

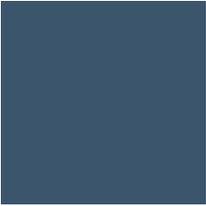


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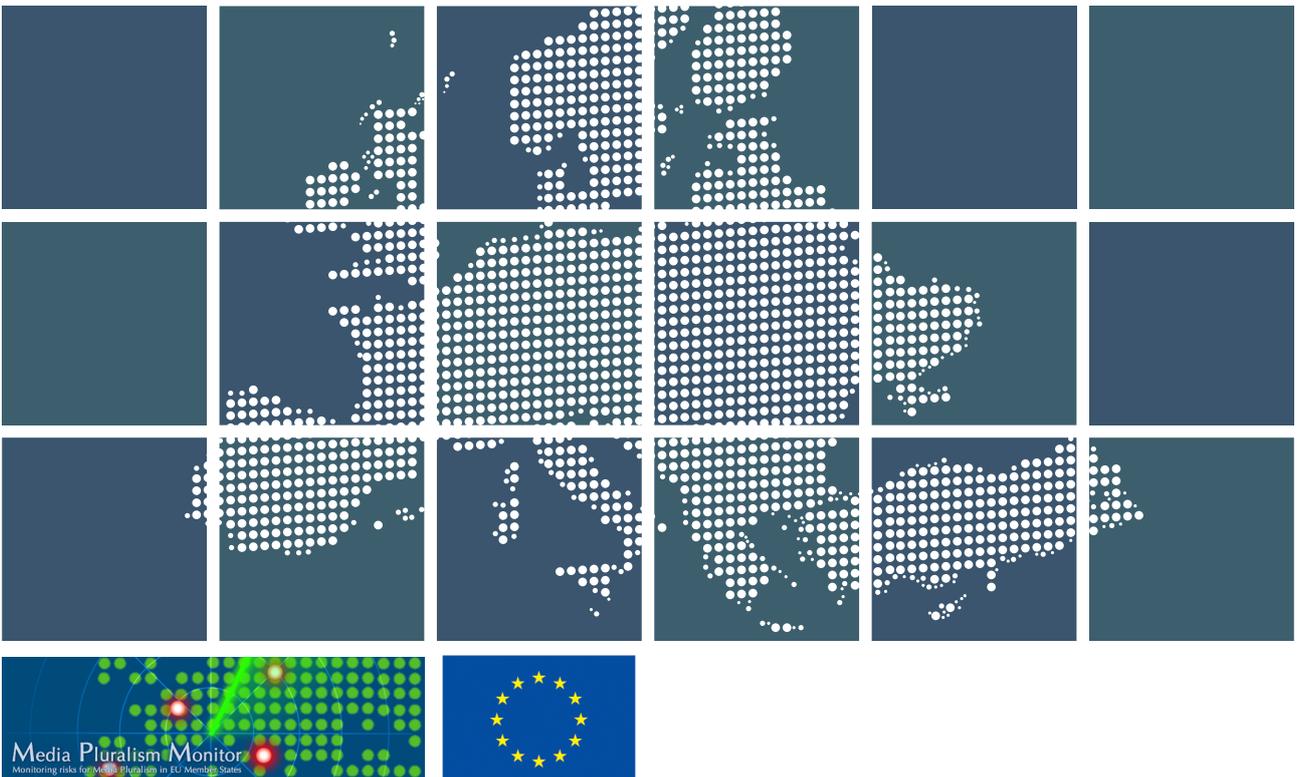
ROBERT  
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ADVANCED  
STUDIES



# Monitoring Media Pluralism in Europe: Application of the Media Pluralism Monitor 2017 in the European Union, FYROM, Serbia & Turkey

## Country Report: Slovakia

Authors: Željko Sampor





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# 1. ABOUT THE PROJECT

## 1.1 OVERVIEW OF THE PROJECT

The Media Pluralism Monitor (MPM) is a research tool that was designed to identify potential risks to media pluralism in the Member States of the European Union. This narrative report has been produced within the framework of the second EU-wide implementation of the MPM, carried out in 2017. The implementation was conducted in 28 EU Member States, Serbia, Former Yugoslav Republic of Macedonia (FYRoM) and Turkey with the support of a grant awarded by the European Union to the Centre for Media Pluralism and Media Freedom (CMPF) at the European University Institute.

## 1.2 METHODOLOGICAL NOTE

The CMPF cooperated with experienced, independent national researchers to carry out the data collection and to author the narrative reports, except in the cases of Malta and Italy where data collection was carried out centrally by the CMPF team. The research is based on a standardised questionnaire and apposite guidelines that were developed by the CMPF. The data collection was carried out between June and December 2017.

In Slovakia, the CMPF partnered with Željko Sampor, an independent researcher, who conducted the data collection, annotated the variables in the questionnaire and interviewed relevant experts. The scores assessing the risks to media pluralism were provided by the CMPF and calculated according to the algorithm developed by the Centre itself. The national report was reviewed by CMPF staff. Moreover, to ensure accurate and reliable findings, a group of national experts in each country reviewed the answers to particularly evaluative questions (see Annexe II for the list of experts).

Risks to media pluralism are examined in four main thematic areas, which are considered to capture the main areas of risk for media pluralism and media freedom: Basic Protection, Market Plurality, Political Independence and Social Inclusiveness. The results are based on the assessment of a number of indicators for each thematic area (see Figure 1 below).

Basic Protection	Market Plurality	Political Independence	Social Inclusiveness
Protection of freedom of expression	Transparency of media ownership	Political control over media outlets	Access to media for minorities
Protection of right to information	Media ownership concentration (horizontal)	Editorial autonomy	Access to media for local/regional communities and for community media
Journalistic profession, standards and protection	Cross-media concentration of ownership and competition enforcement	Media and democratic electoral process	Access to media for people with disabilities
Independence and effectiveness of the media authority	Commercial & owner influence over editorial content	State regulation of resources and support to media sector	Access to media for women
Universal reach of traditional media and access to the Internet	Media viability	Independence of PSM governance and funding	Media literacy

The results for each domain and indicator are presented on a scale from 0 to 100%. Scores between 0 and 33% are considered low risk, 34 to 66% are medium risk, while those between 67 and 100% are high risk. On the level of indicators, scores of 0 were rated 3% and scores of 100 were rated 97% by default, to avoid an assessment of a total absence or certainty of risk. For more information on the MPM methodology, see the CMPF report “Monitoring Media Pluralism in Europe: Application of the Media Pluralism Monitor 2016 in EU-28, Montenegro and Turkey”, <http://cadmus.eui.eu/handle/1814/46786>



**Disclaimers:** The content of the report does not necessarily reflect the views of the CMPF or the EC, but represents the views of the national country team that carried out the data collection and authored the report. Due to updates and refinements in the questionnaire, the MPM2017 scores may not be fully comparable with those of MPM2016. For more details, see the CMPF report on MPM2017, which will soon be available on <http://cmpf.eui.eu/media-pluralism-monitor/>

This report is partially edited by CMPF: it is mostly based on the draft narrative report and on the information uploaded onto the online platform by the country team.



## 2. INTRODUCTION

The territory of Slovakia is 49,035 square kilometres and it has a population of slightly less than 5.5 million. Although the official language of Slovakia is Slovak, other languages of traditional national minorities are also spoken, mainly Hungarian, Czech, Roma, Croatian, Ruthenian, Ukrainian and Polish. This relates to the nationality's structure, in which the majority are Slovaks (86%), with the most numerous national minorities being Hungarians (8.5 %) followed by Roma (2%).

Both the religious and national minorities are split between the regions; no homogeneous structure is formed. The vast majority of inhabitants live in smaller towns and villages. Of the 2,933 settlements, only two have over 100,000 inhabitants (Bratislava and Košice), while only 140 are listed by the Statistical Office of the Slovak Republic as being cities or towns. On the higher level, administratively Slovakia is divided into 8 self-governing regions and 79 administrative districts. The size, population and regional fragmentation are reflected in the political, economic and media landscapes.

The main industry is the automotive industry, Slovakia is currently the largest producer of cars per capita in the world, according to the International Organization of Motor Vehicle Manufacturers, and ranks 20th in relation to the actual number of cars made. The major manufacturers are Volkswagen, Peugeot Citroën and KIA. Other industries include metallurgy (mainly U.S. Steel in Košice), the chemical industry, agriculture and tourism. The creative industries, which include the media, together with the knowledge-based economy, are thus far only a fraction of the economy, but both the government and the industry see them as prospective areas for growth. According to the Ministry of Labour, the average unemployment rate is above 7%, with declining tendencies. The economic situation could be described as being stable, with a tendency to growth..

The political landscape is characterised by one major party that currently also holds the office of the head of government. It is also the only party in the Parliament that identifies itself as being a left-wing party (SMER). The other two coalition parties identify themselves as being centre-right (MOST-HID) and national-right (SNS). The opposition is composed of a variety of those identifying themselves as right-wing parties, including those on the far-right, with the exception of one self-declared liberal party. As a rule, new parties also emerge at every general election and manage to gain parliamentary seats. Even though there is variety in the number of parties, with the exception of economic programmes, the general political leaning is towards the right.

Six dailies, including two tabloids and two nationwide press agencies, represent the press landscape, with various community and minority imprints. As for broadcasting, the dual system is represented by the public service media company, on one hand, and two major players, the TV Markiza Group and the TV JOJ Group, on the other. A similar situation occurs in radio broadcasting, while what is common to both is that the PSM have the advantage of owning both the radio and TV programming service. This is not possible for private broadcasters. Various community, minority and municipal media also exist, but they operate on a much smaller scale.

While the digital terrestrial broadcasting transition of television has been completed, the terrestrial digital broadcasting of radio is virtually non-existent, with all radio stations still broadcasting via analogue. The on-demand services are present in the market.

Consumption of foreign-based media is limited due to the language barrier. However, Czech-based media still retain their traditional presence in the market, because they have both a common historical background and language similarities.

This applies both to traditional media, such as television broadcasting, and online media and news sources. Digital news consumption is on the rise, both as a result of the expansion of traditional media to online platforms, and to the rise of new media platforms.

The major regulatory body for content regulation is the Council for Broadcasting and Retransmission, which is also in charge of licensing, with some shared competencies with the Regulatory Authority for Electronic Communications and Postal Services (formerly the Telecommunication Office). From the point of view of self-regulation, the most important authority, and the longest standing, is the Slovak Advertising Standards Council and the emerging co-ordinator of industry actions in the policy field is the Creative Industry Forum.

Ethics in journalism are overseen via self-regulation by the Print-Digital Council of the Slovak Republic as the executive body of the Association for the Protection of Journalistic Ethics (APJE).



# 3. RESULTS FROM THE DATA COLLECTION: ASSESSMENT OF THE RISKS TO MEDIA PLURALISM

The Basic protection area is the only one that, overall, scored as a low risk. Market plurality, Political independence and Social inclusiveness are in the medium risk band, with only two indicators scoring as a low risk: Access to the media for people with disabilities (from Social inclusiveness) and the Media and the democratic electoral process (from Political independence). Special attention should be given, in this context, to indicators on the Protection of freedom of expression and Journalistic profession standards and protection, which scored as a low risk, based on the regulatory framework, however, the recent developments<sup>1</sup> clearly point in the opposite direction.

The Political independence area continues to score as a medium to high risk due to the continuous lack of protection of the editors-in-chief and the influence of local government over that local private media that are often dependent on, or owned by, municipal governments. The recurrent problem of the absence of safeguards relating to the secure and transparent funding of public service media, and more specific rules about how these funds are used, as well as the overall independence of those media from potential political influence, puts the PSM also in the high risk zone. Within the area of Social inclusiveness, the indicator on Access to the media for women scores in the high risk band as there are neither policies nor a monitoring mechanism in place to evaluate and deal with gender inequalities, the existence of which is indicated by the collected data.

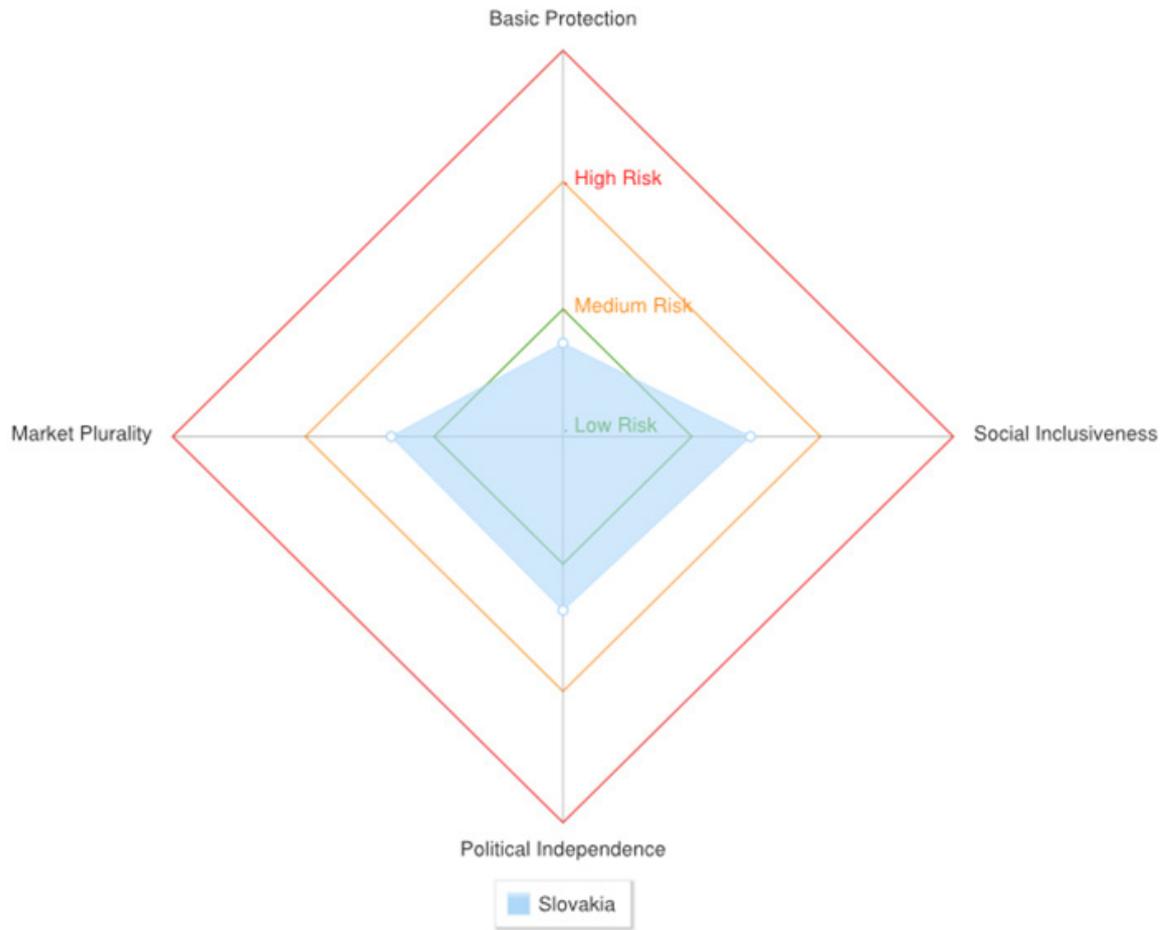
The Market plurality area falls within the medium risk score band. There are safeguards in place relating to media concentration and cross-media ownership, as well as sanction mechanisms that are in place and that are being implemented, especially in relation to radio and television broadcasters. On the other hand, there is a lack of specific data and statistics regarding market shares when assessing this situation. There is no systematic monitoring of market plurality by public authorities, which, based on the MPM methodology, is marked as a problematic lack of data and results in a borderline high-risk score.

The indicators on Media literacy and Access to the media by minorities scored as a medium risk, and represents areas where policies were initially set, but there are no efforts to update and adapt them. While minority policies still focus mainly on the traditional national minorities, media literacy policies have not been updated since 2012.

<sup>1</sup> This report reflects only on the situation in 2017, therefore does not consider the following events in scores: In February 2018, the murder of an investigative journalist, Ján Kuciak and his fiancée Martina Kušnírová, sparked political turmoil on the political scene. Public protest and various implications regarding freedom of speech surfaced. Data collection and new findings confirm the conclusion of the Report of the ad hoc European Parliament delegation to Slovakia (7-9 March 2018) that the: “constitutional and legislative set-up is in conformity with the EU standards, but there is a huge disproportion between the legislative set-up and reality...”. Later, in March 2018, the Court in Kosice sentenced journalist Lukáš Milan to 18 months of imprisonment with a three-year probation and a ban on practicing journalism, for the crime of defamation that he committed according to the court, via his article on the then-sitting head of parliament, Pavol Paška. Even though the initial decision was appealed, and trial procedure is ongoing, the shortened sentencing procedure in this case sparked another public debate about protection of journalists and state of journalism in Slovakia.

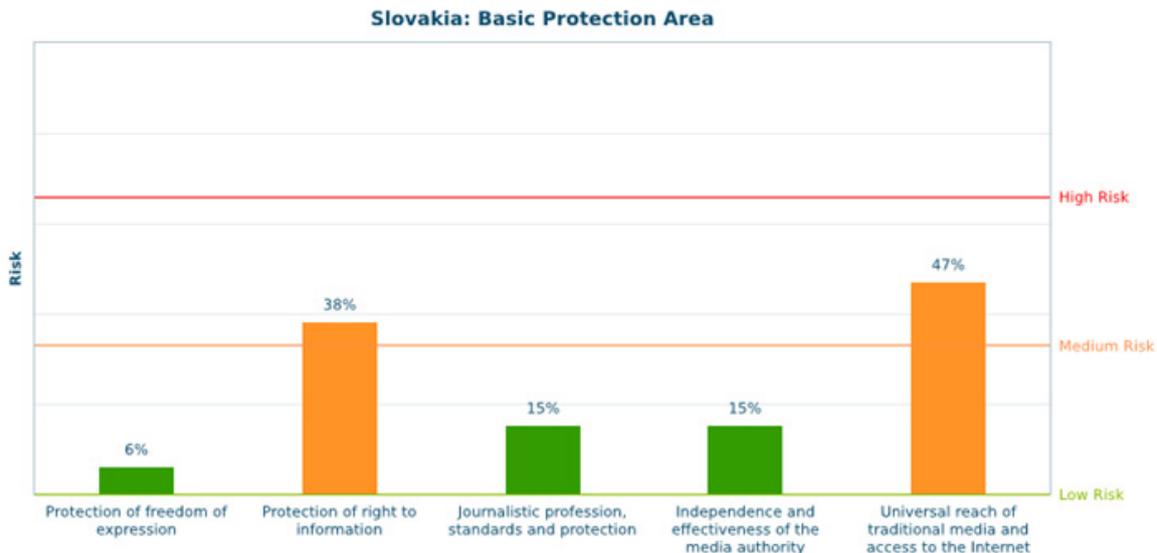


### Slovakia: Media Pluralism Risk Areas



### 3.1 BASIC PROTECTION (24% - LOW RISK)

The Basic Protection indicators represent the regulatory backbone of the media sector in every contemporary democracy. They measure a number of potential areas of risk, including the existence and effectiveness of the implementation of regulatory safeguards for freedom of expression and the right to information; the status of journalists in each country, including their protection and ability to work; the independence and effectiveness of the national regulatory bodies that have the competence to regulate the media sector, and the reach of traditional media and access to the Internet.



The positive outcome of the **Protection of freedom of expression** (6%) can be attributed mainly to legislative provisions reflecting Article 10 of the ECHR. These, however, do not reflect the 2018 development regarding the aforementioned criminal charges against journalists for defamation.

The **Protection of the right to information** has fallen to the medium risk range (38%). There are cases in which public bodies refuse to provide information without legal grounds, despite a law that protects freedom of information. Nonetheless, the appeal mechanisms provide an effective remedy in most cases. These mechanisms include court proceedings, which are used on a regular basis and provide a consistent case law, therefore lowering the risk of the violation of rights in relation to access to information. The Court of Appeal proceedings function both to order the information to be released, and to filter (halt) the abuse of this right. Nonetheless, there have been tendencies by public bodies to mark information as a “trade secret”, even when it concerns public funds, in order to avoid disclosure. Whistle-blowers are protected by a special law, but this does not protect them from arbitrary sanctioning which thus bypass the law, e.g., being fired under pretences such as “superfluous position that needs to be abolished”.

When it comes to the **Journalistic profession standards and protection** (low risk, 15%), professional associations are providing advocacy for editorial independence and/or advocacy for respect for professional standards, mainly via the Print-Digital Council of the Slovak Republic. Even though most journalists are not associated with, e.g., the Slovak Syndicate of Journalists (SSN), the Print-Digital Council has authority to rule on all issues regarding journalistic practice, regardless of whether the journalist in question is associated or not.

A legal provision on the protection of sources helps to lower the risk score of this indicator: journalists cannot be forced by the courts to testify on the identity of their source. This is a legal exemption from an obligation to provide testimony. The only circumstances in which this exemption is relevant is in situations in which the law imposes a general obligation to prevent crime/inform about crime, such as in the case of planned terrorist attacks.<sup>2</sup>

While the protection of journalists was not a major stand-alone issue in 2017, this changed dramatically in 2018 due to the murder of an investigative journalist, Ján Kuciak, and his fiancée, Martina Kušnírová. The results are based on 2017 data collection and other information, published after the murder regarding the impeding of journalistic practice, were not included even if they happened in 2017.

<sup>2</sup> However, as shown in 2018 this does not protect journalists from criminal charges on the grounds of defamation.

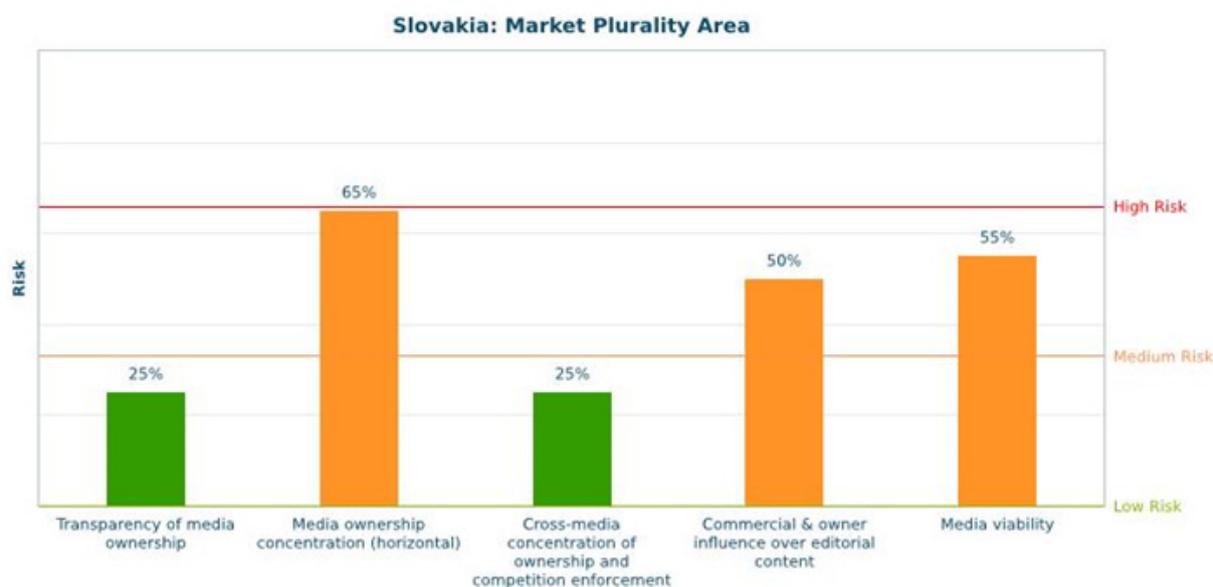


The low risk indicator of the **Independence and effectiveness of the media authority** (15%) is a result of the way in which the Broadcasting Council is made up. Rules on membership, including a rotation system, eligibility terms, termination, etc., are provided by law, and these legal provisions do provide a certain level of security and predictability. Moreover, each decision of the Broadcasting Council can be subjected to judicial review. Furthermore, the legislative or other branches of government do not exercise any direct control over the Broadcasting Council, apart from the legislature nominating Council members, and the Council's decisions can also be reviewed by an independent court. The decisions and actions of the regulatory authority can be assessed as being quite independent. On the other hand, the law does not provide for political independence or safeguards from interest groups, especially since all members of the council are elected by the Parliament.

The medium risk of the **Universal reach of traditional media and access to the Internet** indicator (47%) stems mainly from technical difficulties resulting from the landscape and the way the population is spread. There is a tendency to compensate for this by combining various means of broadcasting. In addition, PSM Radio still has its analogue network, both on the FM and AM frequencies and online, as well as mobile phone app broadcasting. Broadband coverage of 30Mbps covers less than 78% of the country, and broadband subscription indicates a medium risk.

### 3.2 MARKET PLURALITY (44% - MEDIUM RISK)

The Market Plurality indicators examine the existence and effectiveness of the implementation of transparency and disclosure provisions with regard to media ownership. In addition, they assess the existence and effectiveness of regulatory safeguards to prevent horizontal and cross-media concentration of ownership and the role of competition enforcement and State aid control in protecting media pluralism. Moreover, they seek to evaluate the viability of the media market under examination as well as whether and if so, to what extent commercial forces, including media owners and advertisers, influence editorial decision-making.



The indicator on the **Transparency of media ownership** scores as a low risk (25%). Media companies must inform the Ministry of Culture about the ownership structure in relation to every stakeholder who has reached at least a 20% stake. As for Radio and TV, any changes in the ownership structure require a change of license and must be declared to the Broadcasting Council. The fact that the general Company Register is publicly accessible makes media ownership transparent to a degree, but not fully so.

The indicator on **Media ownership concentration (horizontal)** is at medium risk (65%). This medium risk (very close to the high risk threshold) can be attributed, based on the MPM methodology, to the negative evaluation given to the general lack of reliable data - considering the size of the market. The legal provisions on horizontal concentrations are rather strict, since one legal entity, or one natural person, can be granted at most one license to broadcast a television programme service, or one license to broadcast a radio programming service. It is not possible to hold both radio and television licenses at the same time.



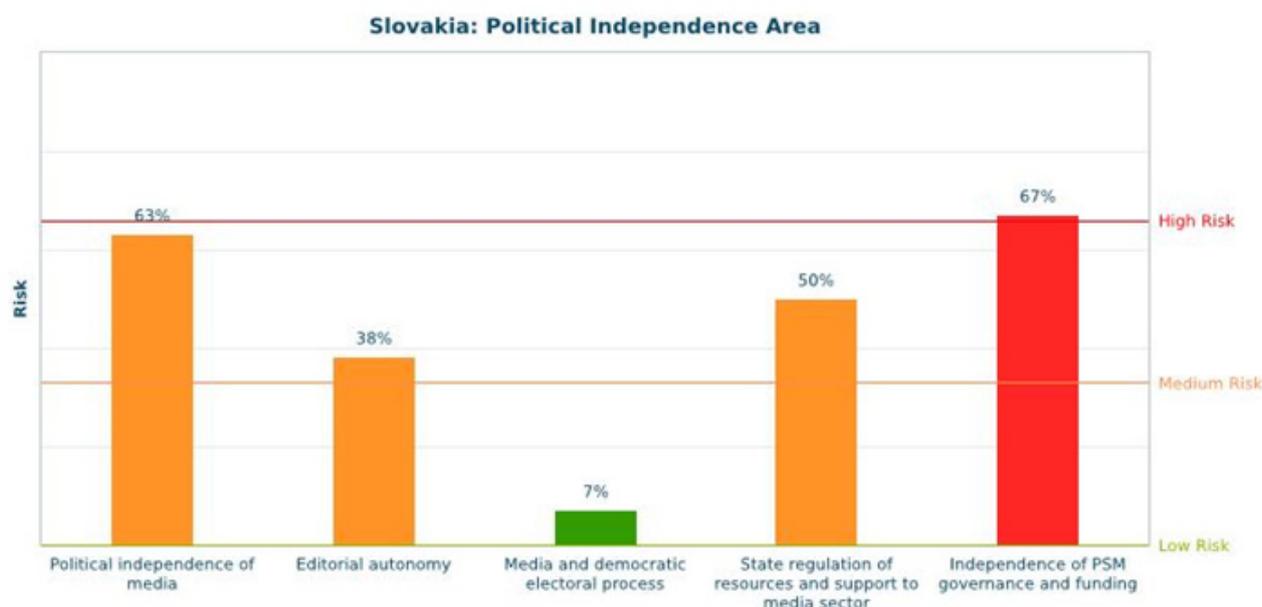
The medium risk score on **Cross-media concentration of ownership and competition enforcement** (25%) can be attributed to strict rules for cross media concentration, and to specific safeguards regarding vertical concentration. The publisher of a periodical that is published at least five times a week and that is available to the public in at least half of the territory of the Slovak Republic cannot simultaneously be a licensed broadcaster on the multi-regional or national levels. Moreover, all forms of cross ownership or personal connection between the broadcaster of a radio programming service and the broadcaster of a television programming service, or with a periodical press publisher on the national level, are prohibited. This provision excludes the Public Service Media, which form a single company that broadcasts both radio and television. When dealing with concentrations, higher involvement of the competition authorities would generally be expected. However, regarding the way the system is set up in Slovakia, it is questionable what the contribution of this higher involvement would be, considering the rather strict sanctions for breaches of rules, which range from financial fines to the revoking of a license.

The indicator on **Commercial & owner influence over editorial content** scored as a medium risk (50%). This is due to the fact that there are only general provisions in the Labour Code that apply also to journalists, and editor-in-chief is not a legal term in Slovakia, meaning that no media law mentions him/her and therefore there are no special legal safeguards. This indicator takes into consideration also some aspects of advertorials and, consequently, the Slovak Advertising Standards Council's action against cross promotion and surreptitious advertising. As one of the oldest self-regulatory bodies in Slovakia, the Advertising Standards Council acts promptly and its decisions are generally adhered to. Its panel is made up of independent experts and members of the industry.

The **Media viability** indicator was given a medium risk score of 55%, which is to be attributed mainly to the growth in investments in the media, nevertheless there are no data that are publicly available that would enable the overall revenues to be viewed and, consequently, split between sources. All major traditional media providers have an online presence. In terms of finding new sources of revenue, however, there is a limited number of initiatives aiming at developing alternative sources of revenue (beyond, e.g., VOD, app provided services, e-shops, etc.). There are also no favourable support schemes for the media sector.

### 3.3 POLITICAL INDEPENDENCE (45% - MEDIUM RISK)

The Political Independence indicators assess the existence and effectiveness of regulatory safeguards against political bias and political control over the media outlets, news agencies and distribution networks. They are also concerned with the existence and effectiveness of self-regulation in ensuring editorial independence. Moreover, they seek to evaluate the influence of the State (and, more generally, of political power) over the functioning of the media market and the independence of public service media.



The medium risk score for the indicator on the **Political independence of media** (63%) is, in general, related to local/regional/municipal media (for examples see the MPM Monitor 2016, Country report: Slovakia<sup>3</sup>). There have been no legislative or other attempts to tackle the problem of political influence on media outlets. These influences are prominent/visible, especially during election years. The financial dependence of the local media on municipal governments is obvious in the media that are owned (directly or indirectly) by the municipalities (see Broadcasting Council Report 2016). These have no legal or other mechanisms guaranteeing them independence from political influence from the municipalities on which they are directly financially dependent.

The question of political control is inherently connected to the question of **Editorial autonomy**, giving this indicator also a medium-risk score (38%). Not all of the major players have signed up to the Ethical Code of the Journalist. Some major media outlets, such as the daily SME, have their own Ethical code that contains provisions regarding, e.g., both conflict of interests and neutrality (Sections III and IV). However, except for the PSM, there is no obligation for private media to have any self-regulatory measures. The Print-Digital Council of the Slovak Republic, as a self-regulatory body, can decide on certain matters of editorial independence, however, it has no way to provide or enforce any remedies against the infringement of editorial autonomy.

The legislation, as well as the implementation of the coverage of the electoral process, produced no major incidents. In the monitored period of 2017 there were no elections. The regulatory bodies that are in charge, mainly the Broadcasting Council and the Electoral Commission, are generally swift to react to any breaches; resulting in a low risk score of 7% for the **Media and the democratic electoral process**.

The indicator on the **State regulation of resources and support for the media sector** scored a medium risk (50%), mainly because of the lack of fair and transparent rules and practices in the distribution of state advertising to media outlets. In this regard, even the Act governing public procurement excludes advertising placement from public procurement. On the other hand, the decisions about state advertising should be based on the rules for the management of public finances that have to be taken into consideration also in the cases of advertising and media placement. Rules on spectrum allocation are based on two rules: the principle prior in tempore, potior in iure and by tender, which are announced by the competent body, which is either the Regulatory Authority for Electronic Communications and Postal Services (digital broadcasting spectrum allocation and other services) or the Broadcasting Council (spectrum for analogue radio broadcasting). Only the frequency for analogue radio broadcasting is directly provided to the broadcaster; no other frequencies are provided to broadcasters. Digital frequencies are 'granted' to multiplex providers that are not (cannot be) broadcasters.

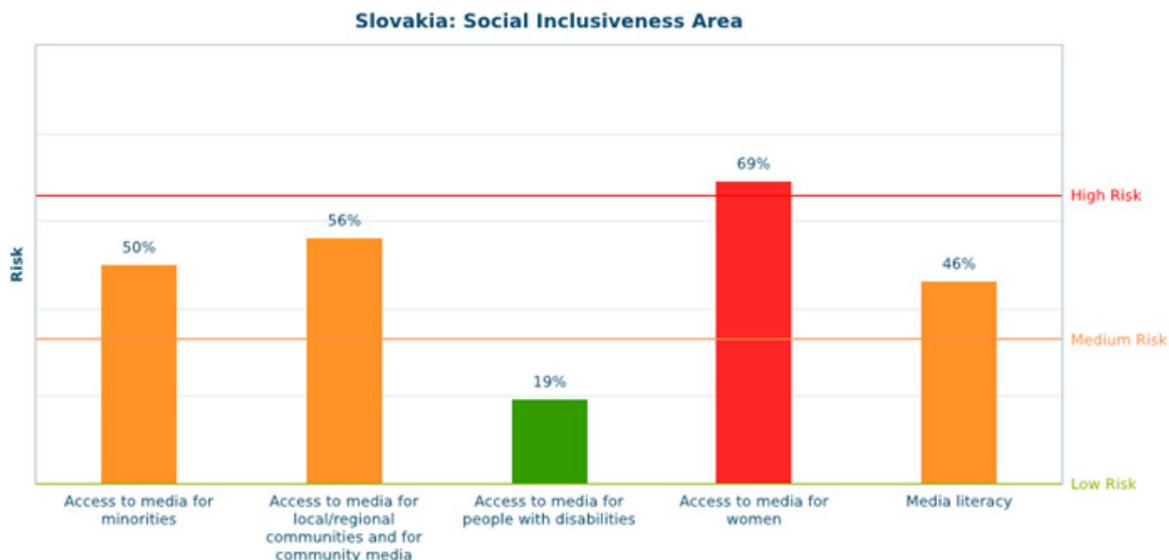
The high-risk score (67%) for the **Independence of the PSM's governance and funding** indicator is the result of a lack of transparency in relation to the cash flow from various public (license fees, contracts with the state) and private funds (advertising), the lack of a financial guarantee for the PSM, and political influence; ease of access to its governing structure. The entire PSM management board (the RTVS Council) is nominated (elected) by Parliament, as well as the managing director of the only PSM in Slovakia.

3 "...objectivity and balance of the news reporting in local media, which are de facto owned by municipal authorities in the period before elections, is a long term unsolved problem..."



### 3.4 SOCIAL INCLUSIVENESS (48% - MEDIUM RISK)

The Social Inclusiveness indicators are concerned with access to the media by various groups in society. The indicators assess regulatory and policy safeguards for community media, and for access to media by minorities, local and regional communities, women, and people with disabilities. In addition to access to the media by specific groups, the media literacy context is important for the state of media pluralism. The Social Inclusiveness area therefore also examines the country's media literacy environment, as well as the digital skills of the overall population.



The indicator **Access to media for minorities** scores as a medium risk (50%). This indicator primarily takes in national minorities. Access to media for legally recognized national minorities is provided mainly by PSM broadcasting. Private regional and local radio and TV broadcasters, as well as the press media that are dedicated to these minorities, can also benefit from support schemes that are provided by the Government. Although there is not, e.g., a separate TV service for national minorities, there is regular broadcasting for these minorities in PSM programming. Private media, as such, have no obligation to broadcast in minority languages. The Act on the usage of minority languages cites Bulgarian, Czech, Croatian, Hungarian, German, Polish, Roma, Ruthenian and Ukrainian. These minorities can be considered to be legally recognized, even though the Constitution, or other laws, does not list specific national minorities, but, rather, uses a combination of conditions of citizenship and the percentage of the population, e.g., in a given area, such as a town, or nationally. Other minorities, except national minorities, have no guaranteed access to the media. This applies also to members of national minorities who are not citizens. While for the former there are very loose, if any, legal provisions on protection and representation, the latter have no legally recognized specific rights beyond individual rights that are guaranteed by the European Convention on Human rights (such as access to an interpreter in trial proceedings).

The indicator **Access to the media for local/regional communities and for community media** scored a medium risk (56%). Both registering a print outlet and the allocation of spectrum or retransmission, do not present major obstacles. They are not done on a discretionary basis, and for the press (print outlets) this is considered a formality, mainly needed for statistics and business regulation purposes. However, the authorities support local/regional media through subsidies or other policy measures, and this should be viewed with caution, especially if there are no political influence safeguards in place. As for community media, the funding scheme for subsidies is managed mainly by the Ministry of Culture.

The indicator **Access to the media for people with disabilities** scored a low risk (19%), mainly because of the legislative changes put in place regarding access to the media for people with disabilities and its ongoing implementation. These measures mainly include obligations for broadcasters, and especially for the PSM. That is, a certain number of programmes with subtitles, or with sign language for the hearing impaired, and audio description for the sight impaired, must be aired. This is paired with sanctions for non-implementation, and the obligation for retransmission operators to provide devices that enable the decoding of such programmes.

The indicator **Access to the media for women** scored as a high risk (69%). An Anti-Discrimination Law is in place as the only tool for defence. Gender statistics on the representation of women do not, in general, exist. There are no real policies in place, nor monitoring, despite the fact that the government's own Gender Equality Report (2015) demonstrates that Slovakia is worse off in this regard than the majority of EU members.

The indicator on **Media literacy** scored as a medium risk (46%). Government policy introduced media literacy into the school curricula as a compulsory cross-cutting subject from elementary to upper secondary education. However, there is a need for further education and training for teachers. Governmental policies, as such, were not updated nor monitored for almost ten years, and the majority of work in this field is carried out by Universities and NGO initiatives.



## 4. CONCLUSION

The results of the 2017 Monitor demonstrate low risk in the basic protection area, and a medium risk across the other three monitored areas, with high, or close to high, risk indicators rising in each of them.

The low scoring area of Basic protection does not take into consideration the aforementioned murder of the journalist Ján Kuciak in 2018, and the initial sentencing of Lukáš Milan to 18 months of imprisonment under probation and a ban from practicing journalism for the crime of defamation. And even though these events fall outside of the data collection period, it needs to be stated that the low risk score is not representative of the actual situation, but primarily represents an evaluation of the legislation in place in 2017. There will therefore be no recommendation based on the Monitor 2017's findings in the basic protection area, since current events have made some of these findings obsolete. This again confirms that what seems to be a sufficient legal framework does not guarantee media freedom per se.

The monitoring of the Market plurality area shows drawbacks. This must be ascribed to non-existing media pluralism policies and instruments. Local media are being funded, and are often indirectly owned, by local government, and they are exposed to political pressure. There is a clear need for safeguards allowing funding on a more transparent basis and, at the same time, the limiting of the possibility of political influence; since, in this case, political independence of the media is paired with owners' influence. These could be combined with editorial independence safeguards.

Political independence suffers from the lack of transparency and fixed rules on Public service media funding and on the appointment procedures of its management, which is enabling political pressure on the PSM. There are no special safeguards protecting editorial autonomy, with no legal obligation for the media to adopt and adhere to Ethical rules and the positions of editor and editor-in-chief are based solely on a general employment contract that is governed by the Labour Code.

Social inclusiveness shows signs of neglect. Media literacy policies were neither updated nor systematically monitored at the governmental level for almost ten years, with no attempts to do so. There is no policy approach to community media, and the access of minorities to the media is limited in its guarantees to the traditionally recognized national minorities only. Scoring as a high risk in access to the media for women shows an absence of policies, and the low presence of women, both in the media and as a force behind them, with the exception of traditionally prescribed roles.

The good performance of mechanisms that are in place can be seen in the media and electoral process regulations, and in relatively new regulations regarding access to the media for people with disabilities, some aspects of the transparency of media ownership rules, and the functioning of the Broadcasting Council in conjunction with the judicial review of its decisions.

The conclusion that can be drawn from the overall assessment of the situation is that media pluralism in Slovakia suffers, in part, from neglect. Policies were initially adopted, but are left unmonitored or are not adapted, sometimes decent legal rules are not followed by specific policies for their proper implementation and monitoring, and sometimes the problem is only acknowledged, such as in relation to gender inequality, but with no follow-up.



## ANNEXE 1. COUNTRY TEAM

First name	Last name	Position	Institution	MPM2017 CT Leader (please indicate with X)
Željko	Sampor		Independent	X
Kristina	Kročková	PhD Student	Pan European University	

## ANNEXE 2. GROUP OF EXPERTS

The Group of Experts is composed of specialists with a substantial knowledge and experience in the field of media. The role of the Group of Experts was to review especially sensitive/subjective evaluations drafted by the Country Team in order to maximize the objectivity of the replies given, ensuring the accuracy of the final results.

First name	Last name	Position	Institution
Zuzana	Mistríková	Chairwoman of the Independent Producers Association	Academic/NGO researchers on social/political/cultural issues related to the media
Tomáš	Kamenec	The Print-Digital Council of the Slovak Republic	Representative of a publishers' organisation
Radoslav	Kutaš	Media Institute	Academic/NGO researcher in media law and/or economics
Ivan	Antala	Vice president of the Independent Broadcasters Association	Representative of a broadcaster organisation
Eva	Rajčáková	Executive Director - Advertising Standards Council	Representative of a media users/consumers organisation



## ANNEXE 3. SUMMARY OF STAKEHOLDERS MEETING

**Date:** 3rd of May 2018

**Place:** Bratislava, European Commission Representation in Slovakia

**List of participants (name, affiliation):**

Ivan Antala (Vice-chairman of the Independent Broadcasting Association, Director General of the Radio Expres)

Marián Filčík (Human rights expert, Ministry of Justice, Director of the Human Rights Department)

Michal Kačáni (Judge, Bratislava District Court)

Luboš Kukliš (Broadcasting Council, Head of office)

Zuzana Petková (Journalist, Deputy of the Editor-in-Chief, weekly TREND)

Ondrej Repa (Public prosecutor, Bratislava district prosecution office)

Željko Martyn B. Sampor (Media expert, Media Pluralism Monitor 2017 - Country researcher, Slovakia)

Anton Škreko (Director General, Media and Copyright Department, Ministry of Culture).

**Key topics discussed:** MPM Monitor results, Decriminalization of Defamation for journalists

**Conclusions:** In respect of the decriminalisation of Defamation there was no general consensus on decriminalisation. The majority of panellists did agree that the current Criminal Code is unjustifiably strict and that amendments are needed, and also that a more attentive approach is advised when journalists are in question, in accordance with ECHR rulings. The preliminary results of the MPM 2017 monitor were viewed as, in general, reflecting the situation at the time (2017), without major discrepancies. The Ministry of Culture noted that it is aware of certain problems and that it will take the results of the MPM 2017 into consideration when drafting new policies. The transparency of media ownership, improving safeguards for the better independence of the Broadcasting Council, the absence of cohesive media landscape monitoring, media literacy, access to the media for minorities, gender equality, the independence of the PSM and political pressure on local (municipal) media, were raised as issues that need to be addressed.



