

SLOVAKIA POLITICAL AND ELECTION REPORT VOLUME FOUR

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Written by Robert Norris, NDI/Bratislava

This is the fourth in a series of reports on political events in Slovakia as the country approaches critical parliamentary elections on September 25 and 26 of 1998.

The Slovak parliamentary elections are just over one week away. The official campaign period began on August 26th and continues until 48 hours prior to the opening of the polls on Friday the 25th of September. Seventeen parties are competing in one, nationwide election district. Six of them are given credible chances of entering the new parliament.

The months leading up to the campaign have been filled with controversy, rancor, and anxiety. Slovaks on both sides of the political divide see this as an important crossroads in Slovakia's democratic development, and the world is watching closely as the newest European nation struggles to complete its second parliamentary elections. Slovakia was not considered for first round accession into the European Union or NATO largely because of anti-democratic activities of the ruling government.

The Latest Polls

Under the new election law, polls may not be published during the 14 days prior to the elections. The last public polls, therefore, were released on Friday the 11th of September. These show the ruling party, HzDS, with a slight edge over any one of its rivals.

MVK poll conducted September 5-9, 1998
Movement for a Democratic SK (HzDS) 28.2%
Slovak Democratic Coalition (SDK) 23.0%
Party of Civic Understanding (SOP) 15.3%
Party of Democratic Left (SDL) 12.6%
Hungarian Coalition Party (SMK) 7.2%
Slovak National Party (SNS) 5.6%
A large percent of undecided voters could make a big difference in this race. Most analysts believe that HzDS will be the top vote getter, yet fail to gain enough seats to form a government after the elections. Nonetheless, Meciar would likely be given the first mandate to attempt to form a government. This post-election period concerns many opposition leaders who believe Meciar is capable of doing nearly anything to maintain his position. What happens in the next few days will be watched closely by Slovaks and the international community. What happens in the days and weeks following the elections also merits close attention.

The Press

Amendments to the parliamentary election law were passed in May and were criticized widely inside and outside of Slovakia. Among major concerns of critics were vaguely worded restrictions on the use of independent media for campaigning. Hefty fines and possible license revocation have caused some broadcast outlets to practice self-censorship of news broadcasts.

Last week, the Radio and Television Broadcasting Council, the state body charged with monitoring violations of the law, found that the independently operated Markiza TV, Radio Twist and Radio Free Europe had all violated the law's provisions. State-owned STV was also found to have broadcast forbidden political programming. A show called "Leaders" on Markiza and one called "Personalities" on STV were both canceled until after the elections. The offenders were ordered to broadcast acknowledgments of their violations, but were spared fines.

The Council will also consider additional violations next week. Potential violations of the law could have been made by broadcasting several commentary and satire shows, as well as the STV nightly news program. These will be reportedly reviewed as soon as Monday, September 14.

In the meantime, the NDI-backed media monitoring project "MEMO '98" recently concluded that "both in the pre-campaign period and continuing now in the official campaign period, STV news has completely abandoned any pretense of providing Slovak voters with fair, accurate or balanced coverage of relevant political events." STV, claims MEMO '98, "as a public institution, apparently serves the most powerful partisan interests and fails to live up to a duty to Slovak citizens to report the news in a fair and objective manner."

In addition there has been a series of nationwide protests condemning the firing of Director General Pavol Rusko and other staff members by the new management of Markiza TV. Markiza TV is the most popular private TV station in Slovakia and many people consider the firings politically motivated.

The Army

Recent controversies about the replacement of the Army Chief of Staff with a HzDS loyalist and the appointment of 13 new generals have subsided. Former Army Chief of Staff Jozef Tuchyna stepped down on September 9th after some weeks of confusion as to whether he would continue in the post because the government had used nonconstitutional means in selecting his replacement.

Domestic/International Election Monitors

In a variety of public statements, the ruling coalition has made it clear for months that it is opposed to independent monitors, foreign or domestic. After much posturing, an official invitation was sent to the Organization for Security and Cooperation in Europe (OSCE) but, as the elections approach, these observers continue to face obstacles. In the first few weeks of their mission, OSCE long-term observers were denied access to election commissions. They continue to be avoided by HzDS party representatives. Other international organizations, including NDI and the International Republican Institute (IRI), were specifically denied accreditation.

OSCE credentials to watch the vote count were granted by the Central Election Committee (CEC) based on the country's commitments under the Copenhagen Document of 1990. Based on these same commitments, a Slovak group called the Association for Fair Elections (AFE) submitted a request for credentials to the CEC on September 4. Without any discussion or explanation, this request was denied on September 11th. AFE is considering protesting this decision, but is determined to go forward with a modified plan to observe activities during the voting process and to conduct a parallel vote tabulation from outside the polling stations. Several government ministers have

publicly stated that the presence of domestic election observers would be illegal. These statements have successfully served to intimidate some would-be volunteers.

NDI Pre-Election Assessment

NDI conducted a pre-election assessment mission to Slovakia in the first week of September. The delegation included: Annemie Neyts-Uyttebroeck, Minister of State of Belgium, Deputy President of Liberal International, Member of the European Parliament, and former Member of the Belgian Parliament; Professor Shlomo Avineri, Director of the Institute for European Studies at the Hebrew University of Jerusalem and former Director-General of Israel's Ministry of Foreign Affairs; Swanee Hunt, former United States Ambassador to Austria and Director of the Women and Public Policy Program at the Kennedy School of Government at Harvard University; and NDI President Kenneth Wollack.

After meetings with party leaders, election officials, journalists and members of the Supreme and Constitutional Courts, the NDI delegation issued a pre-election assessment statement in which it concluded that the government and the ruling coalition have taken a "series of unilateral actions that appear to have been designed to favor the ruling party and to erect obstacles for the opposition. While the precise impact of these actions on the elections may be difficult to measure, they nevertheless affect the integrity of the process and its perception. The result has been a flawed pre-election process, characterized by polarization, uncertainty, and anxiety."

The NDI delegation pointed to a botched referendum in 1997 and a subsequent amnesty granted to those at fault; the enactment of flawed amendments to the parliamentary election law; restrictions on independent media and a series of incidents of intimidation of journalists and political opponents, which have not been investigated as reasons for reaching its conclusions. The delegation made several recommendations for actions that could be taken in the remaining weeks prior to the election to improve the chances for genuine elections. Among these:

- Grant accreditation to nonpartisan domestic observers to monitor the voting and counting process on election days;
- Ensure, through the Council on Radio and Television Broadcasting, that state-owned media provide the citizens of Slovakia with balanced and accurate news information
- Interpret the new election law to enable independent media to cover all aspects of the election campaign period freely and fully.

Election Day and Beyond

On election day, the Association for Fair Elections (AFE) will move forward with its "Civic Eye" program and dispatch hundreds of Slovaks to polling stations to observe the voting and gather information on the count. OSCE will coordinate at least 150 international observers who should be allowed complete access to monitor voting and vote tabulations. Political party representatives on election commissions will also attempt to ensure the integrity of the process. Some of these groups will conduct parallel vote tabulations to expose attempts to manipulate the count after results are sent from precincts to district election commissions and beyond.

Many believe that election day can go smoothly and that the will of the Slovak people can be reflected in the final count. What happens after

election day, however, is the subject of much speculation.

Since HzDS is widely expected to gain the most votes of any party, by tradition it will be offered the first chance to form a government. Ivan Gasparovic, the Chairman of the National Assembly, will be empowered to offer HzDS a mandate to form a new government. The likelihood, however, is that HzDS and its current coalition partner, the Slovak National Party (SNS), will not have the combined numbers to succeed in this effort. The other partner in the current coalition government, the Association of Workers of Slovakia (ZRS), is not expected to make it into parliament.

All opposition parties have publicly declared that they will not join HzDS in coalition. The Constitution does not set a time-limit on when a government must be formed, but it seems that HzDS would be unlikely to succeed before the new parliament convenes 30 days after the elections. At that point, a newly elected chairman of parliament could ask the second-highest vote-getter to form a government.

Under these circumstances, SDK would attempt to form a government in coalition with one or more of the other opposition parties. A new prime minister, a new chairman of parliament and perhaps a newly elected president would then begin the business of governing. Vladimir Meciar and the HzDS would wait in opposition while the new government struggles with potentially enormous problems in the Slovak economy, problems that will severely strain the bonds that have brought disparate political parties together for these elections.

There are those, however, who believe that there are opportunities for HzDS to hold on to power after the elections. Among those scenarios:

Post-Election Deals

In the 30 days after the elections, there will surely be aggressive attempts to woo opposition parties or individual MP's into joining a HzDS-led coalition. While the possibility of coercion, intimidation, bribery or other unseemly tactics cannot be ruled out, it seems very unlikely now that Meciar would succeed in attracting SDK, SDL, SOP or SMK into breaking public promises that they would never ally themselves with him. Many believe, however, that SDL could split. Existing divisions between old-time communists and more progressive younger leaders might make the former susceptible to offers from HzDS. Others believe that SOP's coy statements about never joining a government with Meciar might lead to a deal where SOP joins HzDS with someone else as Prime Minister – perhaps with Meciar offered the Presidency as an inducement to step aside.

Invalid Elections

The Constitutional Court has yet to rule on challenges to the new election law. Opposition MPs had filed the challenge to several provisions in the law including those restricting the participation of coalitions. Should the Court invalidate some sections of the law shortly after the elections, an opportunity might exist for the incumbent government to claim the entire elections as void. Likewise, if international observers call foul on election day shenanigans, this might present another excuse to schedule a replay months from now.

Coming Up

If circumstances permit, NDI will produce another political and election report in the days prior to the vote. NDI may also issue a final report on the elections after election day.

NDI In Slovakia

NDI's election processes program in Slovakia was established earlier this year to help Slovak civic groups working for fair parliamentary and local elections to:

- Monitor political and election-specific developments in the period prior to the elections, and advocate measures needed for an open and transparent election process compatible with international practices for fair and free elections;
- Provide voters with accurate, impartial information about candidates and their parties, so that they can make informed choices and appreciate the importance of participating in the election process.

Specific activities include:

- *Election law commentary.* An expert NDI election law advisory group provided written commentary on proposed amendments to the parliamentary election law, and visited Bratislava prior to the law's passage to discuss its recommendations concerning the amendments with political parties, civic groups, and the public at-large through the Slovak media.
- *Media monitoring.* A group of Slovak monitors (MEMO '98) established by NDI is monitoring Slovak state and independent media to assess fairness in media access and reporting on political events in the run-up to the elections.
- *Pre-election mission.* A NDI delegation of election experts visited Slovakia in early September to assess the political climate and election process in the run-up to the late-September vote, and made recommendations concerning fair electoral standards.
- *Election-day monitoring.* NDI is working with a Slovak civic group, the Association of Fair Elections (AFE), and other NGOs to recruit, train and deploy several thousand Slovak citizens in polling stations on election day as nonpartisan observers. The observers plan to monitor voting procedures and ballot counting processes throughout the country.

In addition to NDI's election-related work, the Institute has, since 1994, conducted citizen political participation programs in seven cities throughout Slovakia. NDI's office in Banska Bystrica coordinates these efforts.

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For more information on NDI programs in Slovakia, please contact Robert Norris or Lisa McLean at NDI's Bratislava office at (421-7) 384-0210, Charles Hirt at NDI's Banska Bystrica office (421-88) 744-059, or Robert Benjamin or Matthew Joyce at NDI's Washington office at (202) 328-3136.

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