

# SLOVAKIA POLITICAL AND ELECTION REPORT VOLUME ONE

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Below is the first 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. This first issue provides background information necessary to understand the situation in Slovakia today. Subsequent issues will contain information on the administration of the elections, the activities of opposition and governing parties and the efforts of Slovak nongovernmental organizations (NGOs) and the international community.

Slovakia lies in the geographic center of Europe, astride the Danube river, bordered by Austria, the Czech Republic, Hungary, Poland and Ukraine. Despite its central location, it has long been overlooked by the West. For centuries Slovaks lived under domination or in the shadows of their neighbors. After the fall of communist Czechoslovakia, outside attention focused mainly on the Czech lands. In 1993, the country split into two independent modern republics. For the first time in its history, Slovakia gained full sovereignty.

Foreigners visiting Slovakia discover beautiful countryside dotted with fairytale castles and capped by breathtaking mountains. The old quarters of Banska Bystrica, Bratislava, Kosice, Levoca, Presov and Trencin are showcases of central European architecture. The amenities of a market economy are to be found throughout the country. To the casual observer Slovakia seems to be finding its place in the new Europe and, in many respects, this is true.

However, as this part of the world moves toward western political and economic integration, Slovakia finds itself the odd country out. The Czech Republic, Hungary and Poland are gaining entry into the European Union and NATO. Slovakia has been denied entry due primarily to a pattern of political activity, undertaken mainly by the government, which is seen by Slovak and western analysts alike to be inconsistent with the democratic principles of rule of law, pluralism, free speech, and tolerance.

This year's parliamentary election in September and local elections in November will offer voters a choice between the government's patriotic brand of populism and the more western-oriented policies of a group of opposition parties. Because Slovakia's political orientation (both internal and external) is at stake, a fair electoral process is itself at issue.

## **Political Groupings**

### *Movement for a Democratic Slovakia*

Slovak politics begins with Prime Minister Vladimir Meciar and his ruling Movement for a Democratic Slovakia (HzDS). Prime Minister Meciar orchestrated Slovakia's divorce from Czechoslovakia and assumed control of the country's first government following independence. It is hard to ascribe a political ideology to the HzDS

and Mr. Meciar; their political message centers on what many would see as a slightly xenophobic form of patriotism and embraces market economic reform, albeit with a steady dose of state-funded social protections.

In March of 1994, just over a year after the founding of the Slovak Republic, Prime Minister Meciar was ousted in a vote of no-confidence engineered by political leaders displeased with the government's increasingly autocratic tendencies. An interim government was formed. Mr. Meciar made a notable comeback in elections later that year with a dynamic campaign and went on to forge a coalition government with the Slovak National Party (SNS) and the Association of Slovak Workers (ZRS), two small parties on the right and left respectively. This coalition has ruled Slovakia during the past four years.

#### *The Slovak Democratic Coalition*

HZDS' opponents, long-divided over divergent policy agendas, have repeatedly attempted to forge an opposition alliance. In the past year they have succeeded in forming the Slovak Democratic Coalition (SDK). The SDK merges a diverse group including the Christian Democratic Movement (KDH), the Green Party (SZS), the Democratic Union (DU), the Democratic Party (DS), and the Social Democratic Party of Slovakia (SDSS). The SDK has something for everyone: religious-based conservatism, laissez-faire capitalism, and left-wing socialism. Apart from their shared opposition to the HZDS, it is not clear what unites the coalition parties. That said, the coalition has thus far navigated a variety of political issues intact. The coalition is committed to Slovakia's integration into Europe.

#### *Other Parties*

**The Party of Civic Understanding.** Rudolf Schuster, the popular mayor of Kosice, Slovakia's second largest city, has formed the Party of Civic Understanding (SOP) and populated its ranks with well-known political, business, and entertainment personalities. The SOP's message is that both HZDS and the SDK parties have forfeited political credibility in unsuccessfully dealing with Slovakia's transition process, and a new political dynamic is needed to move the country forward.

**The Party of the Democratic Left.** The Party of the Democratic Left (SDL), the successor to Slovakia's communist party, opposes HZDS but has chosen to remain outside of the SDK coalition. The SDL is seen by many as the principal left-of-center party in Slovakia.

**The Hungarian Coalition.** Ethnic Hungarians, the largest minority group in Slovakia with roughly ten percent of the population, are uniting as well. Three existing parties will merge into a Hungarian Coalition (MK) to contest the upcoming elections.

Polling data as of May 1998 indicates a tight race between HZDS (24%) and the SDK (23%), followed by the SOP (17%), SDL (10%), the MK (10%), and the Slovak National Party (6%), respectively.

Source: Focus Agency, Bratislava.

#### **The 1998 Election: Free and Fair?**

Politics in Slovakia is defined by a deep chasm between the ruling coalition and opposition. There is little talk of compromise, little attempt to build bridges across the divide. The political polarization has seeped into other areas of public life, including academia and the arts. The deep political rifts in society have produced almost paranoid

reactions on both sides. Conspiracies are seen everywhere.

As the governing party, HzDS perhaps bears special responsibility for Slovakia's troubling political climate. Its treatment of legitimate political opposition recalls the Soviet maxim of "those who are not with us are against us". Those who disagree with government policy have been charged with "anti-Slovak" slander, or selling Slovakia out to foreign interests. To the West the government complains that its political actions are misunderstood, and that it is judged by higher standards than those applied to its other post-communist neighbors. But it is more than the government's rhetoric that raises concern. There is indeed cause for alarm about the health of democracy in Slovakia.

#### *The 1997 Referendum on NATO and the Presidency*

Strong-arm tactics by the government against political opposition and independent media have been evident since 1994, but history may mark the May 1997 referendum on NATO membership and the direct election of the president as the beginning of Slovakia's political turmoil. The referendum contained three questions about NATO membership and one on direct presidential elections. Not wanting to strengthen the presidential office held by Michal Kovac, a political foe, the government appealed to the Constitutional Court that it would be unlawful to include the presidential question alongside the NATO questions. The Constitutional Court rejected the appeal. The Minister of Interior, who controls the electoral administration, nonetheless removed the question on direct election of the president, printing ballots with only the three NATO questions. This action in effect invalidated the entire referendum and provoking widespread concern that the government is willing to subvert the rule of law to protect or advance its political interests.

#### *A Country in Need of a President*

In March of this year, Michal Kovac's term as President ended before Parliament had reached agreement on his successor. The government assumed key presidential powers and applied them immediately, recalling numerous ambassadors and granting amnesty to those implicated in the seemingly politically motivated 1995 kidnapping of President Kovac's son, as well as the subversion of the 1997 referendum. The government also cancelled plans for a scheduled replay of this referendum that had been called by the former President.

After three attempts this spring, Parliament has been unable to muster the three-fifths vote required by the Constitution to elect a new president, and the Office of the Presidency remains vacant to this day. This presents a serious constitutional crisis. Some presidential powers, such as the authority to sign Parliament's bills into law and accepting the resignation of the current government, have not been handed over to the executive branch. There are concerns that new laws cannot be promulgated and a new government invested following the parliamentary election without a sitting president, as is required by the Constitution.

#### *A New Election Law*

Three days after President Kovac left office, government legislators released a draft bill to amend the parliamentary election law in ways inconsistent with international democratic standards, causing grave concern among opposition parties. In the ensuing two months, opposition parties, civic activists and international observers, including NDI experts, studied and reacted to the proposed changes to the election law. Despite united opposition protests and stated international concerns, the ruling coalition passed the law (by simple

parliamentary majority) with little concession to these concerns. It was hard to conclude anything but that the law was drafted as a means to help the ruling coalition remain in power.

The new law's principal shortfalls include a severe requirement for thresholds needed to enter parliament which effectively prohibits the type of coalition formed under the SDK banner. In essence, the new law compels SDK parties to run as a single party rather than as a coalition.

A second concern is the law's prohibition of usage of independent media for campaigning purposes, and an open-ended provision that could be interpreted as a ban on political coverage of the election by independent media.

The new law could also create numerous opportunities to manipulate the election process and reduce its transparency. Access to voter lists is restricted and election day monitoring by domestic or international nonpartisan groups, customary provisions in democratic election laws, is not affirmed. The central government, mainly in the form of the Ministry of the Interior, usurps some election administration powers normally handled by multi-partisan election commissions.

Finally, that the election law is being changed no more than four months before the parliamentary vote without substantive consultation among competing parties is itself contrary to the spirit of fair competition, provides little time to reorient campaigns to new election structures and procedures, and does not contribute to public confidence into the election process.

#### *Opposition Responses*

It is no surprise that the political opposition is seriously constrained by the government's actions. The state media is controlled by the government and is generally perceived as a governmental mouthpiece. The new election law means that strong-willed leaders of diverse parties must put aside their personal ambitions and forge straitjacketed alliances if they are to have a credible chance of success in September. The SDK can no longer be a coalition of five parties; it must be a single party. Meanwhile, Rudolf Schuster's SOP has attracted more erstwhile SDK supporters than HzDS voters. Polls showed the SDK consistently ahead of the HzDS until the formation of the SOP.

The SDK itself has recently become embroiled in scandal. Reports that campaign staff arranged to reimburse journalists for favorable coverage of the SDK have dominated the news and embarrassed the coalition. It is unlikely that this story will die in the near future.

#### *The Role of the Nongovernmental Sector*

Although Slovakia's transition to democracy is not without problems, there is plenty of cause for hope for its success. One reason is the enormous amount of activity among nonpartisan civic activists to educate and inform voters, to monitor political developments and to advocate on behalf of Slovakia's integration into the West.

A number of nongovernmental organizations (NGOs) have decided to coordinate election related activities. Calling themselves OK98 (Obcianska Kampana, or Civic Campaign), they have established a secretariat to act as election activity coordinator and clearinghouse for NGOs across the country. In the meantime, international donors have formed a "Donor's Forum" to fund election-related initiatives. It is

taking some time for these alliances to work out plans and to coordinate effectively, but these efforts will have long-term benefits for Slovakia regardless of the outcome of the elections.

### *The Media*

Slovakia inherited communist-era, state-owned television and radio. These are the only broadcast media that reach the entire country. In recent years, however, a strong independent press has emerged. The most popular television station, TV Markiza, is thought to be firmly behind Schuster's SOP party. Radio Twist provides a different perspective on the news to much of Slovakia. A half-dozen independent newspapers provide a wide variety of news and views.

Yet there are disturbing stories of efforts to intimidate reporters who criticize the government. Two reporters have had their cars mysteriously destroyed and received threats against their families. Another reporter was visited at his apartment by two unknown assailants who reputedly tied him up, put a gun to his head and demanded to know where some photographs were located. Regional newspapers, radio and television stations are unwilling to report about politics because of potential fines of up to five million crowns (approximately \$150,000) for violating new laws about campaign activities in the independent press. All of these factors figured in a recent report by Freedom House that Slovakia's press can be considered only "partially free."

Many dedicated journalists, publishers, editors and station owners vow that they will continue to report the news as they see it. Government efforts to curtail the press and its apparent unwillingness to investigate incidents of press intimidation are of great concern.

### *November's Local Elections*

Debate on the parliamentary election law has overshadowed the government's preparation of a new local election law. This law would lead to a new method of choosing candidates, guarantee minority representation on city councils, restrict the use of the independent press and provide the state with greater authority over municipal election administration. It is also perceived by the opposition as an attempt to advance the interests of the HzDS. This law is scheduled to be enacted at the next and final pre-election session of parliament in July, only four months before the local elections will take place.

### **Coming Up**

In future editions, we will provide details about the administration of the elections, the efforts of the government and the opposition, the activities of Slovak NGOs and international organizations and updates on the progress of the campaigns for national and local elections.

### **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 those 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:

#### *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 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 will visit Slovakia this summer to assess the political climate and election process in the run-up to the September vote, and make recommendations as needed concerning fair electoral standards.

#### *Election-day monitoring*

NDI is working with numerous civic groups and other international organizations 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.

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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