

FREEDOM OF THE PRESS

Slovakia

Slovakia | [Freedom of the Press 2012](#) |

Press freedom in Slovakia is constitutionally guaranteed and generally respected, and independent media outlets freely disseminate diverse views. Defamation is not a criminal offense, though some other types of expression—such as Holocaust denial—are subject to criminal prosecution. After four years of leftist, populist rule under Prime Minister Robert Fico and his Smer–Social Democracy (Smer-SD) party, elections in June 2010 ushered in a center-right governing coalition led by Iveta Radičová, who pledged to prioritize economic, social-welfare, and media concerns. Though her government collapsed in October 2011, it did succeed in amending an extremely controversial 2008 media law. The Radičová administration's commitment to increased transparency in political institutions, especially the judiciary, also reopened the space for investigative journalism and began to improve the relationship between elected officials and the press.

The most significant aspect of the September 2011 amendment to the 2008 Press Act was the elimination of the so-called “right of reply” for officials in cases where the disputed facts pertain to their public lives. In its original form, the Press Act required publishers to print responses to any “statement of fact that impinges on the honor, dignity, or privacy of a natural person, or the name or good reputation of a legal entity,” regardless of whether the statement in question was accurate. Under the amendment, officials only have a right to reply to articles written about them as private individuals or as participants in a criminal case. The revision also abolished fines against media outlets and editors for refusal to publish responses from public officials, thus removing a key instrument of government intimidation against critical or investigative journalists.

Under the Smer-SD government, Slovakia's court system was flooded with civil defamation suits, primarily against media outlets. Financial damages awarded in such cases were often exorbitant. After Radičová took office, the number of defamation suits dropped off sharply, though certain politicians and officials remained as litigious as ever. In March 2011, the cofounder of the extremist Slovak National Party (SNS), Ján Slota, initiated a case against the daily newspaper *SME* and its lead cartoonist, Martin Sutovec (known as Shooty), for parodying the SNS logo. In July, Slota finally won a different lawsuit he had brought against *SME*'s publisher in 2008, after the daily ran a series of stories about petty crimes he had allegedly committed in his youth. A court ordered *SME* to print a public apology, remove the articles from its website, and pay Slota €10,000 (\$12,560) in damages. In November, *SME* won a lawsuit initiated in 2009 by Fico over a Shooty caricature depicting him as spineless.

In August, the European Court of Human Rights (ECHR) overruled a 2003 libel judgment against the Slovakia unit of Swiss-based publishing company Ringier Axel Springer. The case originated in 1999, when a newspaper owned by the firm ran a series of stories detailing public drunkenness by then deputy police chief Jozef Petras and Slota, who at the time was a parliamentary deputy and the mayor of the city of Žilina. The case was appealed once in 2004, resulting in the same verdict but a reduced fine. The second appeal was sent to

2012 SCORES

PRESS STATUS

Free

PRESS FREEDOM SCORE

21

LEGAL ENVIRONMENT

5

POLITICAL ENVIRONMENT

9

ECONOMIC ENVIRONMENT

7

Strasbourg after being rejected by Slovakia's Constitutional Court, which said the parties had not yet exhausted their options within the lower court system. The ECHR ruled that Petras and Slota were owed neither a printed correction nor financial compensation.

The proliferation of defamation suits in recent years was exacerbated by a lack of transparency in the judicial system. A number of major defamation cases have been initiated by members of the judiciary, most notably the controversial judge Štefan Harabin, head of Slovakia's Supreme Court. In February 2011, the Constitutional Court ruled that the Supreme Court had violated the constitutional rights of publishing house Spoločnosť 7 Plus by failing to rule impartially in a 2008 defamation case brought by Harabin himself. This was the second time in one year that the Constitutional Court had spoken out against a defamation ruling benefiting a fellow judge. Harabin has personally won an estimated €181,000 (\$227,000) in damages from various defamation cases. In 2011, the Radičová government pushed through legislation intended to increase the transparency of court proceedings and the judicial selection process. In December, the parliament elected a former judge and vocal critic of Harabin, Jana Dubovcová, to become Slovakia's new public guardian of rights, effective March 2012.

The 2000 Act on Free Access to Information allows anyone to request information from state agencies and receive an answer within 10 days, with noncompliant officials subject to potential fines. A series of studies by the Citizen and Democracy Association in 2002 found that basic information was usually provided, but more sensitive data were sometimes withheld.

In November 2011, reports surfaced that the military intelligence service had been tapping the telephone lines of at least four journalists for several months, apparently under the instructions from Defense Minister Ľubomír Galko, who resigned not long after the scandal broke. The intelligence service reportedly obtained a court's permission to begin monitoring the head of the television news channel TA3, Michal Gučík, in February, in connection with suspicions of criminal activity. Both Radičová's caretaker government and the Smer-led opposition expressed outrage over the incident, condemning it as undemocratic. Opposition parties blamed the Radičová administration, which in turn argued that the practice of wiretapping was also widespread under previous governments.

Most Slovak media outlets, including all major print outlets, are privately owned. Lack of transparency in media ownership remains a concern, as does inadequate enforcement of regulations on cross-ownership of media outlets. At present, print media ownership is concentrated in three major houses: Ringier Axel Springer, Spoločnosť 7 Plus, and Petit Press. In 2010, Slovakia's leading financial group, J&T, purchased the country's second-most-popular daily newspaper, *Pravda*. Three years ago, the same company assumed control of TV Joj, the country's second-largest television network. In December 2011, the national transmission company Towercom was awarded an 18-year license to operate Slovakia's fourth digital terrestrial television multiplex—the only such broadcasting system it did not already control.

At the end of 2010, the dire financial position and dwindling audience of public service broadcasting prompted the government to merge Slovakia's public television and radio networks into a single entity, Radio and Television Slovakia (RTS). The merger, which will take two years to complete, was designed to rescue both broadcasters from financial collapse, but did not relieve them of their massive debts. Beginning in 2013, RTS will be funded entirely from Slovakia's national budget, rather than a combination of state funding and viewers' licensing fees.

Private media outlets have also faced increasing financial pressures. In April 2011, a group of online newspapers began following the example of cable television, charging subscription fees and bundling access to sites or programs in order to attract a larger audience. The stated goal of the project—which was orchestrated by Piano Media, a company led by *SMEs* editor in chief—is to convert 5 to 15 percent of internet users into paying subscribers within four years. Users will also be expected to pay to make comments.

Slovaks enjoy growing access to the internet, which the government does not

restrict; approximately 74 percent of the population had access in 2011. In October, the Ministry of Finance published a draft law that, if passed, would result in the blocking of web servers that offer online gambling without a license. Critics warned that the broadly worded measure could result in the blocking of social-networking websites such as Facebook.

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