

SLOVAKIA POLITICAL AND ELECTION REPORT VOLUME TWO

July 29, 1998

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This is the second in a series of reports on political events in Slovakia as the country approaches critical parliamentary and local elections in the fall of this year. The first issue in June provided basic background information. This report focuses on past and current political events shaping the election process. Future issues will contain information on the administration of the elections, the activities of opposition and governing parties and the election-related efforts of Slovak nongovernmental organizations (NGOs) and the international community.

A number of international organizations are preparing to monitor the parliamentary election at the end of September. Many of these groups will arrive just weeks or even days prior to the opening of the polling stations. They will watch as Slovaks cast their ballots and observe as election officials tabulate the vote. They will look for an orderly process where citizens vote freely and in secrecy. While election day is obviously the most visible part of an election process, the entire process--including the pre-election period--must be observed in order to determine the election's degree of legitimacy.

Political Background

Slovakia is Europe's newest state, having gained sovereign independence for the first time in its modern history in 1993. The Slovak people endured centuries of foreign domination, culminating in the four decades of Soviet-imposed communist rule. The Czechoslovak communist system inspired little belief among Slovaks that they could have a voice on their own destiny.

Consequently, when freedom and independence came, Slovakia could not reach back into its history for guidance. The country was largely unprepared for the challenges and responsibilities that accompanied statehood and democracy.

Although left out of first-round accession to the European Union and NATO, it is clear that Slovakia eventually will assume its place in the community of democratic nations. Slovaks are educated and sophisticated, with a strong historical and cultural identity. Alexander Dubcek, the renowned leader of Czechoslovakia's Prague Spring in 1968, was a Slovak. Twenty years later, he and thousands of other Slovaks, with their Czech counterparts, spearheaded Czechoslovakia's Velvet Revolution. Slovakia fundamentally sees itself and is regarded as an intrinsic part of Europe.

However, the current Slovak government, under the leadership of Prime Minister Vladimir Meciar and his ruling Movement for a Democratic Slovakia (HzDS), have capitalized on the country's inexperience with democracy and statehood to assume a degree of exclusive political control that is inconsistent with the democratic tenets of majority rule. While democracy takes various forms, and nations and cultures interpret freedom, civil rights, and self-government in different ways, certain international standards have

evolved among the growing community of democratic nations worldwide, inter alia: a rule of law that applies to all citizens; freedom of expression and association that extends to all citizens, regardless of political affiliation and other attributes; and a government that represents society rather than controls it.

Slovakia, it should be noted, has the structure in place for a democratic political system: a modern constitution, a multipartisan political system, an independent judiciary; an independent press; and an impressive array of civic organizations. Yet, although structurally sound, the system does not function properly because of abuses of power that go unchecked.

As Slovakia approaches parliamentary and local elections, there is plenty of free and open public debate about important issues. At the same time, the political climate here is defined by division, rancor and paranoia.

The high level of conflict is perhaps understandable given Slovakia's political polarization (discussed below), the close race shaping up between the government and the opposition, and the starkly different visions that either has for Slovakia's development. The government emphasizes self-reliance as a means to ensure political stability and economic growth. The opposition counters that Slovakia's future lies with comprehensive integration into western political, economic, and military structures.

Rather than showcase Slovakia's young democracy through a vigorous and respectful exchange of ideas, the election process is falling prey to the more negative aspects of Slovak politics, and the election runs the risk of falling short of international standards of legitimacy as a result.

Pre-Election Update

Parliamentary Election Law

NDI's June report reviewed amendments to the parliamentary election law recently passed by the governing coalition's simple majority vote in parliament, ignoring the many legitimate concerns expressed by the opposition.

Before its passage, NDI had expressed serious concerns about the law to members of parliament and the Ministry of the Interior. Apprehensions about the law's restrictions on the use of independent media and its numerous provisions that could lead to electoral manipulation in September prompted other international groups to express similar sentiments.

More recently, the U.S. Embassy in Bratislava released public criticism of the law, asserting that it "can result in the upcoming elections not adhering to international rules, meaning the elections will not be free and fair." Prime Minister Meciar responded that the U.S. Ambassador Ralph Johnson overstepped the limits of his diplomatic status. He also asserted that the Ambassador was involved in organizing anti-government meetings and making statements that "grossly interfere" in the internal affairs of the Slovak Republic.

Coalitions No More

Eight opposition parties have taken the necessary steps to merge into two new parties due to threshold requirements in the new law which effectively ban the formation of typical election coalitions among parties. The Slovak Democratic Coalition (SDK) is a merger among

the Christian Democratic Union (KDH), the Democratic Union (DU), the Democratic Party (DS), the Green Party (SZS), and the Social Democratic Party of Slovakia (SDSS). Mikulas Dzurinda will lead their slate. Three Hungarian parties have also formed one new Hungarian Coalition Party (SMK), led by Bela Bugar.

As of July 22nd, the deadline to submit candidate lists to the Ministry of Interior per the election law timetable, 18 parties had done so: HzDS, SDK, SMK, SDL, SOP, SNS, the Association of Slovak Workers (ZRS), the Communist Party of Slovakia (KSS), and ten lesser known or unknown groups.

Since these parties are represented on the election commissions, it is important to know which of the unknown groups might support ruling coalition efforts to influence the administration of the elections. A future report will discuss these concerns in more detail.

Central Election Commission

The new election law provides for the position of "recorder" of the Central Election Commission. The recorder acts as an official, expert advisor and handles administrative matters for the Central Election Commission. On July 15th, the government appointed Josef Liska, an official in the Ministry of the Interior, to this post.

The Central Election Commission (CEC) itself has also been formed. Each contesting party is to submit two nominees to sit on this body. At the first meeting of the CEC a chairperson and a vice chairperson were selected by lot. Iveta Lapunikova of the Slovak National Party (SNS) is the Chairperson. Stefan Murin of the Slovak Communist Party (KSS) is the Vice Chairman.

Office of the Presidency

A possible constitutional crisis may be averted as Parliament considers a law transferring some presidential powers to the Speaker of Parliament. Former President Michal Kovac's term as president expired this past March and Parliament has to-date been unable on several occasions to muster the three-fifths majority required by the Constitution to elect a replacement. Since the Slovak Constitution requires the President to sign legislation as well as to accept the resignation of the government, it is unclear how a new government could be installed after the September election. The new law would allow the Speaker to perform these functions. Opposition parties have vowed to change procedures in the future by providing for the direct election of the President.

Latest Polls

The SDK had consistently led HzDS since its formation last year. Poll results in May and June of this year indicated a HzDS resurgence. The July numbers are not consistent for the top four parties, nor do they indicate a clear frontrunner. According to the Focus, Markant and Nazory agencies' data released last week:

	July 1998		
	Focus	Markant	Nazory
SDK	21.2%	23.4%	23.4%
HZDS	25.9%	22.8%	20.9%
SOP	14.2%	16.5%	18.4%
SDL	9.8%	12.9%	16.4%
SMK	9.9%	9.6%	9.5%
SNS	7.2%	7.1	8.5%

Press Intimidation

There is an independent press in Slovakia, and all major national daily newspapers, save Slovenska Republika, are openly critical of the government of Prime Minister Vladmir Meciar. Several journalists, however, have met with not-so-subtle attempts to make them think twice before delving too deeply into matters that might be embarrassing to the ruling coalition.

In October 1995, a journalist for the independent newspaper, Sme, who had been investigating the abduction of the President's son, was attacked outside of his apartment. In 1997 the same journalist's car was set afire outside of his apartment while his family was at home. The following week, another fire was set in a dumpster at his home. During this same period, Sme had numerous bomb threats. Police closed the investigation into the arson incidents for lack of evidence.

The independent radio station Radio Twist was shut down in 1997 for allegedly failing to pay bills for the use of state-run transmitters. Although the state-run Slovak Television and Radio owed larger bills, they were not shut down.

In 1997, the offices of a new independent news agency, SITA, were burglarized. Computer equipment was taken just prior to the official opening of the agency.

In March of this year, a new car belonging to the Slovak correspondent for the Czech television channel Nova was wrecked. The tires were slashed, the windows smashed and the bodywork damaged. The same correspondent also claims that his wife and son were being followed.

Three months ago, an editor of the independent newspaper, Novy Cas, and a Radio Twist reporter were defamed by an anonymous perpetrator who posted leaflets throughout Bratislava accusing the two of making "pornographic homosexual videotapes with the participation of young boys." The Novy Cas editor has since fled the country citing concerns about his safety.

In May, an editor of the Kosice-based independent paper Korzar was brutally attacked in the men's room of a restaurant.

Two weeks ago, the Radio and Television Broadcast Council (RRTV), which oversees enforcement of the media laws, fined independent Television Markiza for broadcasting political advertisements during its news program. For airing shots of pre-election rallies of the Party of

Civic Understanding (SOP), TV Markiza was fined 1 million Slovak Crowns (about \$30,000).

Police Break-Up of an Election Meeting

The use of police to intimidate opponents is alleged to have occurred in June. In the western city of Nitra, police raided a public meeting about the elections organized by the civic group SKOI and claimed they were searching for drugs. Though none were found, the police returned later, claiming to have found explosive devices and drug paraphernalia. The meeting was disbanded.

Pre-Election Background

Intimidation of Political Opponents

There are no shortage of outspoken critics of the government. The opposition is not likely to cease its activities out of fear of reprisal. Yet several incidents in the last few years, similar in nature to the recent episode in Nitra, have led some Slovaks to think twice about asserting themselves in the political domain. Furthermore, memories of an era that did not tolerate criticism are still fresh in Slovak minds, and remnants of the old regime's methods have survived the post-communist transition. Even now, several who dared to speak too loudly or who pose credible threats to the government have been confronted with attempts at intimidation.

The Kovac Case

Former President Michal Kovac was Prime Minister Meciar's most public and popular opponent. He frequently criticized the government and used his limited powers to thwart various attempts by the ruling government to shape Slovakia in its own image. In 1995, President Kovac's son was mysteriously abducted, forced to drink excessive quantities of alcohol and dumped in Austria. Critics suspected government involvement and expressed outrage over the lack of a thorough investigation into the kidnaping.

Roman Catholic Bishop Rudolf Balaz led the Slovak Conference of Bishops in defending President Michal Kovac. Shortly thereafter, police with a legal warrant searched the Bishop's headquarters, ostensibly concerned about the sale of illegal art works. Later that year, Robert Remias, a former policeman who had offered information to journalists about the kidnaping of the president's son, was killed when his car exploded. This grisly episode has gone uninvestigated as well, fueling speculation about a government cover-up.

The case grew more disturbing this year when Prime Minister Meciar granted a blanket amnesty to everyone involved in the kidnaping or the investigation.

Critics As Traitors

In 1995, parliament passed legislation which made it a crime to "facilitate the spread of false information damaging to the interests of the Slovak Republic." This overt attempt to use the parliament to silence government critics and label them as "anti-Slovak," caused alarm inside and outside of Slovakia. The bill was returned to Parliament unsigned by President Kovac. Ultimately, the bill did not become law.

Disloyal Allies

In 1995, former Meciar allies founded a new political party, the Democratic Union (DU), and submitted electoral petitions to fulfill registration requirements. Citing an effort to verify the signatures'

accuracy, police conducted systematic interviews of those who signed the petitions. Many interpreted these police visits as a misuse of government authority and an attempt to intimidate opponents.

Subverting the Rule of Law

Perhaps the most widely known incident concerning a breakdown in the rule of law occurred last year. In May 1997, a referendum was held on NATO membership and the direct election of the president by popular vote. The government was lukewarm on the question of NATO membership and opposed to a direct presidential election. The Constitutional Court struck down a government appeal to remove the question on directing electing the president.

Despite the Court's decision, the government ordered that referendum ballots carry only the NATO-related questions; the question on direct presidential elections was simply removed. The opposition called for a boycott, and fewer than 10 percent of registered voters cast their ballots. The Slovak foreign minister resigned in protest, and the Slovak Helsinki Committee called this "an unprecedented act of quelling of democratic expression of the people's will." In 1996, Frantisek Gaulieder, a member of parliament, was stripped of mandate following his protest resignation from the HzDS. A few days after his resignation, a bomb exploded at his residence. No one was injured in the blast, although family members, including Mr. Gaulieder's five-year old son, were present. The Constitutional Court subsequently ruled that Mr Gaulieder's removal from parliament was unconstitutional. To-date, no action has been taken to restore his mandate.

Commenting on these and other abuses of human rights in Slovakia, the International Helsinki Federation (IHF) noted in its recently released annual report "a dramatic deterioration of the situation regarding human rights in several European countries, and particularly in Belarus and Slovakia...Increasing doubts, both in national and international fora, were raised about the commitment of the government of Vladimir Meciar and his Movement for a Democratic Slovakia (HZDS) to abide by international human rights standards." In the introduction to this survey of human rights in 41 countries, IHF singled out Slovakia: "The human rights situation in the Slovak Republic deteriorated and the situation was exacerbated by public apathy. The government increased its efforts to influence courts, including the Supreme Court. Intolerance and aggressive state attitudes toward minorities increased; the virtual absence of reactions against neo-Nazi violence can be read as a form of tacit approval."

Conclusion

When reviewing the pre-election period as a whole, it might be easy to conclude that the ruling coalition has already gone too far – that democratic elections are no longer possible because the government has shown itself willing to prevail at any cost. But this might be too drastic a conclusion to draw. Indeed, there is no concrete proof that these events are the result of a concerted and organized effort to subvert human and civil rights. Whether they are the result of a planned effort, the acts of overeager and undersupervised loyalists or merely coincidental occurrences may matter less now than the climate that has arisen because of them. One must be concerned, however, by the failure to act in a strong manner to condemn, to investigate and to prosecute guilty parties as well as a failure to protect the victims of these attacks.

One thing is certain: the subjects of these attempts at intimidation, if that is what they were, have remained steadfast in their commitment

to a democratic Slovakia. Peter Toth, the Sme reporter, courageously continues to report openly and critically. Eugene Korda of TV Nova has not been silenced. Bishop Balaz has issued further statements critical of government actions and has called upon all Slovaks to fulfill their civic and Christian duties through political activism. Radio Twist and Television Markiza continue to broadcast, and opposition parties and civic activists work hard, maintaining the hope that they can change things at the polling stations in September. In combination, opposition parties continue to lead in the polls.

The eyes of the world are beginning to focus on Slovakia and, for many Slovaks, the attention is welcomed. The duty of the international community is to support those in Slovakia who struggle for democracy.

About NDI

Based in Washington, D.C., the National Democratic Institute for International Affairs (NDI) is a nongovernmental, nonpartisan organization working to strengthen democratic institutions and processes worldwide. Calling on a global network of volunteer experts, NDI provides practical assistance to political and civic leaders who are working to advance democratic values, practices and institutions. NDI seeks to help democratic leaders and activists to build political and civic organizations, safeguard elections and promote citizen participation, openness and accountability in governmental and political processes.

NDI In Slovakia

NDI's election processes program in Slovakia was established earlier this year to help Slovak civic groups working for democratic 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

Memo'98, a Slovak media monitoring initiative created with NDI guidance 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 will visit Slovakia in early September to assess the political climate and election process in the run-up to the late-September vote, and make recommendations concerning democratic electoral standards.

Election-day monitoring

NDI is working with a Slovak civic group, the Association for Fair Elections (AFE) to recruit, train and deploy Slovak citizens in polling stations on election day as nonpartisan observers. The observers will monitor voting procedures and ballot counting processes, provided the Central Election Commission provides them with accreditation.

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.

NDI's programs in Slovakia are funded by the National Endowment for Democracy (NED) and the U.S. Agency for International Development (USAID).

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