowance increase and an allowance for leisure activities. The second part contains a labor package introducing a flat 19% personal income tax and a combined social insurance contribution rate of 39% paid by employers alone. The third part is a business package that focuses on reducing the corporate income tax from 21% to 19%. Finally, the fourth package entails tax relief measures, also for the self-employed, and reduces the VAT to 10% for restaurants and other hospitality businesses. The implementation of these measures would bring tax relief for employers and employees alike; it would make the Slovak tax system more competitive, but reduce vertical equity and entail revenue losses, at least in the short term.

Citation:

OECD (2022): Economic Survey Slovak Republic. Paris (<https://doi.org/10.1787/78ef10f8-en>).

Budgets

Budgetary Policy
Score: 7

Before the COVID-19 pandemic, Slovakia managed to reduce the general government fiscal deficit from about 8% of GDP in 2009 to 0.9% in 2019. While the consolidation of the budget was facilitated by strong and higher-than-expected economic growth, the Smer-SD led governments also succeeded in limiting expenditure growth.

Relatively low fiscal deficits and public debt before the pandemic provided the space for a significant fiscal expansion. General government fiscal deficits reached 6.2% in 2020 and 7.4% in 2021, letting the gross public debt-to-GDP ratio from less than 50% in 2019 to more than 60% in 2021. The government expects the general government fiscal deficit to fall below 3% in 2023 and the gross public debt-to-GDP ratio to fall below 60% in 2023. In order to make the fiscal adjustment credible, the government has proposed amendments to the existing fiscal rules, including a modification of the prevailing debt rules, the introduction of multi-annual expenditure ceilings and an expansion of the responsibilities of the independent Council for Budgetary Responsibility (Rada pre rozpočtovú zodpovednosť, CBR) (OECD 2022: 28-34).

Citation:

OECD (2022): Economic Survey Slovak Republic. Paris (<https://doi.org/10.1787/78ef10f8-en>).

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 are the lowest among the four Visegrád countries. Expenditure on R&D, both public and private, have stagnated between 2012 and 2020, at least relative to GDP, and stand at less than half of the EU average. In its Innovation Scoreboard, the European Commission (2021) ranks Slovakia among the last group, the “emerging innovators.” According to the Scoreboard, Slovakia also is among the countries showing the least progress from 2014 to 2020.

The new center-right government has launched some initiatives to strengthen the research and innovation capacity of the Slovak economy (OECD 2022: 46-51). In addition to committing itself to increasing R&I funding from the national budget by 0.05% per year over the period 2021-30, it has announced its intent to improve the quality of tertiary education, to foster the remigration of talented Slovaks from abroad and to streamline the public governance of research and innovation. As Slovakia ranks among the EU member states with

the lowest absorption of European Structural and Investment Funds (ESIF) for R&I, the government and the European Commission called upon the OECD to assist in developing recommendations for improving absorption (OECD 2021). As it stands, however, little reforms have been implemented.

Citation:

European Commission (2021): European Innovation Scoreboard: Innovation performance keeps improving in EU Member States and regions, Brussels, June 21 (https://ec.europa.eu/commission/presscorner/detail/en/IP_21_3048).

OECD (2021): Promoting research and innovation in the Slovak Republic through an effective use of European funds. OECD, Public Governance Papers No. 04, Paris (<https://dx.doi.org/10.1787/f0e9d786-en>).

OECD (2022): Economic Survey Slovak Republic. Paris (<https://doi.org/10.1787/78ef10f8-en>).

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. However, Slovakia has been a member of the euro area since 2009 and 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. Slovakia also supported the OECD-led approach of a global minimum corporate tax, preferring a collective solution to individual measures.

II. Social Policies

Education

Education Policy
Score: 5

The Slovak education system has been suffering from a number of weaknesses (European Commission 2021). 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. While tertiary education attainment rates are

close to the EU average, quality control in higher education does not meet international standards. 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.

During the COVID-19 pandemic, schools remained closed for rather long periods. As many socially disadvantaged children did not have access to remote learning, social disparities in learning outcomes have risen. The Ministry of Education tried to address these problems by providing additional funds for the purchase of technical equipment for teachers and students and by supporting summer school. In August 2021, it also launched the campaign Open schools, supporting vaccination of all eligible persons as a way to begin the 2021/22 school normally and to avoid repeated school closures (Gerbery 2021; Terenzani/ Hrabovská Francelova 2021).

In October 2021, Minister of Education Branislav Gröhling also presented a much-awaited comprehensive reform package consisting of three laws on primary and secondary education. Slovakia plans to expand early childhood education and care, reform school curricula to support digitalization, reform teacher education and professional requirements, improve inclusiveness at all levels of education, reduce Roma segregation and mitigate the impact of the COVID-19 pandemic on students. A first step was to introduce compulsory pre-primary education for five-year-old children in September 2021. Another was the action called the “digital leap” in education, which initially invests €40 million in digital technologies. Great parts of the reform will be funded in part by the EU Resilience and Recovery Fund. The government also plans to introduce reforms in higher education. An amendment to the Higher Education Act is meant to attract better professionals from abroad and give incentives for quality universities. Finally, the Strategy for Roma Equality, Inclusion and Participation until 2030, approved in 2021, entails improvements for Roma children such as support for the creation of a stimulating environment for pupils from marginalized Roma communities.

Citation:

European Commission (2021): Education and Training Monitor 2021: Slovakia. Luxembourg (<https://op.europa.eu/webpub/eac/education-and-training-monitor-2021/sk/slovakia.html>).

Gerbery, D. (2021): Upcoming new school year 2021/2022: rising concerns in Slovakia about the consequences of new school closures. European Social Policy Network, ESPN Flash Report 2021/55, Brussels: European Commission.

Terenzani, M., N. Hrabovská Francelova (2021): Slovak Children's Education Falls Victim to the Unvaccinated, in: BalkanInsight, December 15 (<https://balkaninsight.com/2021/12/15/slovak-childrens-education-falls-victim-to-the-unvaccinated/>).

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 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. The low availability of rental or social housing negatively affects social policies that target socially disadvantaged or excluded persons, or persons with disabilities.

The country's Roma communities were hit particularly hard by the COVID-19 pandemic. In some cases, entire settlements were subject to enforced quarantines instead of personal isolation measures. In order to improve the situation of the Roma, the government approved a new "Strategy for equality, inclusion and Roma participation until 2030" in 2021.

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 (OECD/ European Observatory on Health Systems and Policies 2021). 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 healthcare 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 healthcare. Bad working conditions in the Slovak health sector and mass migration of doctors and nurses to other EU member states 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. This comparatively low pre-pandemic density of doctors and nurses and workforce capacity constituted a major bottleneck in Slovakia's pandemic response.

During the 2016-2020 term, a planned healthcare reform failed. The then health minister Andrea Kalavská announced an additional €90 million investment in the healthcare sector and prepared a comprehensive hospital reform, which was supported by many experts as well as by the parliamentary opposition. Approved by the cabinet after months of discussion at the end of September 2019, the reform was eventually withdrawn from the parliament's agenda because of opposition from Smer-SD, orchestrated by former prime minister Robert Fico.

The new center-right government responded to the COVID-19 pandemic by trying to boost physical and human resources. Vaccination began at the end of 2020, but has progressed slowly. Building on the reform attempt in the previous term, the new center-right government also prepared a hospital reform, which was approved by parliament after much haggling in December 2021. This reform aims to ensure greater expertise and hospital specialization by redefining the roles and status of hospitals according to the care they provide to patients. Healthcare reform has featured prominently in the government's Recovery and Resilience Plan. Slovakia will receive €1.533 billion from the EU Recovery Fund to strengthen its healthcare system. These resources will be split into three parts: €1.163 billion for hospital, emergency and primary care (including optimization of the hospital network); €105 million for mental healthcare; and €265 million for long-term social and healthcare.

Citation:

OECD/European Observatory on Health Systems and Policies (2021): State of Health in the EU: Country Health Profile Slovakia. Paris: OECD, Brussels: European Observatory on Health Systems and Policies (https://eurohealthobservatory.who.int/docs/librariesprovider3/country-health-profiles/chp2021pdf/slovakia-countryhealthprofile2021.pdf?sfvrsn=f219e058_5&download=true).

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 years old) with children below six years of age reaches a mere 40%, and the gender employment gap for young women (20 – 29 years old) 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. Another financial disincentive that undermines female labor market participation is the loss of the dependent spouse allowance households face when a secondary earner enters the labor market. The number of spaces in childcare facilities have remained limited since the late 1990s and have not kept up with the increase in the birth rate. The proportion of children between four years old and the starting age for compulsory education in early childhood education in Slovakia is the lowest in the European Union, while the proportion of children below the age of three in early childhood education is the second lowest in the European Union. As a result, motherhood has a particularly discouraging effect on female employment in Slovakia compared to other European countries.

In the run-up to the 2020 parliamentary elections, Smer-SD returned to its previous policy model. The Pellegrini government increased the parental allowance by €100 per month for children below the age of three, although only for children that are not enrolled in a public childcare facility. The 2020 change in government has not resulted in major changes in family policy. As of the 2021/22 school year, the new center-right government has made pre-primary education compulsory for five-year-old children. The coalition partners, and in particular OĽaNO and Sme-Rodina, have remained committed to a traditional family model and have preferred tax-based family-support measures over an extension of childcare facilities.

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, as has happened in the past, 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. Sustainability has further suffered due to the parliament's decision in March 2019 to stop automatic increases in the retirement age in line with life expectancy levels and to set the retirement age at 64 years old. Put on the agenda by Smer-SD leader and former Prime Minister Robert Fico, the change in the retirement age was supported by the trade unions, which organized a petition that was signed by more than 230,000 people. The Ministry of Finance and Ministry of the Economy as well as opposition parties and several think tanks opposed the proposal, forecasting that the changes would undermine the long-term sustainability of the pensions system and estimating that the proposal would cost €900 million per year.

The new center-right government has made the restoration of the sustainability of the pension system one of the priorities identified in its government manifesto and in Slovakia's Recovery and Resilience Plan (Gerbery 2021). It plans to make the three-pillar pension scheme sustainable again by scrapping the 64-year pension age cap and returning to a system in which the retirement age is dependent on average life expectancy. It also wants to increase pension entitlements that derive from providing care for children. A third planned provision is the parental bonus. The idea is that each working person may direct their social security provider to shift a portion of their old-age insurance benefits to their parents' pensions (2.5% for each parent). At the end of 2020, a general framework for a pension reform along these lines was incorporated into the Slovak constitution. The hammering out of the details and the amendment of the Act on social insurance have been complicated by controversies within the governing coalition. The parental bonus has been criticized by trade unions as undermining solidarity.

Citation:

Gerbery, D. (2021): In Need of Change: Reforming the Old-Age Pension System in Slovakia. European Social Policy Network, ESPN Flash Report 2021/54, Brussels: European Commission.

Integration

Integration Policy
Score: 4

While the share of foreigners in the Slovak population is still relatively low compared to most other EU member states, the inflow of migrants increased in the years before the COVID-19 pandemic due to a shortage of labor. After the resignation of Prime Minister Robert Fico in March 2018, the Smer-SD-led government 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 started to ease foreign access to the Slovak labor market in order to mitigate the shortage of labor in certain regions of the country. The new center-right government has built on these moves. It has made Ján Orlovský, who had worked as an executive director of

the Open Society Foundation in Slovakia for five years, head of the Migration Office, where he presented in 2021 a new migration strategy for the next four years (Ministry of the Interior 2021). The strategy's main goals include creating the conditions for legal migration in keeping with the country's other priorities and its capacity to both receive foreigners and support their integration. It emphasizes the need for well-managed labor migration in order to prevent social, economic and environmental tensions. Interestingly, the policy also specifies the need to prioritize the security of Slovakia and the rights of its inhabitants (both nationals and legal migrants). Clearly, securitizing migration continues to inform the new government's approach to migration (Skolkay 2020).

Citation:

Skolkay, A. (2020): The Janus-faced Immigration Policy of Slovakia, demos, December 4 (<https://demos-h2020.eu/en/blog/2020/12/the-janus-faced-immigration-policy-of-slovakia>).

Ministry of the Interior (2021): Mígračná politika Slovenskej republiky s výhľadom do roku 2025. (Migration Policy of the Slovak Republic till 2025). Bratislava (<https://www.minv.sk/?zamer-migracnej-politiky-slovenskej-republiky>).

Safe Living

Internal Security
Policy
Score: 7

Although government spending on public order and safety is among the highest in the European Union, 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. The subjective feeling of security in private or public space has decreased due to several factors. First, from the beginning of the EU refugee crisis, almost all politicians, headed by then-Prime Minister Fico, fueled fears by painting negative consequences of the migration crisis. Second, the inefficient or reluctant persecution of criminal action or problematic linkages between politics and business and the murder of the investigative journalist Ján Kuciak and his fiancée Martina Kušnírová have dramatically reduced trust in the police and security forces. Among OECD countries, only Mexico scores worse than Slovakia in this regard.

Internal security has featured prominently in the government manifesto of the new center-right government. The latter has announced its plans to develop a new security strategy and to strengthen trust in the police. So far, however, progress has been limited. Initial proposals to reform the police forces have fallen victim to struggles within the governing coalition. In the summer of 2021, conflicts among the police erupted. In January 2022, several prosecutors with demonstrated success in battling corruption were appointed to high-level positions in the police force, a step which may help mitigate these conflicts.

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. In 2018, Slovakia took part in the 2018 voluntary national review of the UN's High Level Political Forum on Sustainable Development and started to draw up a medium-term strategy for development cooperation for 2019 – 2030. The six identified national priorities for the implementation of the Agenda 2030 resulted from a broad stakeholder participation process, which involved civil society, private sector, and regional and municipal administration representatives, as well as other relevant players. These reform efforts were acknowledged by the EU authorities, which in 2021 entrusted (for the first time in history) the Slovak Agency for International Development Cooperation (SAIDC) with the implementation of an EU project that aims to build local media capacities in Moldova with a budget of €1 million. Under the new center-right government, the approach to global social policy has not changed.

III. Environmental Policies

Environment

Environmental
Policy
Score: 5

In Slovakia, interest groups and policymakers have traditionally assigned priority to economic growth rather than the protection of the environment. As a result, the approach to environmental issues has tended to be patchy rather than holistic, and the implementation of environmental laws and regulations has been weak. However, citizen sensitivity for environmental and climate issues has considerably increased in recent years. Thus, almost 70% of Slovak citizens are worried about climate change. Air pollution, solid waste management and biodiversity conservation have been the three main environmental challenges in the Slovak Republic. There is a need for reforms to radically improve the environmental effectiveness of public policies in the Slovak Republic. Thus, the OECD (2020) recommends shifting away from regulatory (command-and-control) measures to more incentive-based instruments which would allow achieving the environmental protection and public health objectives more cost efficiently. Another recommended measure is to use of pricing instruments that could raise additional budget revenue and help finance improvements in the country's waste management and nature

protection systems. Despite the recommendations of international organizations, there has been very little progress in the areas of environmental taxes (OECD 2020).

The new center-right government has been quite active in the realm of environmental policy. There has been a high output of new laws and regulations regarding, inter alia, restructuring the national parks, eliminating plastic bottles and cans, improving waste management and stopping the import of nuclear waste. Building on preparations by the previous government, Minister of the Environment Ján Budaj has presented the country's strategy to achieve climate neutrality by 2050, the goal set by the EU (Ministry of the Environment 2021). This will cause additional costs amounting to 1.8% of GDP annually until 2040. The strategy is quite ambitious as CO₂ emissions must be 55% below that of 1990 levels by 2030. As Slovakia relies on one of the most energy-intensive industries within the EU, with emissions of 22 million tons of CO₂ in 2019, this goal is particularly challenging.

Regarding energy production, Slovakia relies strongly on its nuclear power plants. In 2021, after more than 12 years of construction, the third unit of the Mochovce nuclear power plant was ready for commissioning and fuel loading and is expected to go into full operation in early 2022. Economy Minister Richard Sulík (SaS) hopes that the fourth unit of the Mochovce nuclear power plant will also be put into operation during the current term of parliament, that is, by 2024. At the same time, Slovakia lags behind in transitioning to more renewable energy sources. The European Commission started an infringement case against Slovakia for failure to transpose a directive promoting the use of energy from renewable sources. In December 2021, the government reacted and set out to change the law accordingly.

Citation:

Ministry of Environment (2021): Low-Carbon Development Strategy of the Slovak Republic until 2030 with a View to 2050. Bratislava (<https://www.minzp.sk/files/oblasti/politika-zmeny-klimy/ets/lts-sk-eng.pdf>).

OECD (2020): Towards a green fiscal reform in the Slovak Republic: Proposals for strengthening the role of market-based environmental policy instruments. OECD, Environmental Policy Papers, No. 19, Paris (https://www.oecd-ilibrary.org/environment/towards-a-green-fiscal-reform-in-the-slovak-republic_1aa92a49-en).

Global Environmental Protection

As part of the European Union, Slovakia supports the European Union's 2030 climate and energy policy framework, and its contribution to the global Paris Agreement. Slovakia was the fourth country to ratify the Paris Agreement. The new government demonstrates greater commitment to addressing climate

issues than does the previous one, and it is very eager to comply with the European Commission's most recent Green Deal efforts. This is reflected, for example, in Slovakia's establishment of a Government Council for the European Green Deal for cross-sector coordination. Slovakia signed a contribution agreement with the Green Climate Fund in September 2019, but it has not acted as an international agenda-setter for global environmental policy.

Robust 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, the rules for the registration of parties were tightened. Since then, parties have had to prove they have functional party bodies and a certain number of members. This law was promoted by the Slovak National Party (SNS), a junior coalition partner in the Pellegrini government, and was aimed at weakening major opposition parties such as Ordinary People and Independent Personalities (OĽaNO), We are Family – Boris Kollár (Sme-Rodina – Boris Kollár) and Freedom and Solidarity (SaS). However, these parties have refrained from challenging the provision, as they have had no problems recruiting the new members needed for fulfilling the minimum requirements.

Media Access
Score: 9

The Election Campaign Act, the Broadcasting Act and the Slovak Press Act regulate media conduct during elections and call for equal access to mass media for all candidates. They stipulate that no candidate and party should be favored over any other and that campaign advertising has to be clearly distinguished from other media content. The public broadcaster Radio and Television of Slovakia (RTVS) has to provide the same conditions for all parties and candidates. The campaign for the 2020 parliamentary elections, which started on 5 November 2019 and ended 48 hours before election day, was pluralistic and competitive (OSCE/ ODIHR 2020). While the public media have shown a certain bias in favor of Smer-SD and SNS, Slovakia's media market has been sufficiently pluralistic to ensure that all candidates and parties have been able to make themselves heard. The OSCE has criticized the appointment procedure for the two bodies that oversee the media conduct

during the electoral campaign (Council for Broadcasting and Retransmission (CBR) and RTVS Council) as not sufficiently safeguarding the impartiality and independence of both bodies from political influence. Departing from its own original selection criteria, RTVS invited the candidate of the nationalist, right-wing Slovak National Party (SNS), one of the parties of the coalition governing from 2016 to 2020, to the much-watched final debate of the candidates ahead of the 2020 parliamentary elections.

Citation:

OSCE/ODIHR (2020): Election Assessment Mission Final Report: Slovak Republic, Parliamentary Elections 29 February 2020. Warsaw (<https://www.osce.org/files/f/documents/8/3/452377.pdf>).

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 on the territory of Slovakia. Slovak citizens who are abroad on election day can vote by mail in parliamentary elections. In contrast, citizens living abroad cannot participate in presidential elections, as the Ministry of Interior claims it is not able to manage two rounds of postal voting.

In the 2020 parliamentary election campaign, some controversies over the voting rights of citizens living abroad emerged. When the voter turnout among Slovak migrants turned out to be higher than usual, the Minister of Interior, Denisa Saková (Smer-SD), made the dubious attempt to mobilize domestic voters by stating that the elections should not be decided by those having lived abroad for a long time (Slovak Spectator 2020). Of course, her main fear was that most of the Slovaks abroad would not vote for the governing coalition, but for opposition parties. Before the elections, some voters complained that they had received incomplete sets of ballots for voting by mail (Hrabovská Francelová 2020).

Citation:

Hrabovská Francelová, N. (2020). Election by mail: Some Slovaks received incomplete sets of ballots, in: Slovak Spectator, January 29 (<https://spectator.sme.sk/c/22313441/parliamentary-election-2020-some-slovaks-got-incomplete-set-of-ballots.html?ref=av-center>).

N.N. (2020): Initiative questions interior minister’s warning against votes from abroad, in: Slovak Spectator, February 10 (<https://spectator.sme.sk/c/22322294/initiative-questions-interior-ministers-warning-against-votes-from-abroad.html>).

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. 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. In the 2020 general elections, parties were not allowed to spend more than €3 million, including VAT, on their campaigns. This sum also includes money spent on promotional materials more than 180 days before the announcement of the election day.

In July 2019, just eight months before the 2020 elections, the ruling coalition with the help of the far-right, extremist party ĽSNS and populist Sme-Rodina hastily passed a further amendment on party financing. It set relatively low limits for the private financing of parties through membership fees, donations and loans and introduced party liquidation as a sanction for exceeding the party income limit. The amendment has complicated the financing of new parties and was widely perceived as being directed against Andrej Kiska, the former president, who founded the new party For the People (Za ľudí) at the end of September 2019. The OSCE has criticized the threat of party liquidation as not conforming with international standards and good practices (OSCE/ODIHR 2020: 10-13).

Citation:

OSCE/ODIHR (2020): Election Assessment Mission Final Report: Slovak Republic, Parliamentary Elections 29 February 2020. Warsaw (<https://www.osce.org/files/f/documents/8/3/452377.pdf>).

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.

While local referendums have taken place regularly and there have been some attempts of collecting signatures for national referendums, only eight referendums have been called since Slovak independence in 1993, the last in 2015 (Szekeres 2021). In spring the of 2021, Hlas-sociálna demokracia, a splinter party from Smer-SD, led by former Prime Minister Peter Pellegrini and other opposition parties, collected 585,000 signatures for a referendum on shortening the current term of the government. In line with earlier decisions, the Constitutional Court in July 2021 declared such a referendum on snap elections unconstitutional (Giba/ Bujňák 2021). In another attempt to mobilize against the government, Smer-SD, at the end of 2021, was considering an initiative for a referendum on the controversial Defense Cooperation Agreement with the United States which would allow the United States to use the military airports of Malacky-Kuchyňa and Sliač, or other agreed-on facilities and premises.

Citation:

Giba, M., V. Bujňák (2021): Referendum on early elections: The case of Slovakia in the European context, in: *European Studies: The Review of European Law, Economics and Politics* 8(1): 39-66.

Szekeres, E. (2021): Who Wants to Vote? The Spectacular Failure of Referenda in Slovakia, in: *BalkanInsight*, May 17 (<https://balkaninsight.com/2021/05/17/who-wants-to-vote-the-spectacular-failure-of-referenda-in-slovakia/>).

Access to Information

Media Freedom
Score: 5

The murder of investigative journalist Ján Kuciak and his fiancée Martina Kušnírová in February 2018 has drawn public attention to the issues of media freedom and independence from state intervention and, at the same time, highlighted the limits to media freedom in Slovakia. The Pellegrini government did little to improve the situation. A law passed in September 2019 restored the right to reply, giving politicians the right to receive a reply or have a correction published. If a media outlet fails to fulfill this right, it could be fined up to €5,000. A right to reply was originally introduced by the first government of Robert Fico in 2008, but then abolished by the Radičová government in 2011 following widespread domestic and international criticism of the resulting intimidation of journalists.

Under the new center-right government, the relationship between the government and the media has been less tense. The new government has refrained from the verbal attacks on independent journalists characteristic of its predecessors and has announced to improve the institutional protection of media freedom. With some delay, it has prepared a number of amendments to media legislation and the criminal code. However, progress so far has been limited (Reporters without Borders 2021). Contrary to initial announcements,

the governing coalition has not agreed on changes that would have reduced the grip of the parliament on the selection of the director-general of the public radio and TV broadcaster RTVS. While the government has proposed reducing the prison sentence for defamation from eight years to one, it has also suggested criminalizing the spreading of disinformation and promoting hoaxes. These suggestions, which have resembled controversial laws in Hungary, have been criticized by the journalistic community, NGOs and even parts of the governing coalition for opening the way to arbitrary prosecutions of journalists and for encouraging self-censorship.

Citation:

Reporters without Borders (2021): Slovakia must be more ambitious in its support for media independence, December 16 (<https://rsf.org/en/news/slovakia-must-be-more-ambitious-its-support-media-independence-rsf-says>).

Media Pluralism
Score: 6

As is the case in other East-Central European countries, Slovakia has experienced a passing of private media ownership from foreign owners to domestic owners that lack transparency. A large number of media outlets are now directly or indirectly controlled by a limited number of politically well-connected Slovak financial groups. In 2021, there have been two promising developments. First, Penta, the biggest of these groups, sold its 34%-stock of Petit Press which owes the most influential non-tabloid newspaper “Sme.” The new owner, the U.S.-based Media Development Investment Fund (MDIF), is a not-for-profit investment fund for independent media active in countries where access to independent media is under threat. It provides loan and equity financing to media companies that play an important role in maintaining freedom of speech in their home countries. MDIF already provided the loan to Petit Press in 1990s – when it was harassed by the Mečiar government. Second, the new center-right government has started to prepare new media legislation aimed at making media ownership more transparent. A publicly accessible register of all media outlets would be created, identifying not just the owners of any media outlet but also the so-called ultimate beneficial owner of that particular media outlet, that is, the person or entity that is the ultimate beneficiary when an institution initiates a transaction. In addition, the new government plans to install a new regulatory body supervising market shares and enforcing a maximum market share of 60%.

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. After the 2016 elections, Lucia Žitňanská, the Justice Minister in the third Fico government who resigned after the murder of Ján Kuciak, prepared a draft amendment that incorporated recommendations proposed by three prominent watchdog organizations (Transparency International Slovensko-TIS, Fair-Play Alliance, INEKO) including subjecting companies that are fully owned by the state or

municipalities to the Infolaw and making public the salaries and CVs of state nominees. However, the Pellegrini government did not pursue the issue. After the 2020 elections, the new Justice Minister Mária Kolíková (SaS) announced plans to eventually amend the Infolaw. However, the amendment has been criticized by NGOs as too modest and has been approved by parliament only in February 2022.

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 police discrimination and the mistreatment of the Roma population. New problems have emerged since conservative forces (including several Christian churches) have formed an alliance. Promoting traditional “family values” and opposing “gender ideology,” it has sought to restrict women’s rights and LGBTQ+ rights. These attempts have been supported by Sme-Rodina, one of the parties in the new center-right government, as well as by a number of members of parliament from OĽaNO, the leading party of the governing coalition. In September 2020, for instance, a group of OĽaNO members of parliament led by conservative Member of Parliament Anna Záborská submitted a law for stricter abortions in parliament. During the COVID-19 pandemic, some fundamental civil rights were temporarily restricted. When the first case of COVID-19 in Slovakia was detected in early March 2020, the Pellegrini government limited the freedom of movement and imposed a 14-day quarantine on all arrivals from abroad. People had to stay in state-owned facilities under poor conditions until testing negative for the virus. Despite the Constitutional Court’s suspension of an earlier amendment of the Act on Electronic Communications that gave the public health authority access to location tracking data in the fight against the pandemic, the governing coalition amended the Act in summer 2020 in a similar vein.

Political Liberties
Score: 8

In Slovakia, political rights are largely respected. Citizens can freely join independent political and civic groups. The murder of Kuciak and Kušnírová in February 2018 evoked the biggest protests since the Velvet revolution in 1989. The movement “For a Decent Slovakia,” which emerged from these protests, continued to organize rallies in 2019. The murder has evidently bolstered sensitivity for political liberties and the need to protect civil liberties. This new sensitivity was a key factor in Zuzana Čaputová’s presidential election victory in March 2019. During the first years of the COVID-19 pandemic, the right to assembly was temporarily restricted – in November 2020, cinemas, churches and theaters were allowed to reopen whereas public gatherings remained restricted (Steuer 2021). However, these restrictions were clearly not directed against the political opposition.

Fails, in: VerfBlog, March 8 (<https://verfassungsblog.de/slovakias-democracy-and-the-covid-19-pandemic-when-executive-communication-fails/>).

Non-discrimination
Score: 5

Slovakia has fairly sophisticated anti-discrimination legislation in place. However, the former Prime Minister Robert Fico and his coalition partner SNS openly nurtured open public discrimination of Roma, migrants and LGBTQ+ persons and contributed to a toxic climate in Slovak society. Just a few days before the 2020 elections, the parliament, upon the initiative of the the SNS, again rejected the ratification of the Istanbul Convention. The new center-right government has not continued these campaigns. In late 2021, it also approved a new Strategy for Roma Equality, Inclusion and Participation until 2030. In the first year of the COVID-19 pandemic, however, the authorities targeted Roma settlements with disproportionate and discriminatory measures. The authorities tested residents of some Roma settlements for COVID-19 with the assistance of the army and ordered the mandatory quarantine of five Roma settlements on the grounds of public health. The legal basis for these mandatory quarantines, enforced by the police and army, was unclear, raising concerns of arbitrary detention. Moreover, parts of the governing coalition, most notably Sme-Rodina, have fought against gender equality and LGBTQ+ rights in the name of traditional family values.

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 increasing level of political polarization has made many laws rather short lived. As a result of frequent amendments, many laws have become inconsistent, even contradictory. Legal certainty has suffered also from the fact that the Constitutional Court has lacked a unifying 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 EU member state constitutional courts, particularly the German one, others have been based on specific and not always transparent views of individual justices. Like its predecessors, the center-right government has passed many laws following a fast-track procedure that is at odds with the constitution. Legislative disorder has been increased by conflicts between the coalition partners. Sme-Rodina in particular has frequently broken previous agreements.

Judicial Review
Score: 6

The Slovak court system has for long suffered from low-quality decisions, a high backlog of cases, rampant corruption and repeated government intervention. As it has turned out in the proceedings, high-profile judges and prosecutors have been involved in the criminal network of Marian Kočner, the man who is accused of standing behind the murder of Kuciak and Kušnírová. As a result, the lack of Slovak citizens in the judicial system has been low.

Judicial reform has been a major issue in the 2020 election battle and has featured prominently in the government manifesto of the new center-right government. Already at the end of 2020, the government adopted a comprehensive judicial reform prepared by Minister of Justice Mária Kolíková (Za ľudí – For the People) (European Commission 2020, 2021). The reform has included a reform of the Judicial Council, the establishment of a new, Supreme Administrative Court, property checks of justices, an age cap for justices, changes in the appointment of Constitutional Court justices as well as changes in the territorial layout of district and regional appeal courts. However, the implementation of these reforms has faced resistance not only by the “old guard,” that is, those justices and prosecutors most affected by such reforms. The originally planned reduction in the number of district courts, which aimed at weakening long-established ties between justices, politicians, oligarchs and organized crimes, has been blocked by Sme-Rodina. Maroš Žilinka, the new prosecutor general appointed in December 2020, has taken a number of dubious decisions. In particular, he has shielded the well-connected former director of the Slovak Intelligence Service and four other high-profile individuals against corruption charges (Ovádek 2021).

During the COVID-19 pandemic, the courts have remained operational. The Constitutional Court found the government’s declaration of a state of crisis in October 2020 constitutional, but has declared individual government measures unconstitutional.

Citation:

European Commission (2020): 2020 Rule of Law Report. Country Chapter on the rule of law situation in Slovakia. SWD(2020) 324 final, Brussels (https://ec.europa.eu/info/sites/default/files/sk_rol_country_chapter.pdf).

European Commission (2021): 2021 Rule of Law Report. Country Chapter on the rule of law situation in Slovakia. SWD(2021) 727 final, Brussels (<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52021SC0727&from=EN>).

Ovádek, M. (2021): General Prosecutor, the Supreme Leader of the Slovak Republic? in: VerfBlog, September 2 (<https://verfassungsblog.de/general-prosecutor-the-supreme-leader-of-the-slovak-republic/>).

Appointment of
Justices
Score: 7

The justices of the Constitutional Court (CC) are selected for 12 years by the president on the basis of proposals made by the parliament (National Council of the Slovak Republic), until recently 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. In February 2019, the tenure of nine out of the court's 13 justices expired. The process of replacing the justices was highly polarized, especially after former prime minister Robert Fico was nominated as a candidate. The new public hearings for candidates attracted a lot of media and public attention, but probably discouraged several qualified candidates from engaging in a candidature. In April 2019, the first three justices were appointed, but it took another nine months and five votes in parliament to finalize the other six appointments. In 2020, one of the judges – Mojmír Mamojka – resigned due to the involvement in the criminal network of businessman Marián Kočner.

Part of the new center-right government's comprehensive judicial reforms have involved changes being made to the appointment process for the CC (Farkašová 2021). First, proposals by the parliament must now be based on a three-fifths or, if not achieved, at least an absolute majority of votes. Second, the president is no longer bound to proposals by the parliament, if the latter fails to propose the required number of candidates within specified time limits. These amendments have aimed at limiting the influence of the governing coalition on the composition of the CC by introducing special majority requirements and at strengthening the incentives for parliament to agree on a sufficient number of proposals.

Citation:

Farkašová, S. (2021): Constitutional aspects of the current reform of the selecting constitutional judges in the Slovak Republic and the comparative perspectives in Europe, in: *Tribuna Juridica* 11(2): 150-173 (<https://ideas.repec.org/a/asr/journal/v11y2021i2p150-173.html>).

Corruption
Prevention
Score: 5

Corruption has been the most sensitive political problem undermining political stability and the quality of democracy in Slovakia for some time. The revelations that have followed the murder of Ján Kuciak and Martina Kušnírová have confirmed the prevalence of corruption in the country. Despite widespread public dissatisfaction with corruption, as evidenced by the mass demonstrations in 2018 and the election of Zuzana Čaputová as president in March 2019, the Pellegrini government has been slow to improve integrity mechanisms and has largely confined itself to updating its anti-corruption strategy in a routine manner. The investigations and trials in the context of the murders of Kuciak and Kušnírová have revealed how deeply politicians of the Fico/Pellegrini government and persons with high positions in justice or legislation have been involved in a network of criminal state activity. The victory of OĽaNO at the parliamentary elections in 2020 traces back to the strong anti-corruption stance of this party and its leader Igor Matovič. The fight against corruption has been one of the key priorities of the new center-right government, which announced a range of reforms in this area. As a

matter of fact, the numbers both of initiated proceedings in corruption cases of individuals convicted for corruption offenses have risen substantially in 2020 and 2021. By contrast, progress with institutional reforms has been slow. While the new Office for the Protection of Whistleblowers, formally created in 2019, eventually began taking action in late 2021, draft legislation on lobbying, “revolving doors,” asset declarations, conflicts of interest of members of parliament and public procurement remain at the initial stage (European Commission 2021: 10-15).

Citation:

European Commission (2021): 2021 Rule of Law Report. Country Chapter on the rule of law situation in Slovakia. SWD(2021) 727 final, Brussels (<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52021SC0727&from=EN>).

Good 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 Matovič government created the new position of a Deputy Prime Minister for Legislation and Strategic Planning. However, the first person to hold this office, Štefan Holý, has done little to improve the government's strategic capacity.

Expert Advice
Score: 5

Slovak governments rely on various permanent or temporary advisory committees. Prime ministers have their own advisory body. There are also several public research institutions with close linkages to ministries that are largely dependent on state funding and provide their analysis to the government. 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. At the beginning of the COVID-19 pandemic, the Matovič government set up a temporary advisory body, the Economic Crisis Council. Like its predecessors, however, however, both the Matovič and Heger governments have been inconsistent in deciding upon whether to draw upon external expertise and, if so, whom they choose to work with. During the first wave of the pandemic, Matovič drew in some cases upon the knowledge of health experts to silence criticism and to bypass institutionalized procedures, and backtracked on expert advice when pressed by public opinion in other cases (Buščíková/ Baboš 2020).

Citation:

Buščíková, L., P. Baboš (2020): Best in Covid: Populists in the Time of Pandemic, in: *Politics and Governance* 8(4): 496-508 (DOI: <https://doi.org/10.17645/pag.v8i4.3424>).

Interministerial Coordination

GO Expertise
Score: 5

Slovakia has a strong tradition of departmentalism and collegial cabinets (Blondel et al. 2007), 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, final responsibility for drafting bills has traditionally rested with the line ministries, and consultation with the Government Office is mainly technical. This has not changed under the Matovič and Heger governments.

Cabinet
Committees
Score: 6

In Slovakia, cabinet committees composed exclusively of ministers are an exception. By contrast, 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 neither formally nor systematically involved in the preparation of cabinet meetings, partly as these bodies usually reside at the line ministries. In November 2020, the Matovič government established a new Government Council for the European Green Deal, led by the Ministry of the Environment.

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. Professionalism and efficiency in public administration have been suffering from the growth in the size of the central state apparatus, the lack of qualified staff in the civil service and clientelist and politicized appointment practices. The Matovič government tried to improve the quality of public

Informal
Coordination
Score: 5

administration by fostering the use of a new Common Assessment Framework (CAF) as a comprehensive management tool. At the same time, the Matovič and Heger governments have stuck to the clientelist approaches to civil service nominations they had criticized fiercely in the past. In October 2021, parliament passed an amendment to the civil service law, which provides for the unconditional dismissal of senior civil servants by the Secretary-General of the Service who serves at the Interior Ministry.

Like the Pellegrini government, the center-right government has sought to complement the formal mechanisms of interministerial coordination through regular meetings of the leaders of the four coalition partners. However, the relationship between the latter has been tense, so that the government has been subject to a number of coordination crises. The most severe led to a government reshuffle in April 2021 when Prime Minister Igor Matovič and Minister of Finance Eduard Heger changed their positions (Mesežnikov 2021). Matovič has not been able to adapt from the role of loud opposition to a country's prime minister. His successor Heger has taken a more conciliatory approach, but has been confronted with strong attempts at backseat-driving by Matovič (Dlhopolec 2022).

Citation:

Dlhopolec, P. (2022): The two faces of Slovakia's prime minister: one for home, one for the world, in: *BalkanInsight*, May 30 (<https://balkaninsight.com/2022/05/30/the-two-faces-of-slovakias-prime-minister-one-for-home-one-for-the-world/>).

Mesežnikov, G. (2021): The political crisis in Slovakia is over, but for how long? *Heinrich Böll Stiftung Prague*, April 7 (<https://cz.boell.org/en/2021/04/07/political-crisis-slovakia-over-how-long>).

Digitalization for
Interministerial
Coordination
Score: 4

Slovakia lags behind most EU member states with regard to digitalization (European Commission 2021). The new government has announced its intent to close that gap. In April 2020, the office of the deputy prime minister for investments and informatization was transformed into the Ministry of Investments, Regional Development and Informatization. In Slovakia's recovery plan, however, digitalization has not featured very prominently, and digital technologies have continued to play only a limited role in interministerial coordination.

Citation:

European Commission (2021): *Digital Public Administration Factsheet 2021. Slovakia*. Brussels (<https://joinup.ec.europa.eu/collection/nifo-national-interoperability-framework-observatory/digital-public-administration-factsheets-2021>).

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, within the period under review, the RIA 2020 framework and other impact assessment tools have not yielded the expected results. One central problem is that impact assessments only apply to measures initiated by the government and not to bills submitted by members of parliament. Moreover, ministries still often struggle with the quantification of wider impacts, focusing mainly on budgetary impacts and, to a lesser extent, impacts on business. Finally, the regular use of fast-track parliamentary procedures hampers evidence-based policymaking by sidelining proper impact assessment efforts and consultations with stakeholders.

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 is not done by an independent body and 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. While the creation of this committee has led to some improvement, the RIA process would further benefit from making one central government body responsible for evaluating integrated impacts rather than spreading the responsibility across several ministries.

Sustainability
Check
Score: 3

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 undertaken in a comprehensive manner.

This might change as a result of the ongoing revision of the country’s sustainable development strategy. Slovakia took part in the 2018 voluntary national review of the UN 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 review process has included broad stakeholder participation and the creation of the Government Council for Agenda 2030, involving key line ministers, as well as representatives of NGOs, academia, the private sector, and associations of cities and regions of the Slovak Republic.

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 been rare so far. The RIA 2020 Better Regulation Strategy, approved by the cabinet in January 2018, has envisaged comprehensive ex post evaluations. A draft methodology was approved in 2019 and underwent pilot testing. However, the final methodology has yet to be published.

Societal Consultation

Public
Consultation
Score: 5

In Slovakia, comprehensive legal requirements are in place for the consultation with societal actors, which includes social dialogue in the tripartite Economic and Social Council. Despite the deep chasm that emerged in Slovak society following the murder of Ján Kuciak and Martina Kušnírová in February 2018, the Pellegrini government did not try to increase its legitimacy by taking public consultation more seriously. The new center-right government that came into office in April 2020 has not shifted gears toward greater inclusion. Trade unions and employers alike have criticized the government for not consulting with them in formulating the economic and social responses to the COVID-19 pandemic (Simons 2022: 161-162). From October to December 2020, the trade unions even left the Economic and Social Council. The 2020 draft of the national recovery program (Modern and Successful Slovakia) was prepared without the broad public discussion promised by Prime Minister Matovič. Major legislative initiatives of the new government such as the amendment to the law on universities, the Construction Act, and the law on public procurement, have been adopted without a substantial consultation of societal actors.

Citation:

Simons, J. (2022): Slovakia: Moderate but inclusive COVID-19 response, in: D. Bohle, E. Eihmanis, A. Toplišek (eds.), *The Political Economy of COVID-19 Responses in East-Central Europe*. San Domenico di Fiesole: European University Institute, 155-173 (<https://op.europa.eu/de/publication-detail/-/publication/0bb54570-b3be-11ec-9d96-01aa75ed71a1/language-en>).

Policy Communication

Coherent
Communication
Score: 4

The center-right government newly formed after the 2020 parliamentary elections is comprised of four parties that cover an ideologically broad spectrum and have leaders not known for their team-player skills. As a result, government communication has sometimes been chaotic, with different ministries issuing contradictory statements. The cacophony culminated in

March 2021 when Prime Minister Igor Matovič ordered Russian Sputnik vaccines despite the fact that the cabinet had not approved this action. The replacement of Matovič as prime minister by Eduard Heger in April 2021 has slightly improved the coherence of government communication. Communication has become less polarized, even in those cases in which individual coalition partners did not vote for government projects such as those advanced by Sme-Rodina with regard to hospital reform and the national park reform.

Implementation

Government
Effectiveness
Score: 5

The government manifesto of the new center-right government is long and ambitious, but also relatively vague (Szekeres 2021). The document mentions the word “reform” 41 times and promises far-reaching changes. One important priority has been to strengthen judicial independence and fight corruption. In this area, the government has acted swiftly. Already at the end of 2020, it adopted a comprehensive judicial reform prepared by Minister of Justice Mária Kolíková (*Za ľuďí – For the People*) (European Commission 2020, 2021). The reform has included a reform of the Judicial Council, the establishment of a new, Supreme Administrative Court, property checks of justices, an age cap for justices, changes in the appointment of Constitutional Court justices as well as changes in the territorial layout of district and regional appeal courts. However, the implementation of these reforms has faced resistance not only by the “old guard,” that is, those justices and prosecutors most affected by such reforms. The originally planned reduction in the number of district courts, which aimed at weakening long-established ties between justices, politicians, oligarchs and organized crime, has been blocked by Sme-Rodina. The massive frictions within the governing coalition, along with the short-term pressures associated with the COVID-19 pandemic, have also contributed to a delay and a watering down of reforms in other fields, such as taxes, pensions, healthcare and education.

Citation:

Szekeres, E. (2021): Ambitious, vague, unrealistic: Slovak government manifesto draws mixed reactions, in: *Kafkadesk*, May 9 (<https://kafkadesk.org/2020/05/09/ambitious-vague-unrealistic-slovak-government-manifesto-draws-mixed-reactions/>).

Ministerial
Compliance
Score: 5

Since the 2016 elections, ministerial compliance has been complicated by the fact that governments have been composed of ideologically heterogeneous parties. Under the Pellegrini government, the vagueness of the government manifesto and the weakness of the prime minister allowed ministers to pursue sectoral interests and to follow party lines. The government manifesto of the center-right government has been more comprehensive and detailed. However, the ministers of the junior coalition partners have been difficult to integrate.

<p>Monitoring Ministries Score: 5</p>	<p>Most of them have been political newcomers dependent on their party leaders, and the latter have often broken earlier agreements with the coalition partners.</p> <p>The Government Office formally monitors the activities of the line ministries, however, the diverse composition of the center-right coalition governments has strongly limited the actual monitoring of ministries, especially the monitoring of ministries led by junior coalition partners.</p>
<p>Monitoring Agencies, Bureaucracies Score: 5</p>	<p>Slovakia has a rather fragmented structure of agencies and other public sector organizations that undermines the effective monitoring of administrative performance. While agencies subordinate to the central government and ministries can be monitored relatively effectively, autonomous organizations such as public nonprofit institutions, foundations and state-owned enterprises that carry out administrative functions are more difficult to control. Monitoring has suffered from the politicization of agencies. Their leaders are selected on the basis of their party affiliation and social connections (family bonds) rather than their expertise and public reputation.</p>
<p>Task Funding Score: 5</p>	<p>In Slovakia, the degree of decentralization is relatively high. Despite the power of the Association of Towns and Communities of Slovakia (ZMOS), funding for subnational governments has been precarious. While the shares of both municipalities and regional self-governments in personal income tax revenues have substantially risen since 2014, their strong reliance on personal income tax has made their revenues highly dependent on the performance of the economy. About a third of the revenues come from state transfers the allocation of which does not follow clear criteria and is often driven by the patronage of subnational governments. During the first year of the COVID-19 pandemic, the Matovič government has transferred a lot of tasks, including mass testing, to subnational governments, without providing them the requisite financing.</p>
<p>Constitutional Discretion Score: 3</p>	<p>All Fico-led governments pursued a hands-on approach that limited the constitutional discretion of subnational governments and privileged subnational governments considered to be loyal. Under the Pellegrini government, the politics of direct patronage for party-loyal municipalities (such as building sports facilities in towns and villages led by Smer-SD party members) continued. When Smer-SD lost all regional capitals to predominantly independent candidates or candidates supported by the opposition parties in the municipal elections in November 2018, the tensions between central government and subnational self-governments increased even further. The new center-right government has not respected the autonomy of subnational self-governments either. Prime Minister Matovič's rhetoric toward representatives of self-governments was often offensive, and he did not treat them as equal partners vital to solving this crisis, thus prompting frustration and massive protests by the Association of Towns and Communities of Slovakia (ZMOS) (Hrabovská Francelová 2021). Mass testing activities</p>

conducted in October and November 2020 were not done so with the consent of subnational self-governments. Like previous governments, the new government has not based its transfers to municipalities on clear economic and legal criteria.

Citation:

Hrabovská Francelová, N. (2021) Confused and frustrated municipalities call on government to treat them as equals, in: Slovak Spectator, February 4 (<https://spectator.sme.sk/c/22589121/municipalities-and-government-clash-over-testing-and-measures.html>).

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: 4

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 European Union or international organizations like the OECD, Council of Europe or UN divisions have been considered selectively. Due to various scandals in the education sector and the misuse of EU funds, Slovakia's access to financial support from the European Union has tightened. Overall, Slovakia continues to perform poorly in drawing EU funds. During the programming period from 2014 to 2020, the country drew less than a third of the available funds, one of the lowest shares in the EU. Given the opportunities associated with the EU's new Recovery and Resilience Funds, the new center-right government has launched some reforms to increase absorptive capacity. However, its effects have yet to be seen.

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 the European Union (Gould/ Malová 2020). However, Slovakia's reputation and standing in the EU has suffered from Slovakia aligning with the position of other Visegrád countries in the EU refugee crisis and the increasingly pro-Russian stance of some political parties (SNS, Smer-SD, LSNS). The new center-right government is comprised of pro-European parties (OLANO and Za Ľudi) as well as euroskeptical parties (SaS, Sme-Rodina). This makes it difficult to align in a clear way with EU policies. This was demonstrated by the controversies over the purchase of the Russian vaccine, which contributed to the coalition crisis and government reshuffle in spring 2021.

Citation:

Gould, J., D. Malová (2019): Toxic Ordoliberalism on the EU's Periphery: Slovakia, the Euro and the Migrant Crisis, in: J. Batora, J.E. Fossum (eds.), Towards a Segmented European Political Order: The European Union's Post-Crisis Conundrum. London/ New York: Routledge, 112-131.

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

The center-right government has initiated some smaller institutional reforms. It has created the new position of a deputy prime minister for legislation and strategic planning and has set up a new Government Council for the European New Deal. Most importantly, it has transformed the Office of the Deputy Prime Minister for Investments and Informatization into a full-blown ministry, the Ministry of Investments, Regional Development and Informatization, with a view to improving the absorption of EU funds and strengthening regional development. However, the resulting improvements in the government's strategic capacity have been limited.

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 increased, and this contributed to a growing interest in policymaking as well. The interest in environmental issues and the fight against climate change has also risen considerably. More recently, frustration with the quibbling within the center-right government has led once again to an increase in political apathy.

Open
Government
Score: 5

Slovakia joined the Open Government Partnership (OGP) in 2011 and opened an Open Data Portal in 2015. While open data has been a part of Slovak OGP action plans every two years, very few high-demand datasets have been published. The quality of published datasets has suffered from persistent problems with insufficient updates to some datasets and the non-standardization of formats. Shortly before the 2020 elections the National Agency for Network and Electronic Services (NASES) has launched a new, improved version of the open data portal. The overhaul was part of the EU-funded project "eDemocracy and Open Government." However, the provision of data has suffered from the fact that the adoption of the Act on Data, which has been on the agenda for some time, has been postponed several times (Žuffová 2020). The change of government after the 2020 elections and the accompanying staff changes on all levels within ministries have proved disruptive; and the COVID-19 pandemic has delayed the implementation of planned training programs.

Citation:

Žuffová, M. (2022): Independent Reporting Mechanism (IRM): Slovak Republic Transitional Results Report 2019-2021. Washington, D.C.: Open Government Partnership (<https://www.opengovpartnership.org/documents/slovak-republic-transitional-results-report-2019-2021/>).

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. Governments do not support opposition members of parliament in their legislative activities. As a result, committees' access to government documents is often not timely. This has not changed under the center-right government.

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, as the majority of committee members are members of parliament belonging to a government coalition party and often block such proposals.

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 14). Two committees (the European Affairs Committee and the Committee for Human Rights and Minorities) have several ministerial counterparts and three committees have special mandates such 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 of media reporting in Slovakia is limited. 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. The Kuciak and Kušnírová murders have somehow united journalists and have fostered interest in investigative journalism, but have not changed the structural constraints on media quality. A positive development is the increase in quality, and broadening of readership, of the two news portals Aktuality.sk and Denník N. The new Prime Minister Igor Matovič initially announced the publication of a government journal to inform the public, but the center-right government has wisely chosen not to pursue this idea.

Parties and Interest Associations

Intra-party
Decision-Making
Score: 3

The majority of Slovak parties are elite projects that are dominated by a few party leaders (Dolný/ Malová 2016; Gyárfášová 2020). Smer-SD, the dominant party until the 2020 elections, remains strongly centered around Robert Fico, who has led the party since its founding in 1999 and has remained its de facto 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 party that gained most votes in the parliamentary elections, OĽaNO, also reflects the character of a personality driven party project with Igor Matovič, who founded the party in 2011 and has headed the party ever since. The program and public support of the party relies mainly on his image and his popularity. OĽaNO is an atypical formation without a membership base, classic party structures and standardized internal processes. Thus, OĽaNO resembles more a vaguely organized movement than an institutionalized party. The party is now confronted with two challenges: achieving sufficient inner consolidation and determining the future role of its founder Igor Matovič, who lost support by his erratic behavior during his short stint as prime minister. In addition to Smer-SD and OĽaNO, the only two parties that gained more than 10% of the votes in the 2020 parliamentary elections, two further parties of the governing coalition – Sme-Rodina and SaS, but also the far-right L'SNS are leader-dominated. The only more inclusive party that has made it in parliament has been the party Za ľudí (For the People), which was founded by former President Andrej Kiska shortly before the 2020 elections.

Dolný, B., D. Malová, D. (2016): Organisational Structures of Political Parties in Slovakia: Parties not for Members. In K. Sobolewska-Mysłik, B. Kosowska-Gąstoł, & P. Borowiec (Eds.), *Organizational Structures of Political Parties in Central and Eastern European Countries*. Kraków: Jagiellonian University Press, 391-418.

Gyárfášová, O. (2020): *Slovenské voľby 2020: potvrdenie „stabilnej nestability.“* Prague: Heinrich Böll

Stiftung Prague, March 6 (https://cz.boell.org/cs/Slovak_elections_2020).

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. 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. Slovakia has a strategy on civil society development, including a legislative and information portal, Slov-Lex, which allows the public to take an active role in the lawmaking process. 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. The election of former civil society activist Zuzana Čaputová as the first female president of Slovakia in 2019 represents a meaningful signal. Čaputová previously worked as a lawyer for the NGO-watchdog VIA IURIS, which focuses on improving the rule of law and judicial system. After the murder of Kuciak, VIA IURIS played an important role in informing the public and advocating for more integrity and transparency in the political sphere.

Independent Supervisory Bodies

Audit Office
Score: 7

The Supreme Audit Office of the Slovak Republic (NKÚ) is an independent authority accountable exclusively to the National Council. The chairman and the two vice-chairmen are elected by the National Council for seven years each, and the office reports regularly and whenever requested by the council. There is an informal agreement that the chairman should be proposed by the opposition. Since 2019, the NKÚ has stepped up its control activities. The installation of a new planning board has increased the relevance and timeliness of its reviews, and the NKÚ has sought to expand its role in the legislative process and to widen its mandate with regard to local self-government. In October 2021, the NKÚ uncovered substantial flaws in the public procurement process of the construction of highways by the National Highway Company (Slovak Spectator 2021).

Slovak Spectator (2021): Slovakia was losing millions due to discrepancies in highway company, audit office says, in: Slovak Spectator, October 12 (<https://spectator.sme.sk/c/22761196/slovakia-was-losing-millions-due-to-discrepancies-in-highway-company-audit-office-says.html>).

Ombuds Office
Score: 7

In addition to the Petitions and Complaints Office of the National Council, there is an independent ombudsman, the Public Defender of Rights, who is accountable exclusively to the Council. The Public Defender is elected by the Council for a term of five years and reports regularly to it. The current ombudsperson – Mária Patakyová, a law professor at Comenius University in Bratislava nominated by Most-Híd – was appointed in 2017. Like her predecessor, Patakyová has taken her advocacy role seriously. In 2018, she announced that she would focus on education rights and the right to compensation for Roma women subject to unlawful sterilization. As in previous years, Patakyová participated in the Pride Parada in Bratislava in 2019 and has actively defended LGBTQ+ rights. She also participated actively in the United Nation's Orange the World campaign: Generation Equality Stands against Rape! on 25 November 2019. Moreover, she supports measures that will allow Slovak citizens living abroad to vote in all elections, not only in parliamentary elections. As with previous ombudspersons, Patakyová has not received the full support of the parliament. In 2020, the National Council did not approve her annual report because of passages on women's reproductive rights and LGBTQ+ rights. The governing coalition was split on these issues: The members of parliament of SaS and Za Ľudí as well as half of the members of parliament of OĽaNO voted in favor, while the other half of the OĽaNO members of parliament and all Sme-Rodina (We are Family) members of parliament voted against them, along with the neo-fascist opposition party L'SNS.

Data Protection
Authority
Score: 6

Based on the 2013 Act on Personal Data Protection, the Office for Personal Data Protection was established in 2014. 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 European Union's General Data Protection Regulation, has further aggravated the problems. The nomination of Soňa Pótheová, the head of the Office for Personal Data Protection from 2015 until 2020, raised some public concerns, as she had been close to senior Smer-SD figures and companies owned by discredited oligarchs. In 2020, she was criticized for threatening Czech journalists. Moreover, the investigations of the Kuciak and Kušnírová murders revealed a close relationship between the controversial businessman Marian Kočner and Pótheová. The new government dismissed her in April 2020. The position has remained vacant as possible candidates have found the resources of the Office for Personal Data Protection wanting.

Address | Contact

Bertelsmann Stiftung

Carl-Bertelsmann-Straße 256
33311 Gütersloh
Germany
Phone +49 5241 81-0

Dr. Christof Schiller

Phone +49 30 275788-138
christof.schiller@bertelsmann-stiftung.de

Dr. Thorsten Hellmann

Phone +49 5241 81-81236
thorsten.hellmann@bertelsmann-stiftung.de

Pia Paulini

Phone +49 5241 81-81468
pia.paulini@bertelsmann-stiftung.de

Kneuer M., Malová D. & F. Bönker (2022).
Slovakia Report. Sustainable Governance Indicators.
Bertelsmann Stiftung: Gütersloh.
<https://doi.org/10.11586/2022115>

As a living document, this report is updated and revised on an annual basis. The authors cited here are the most recent authors to have contributed to this report.

Previous report versions can be accessed here:
[SGI 2022 | Publications \(sgi-network.org\)](https://www.sgi-network.org)

www.bertelsmann-stiftung.de
www.sgi-network.org