WE MAKE
SLOVAKIA
A BETTER
PLACE FOR
MEDIA

# We started to improve the media environment

In recent years, Slovakia has fallen significantly in the ranking of freedom of the press from 12th to 33rd place. The reason was the murder of journalist Ján Kuciak and his fiancée Martina Kušnírová, but also events in the public Slovak Radio and Television Service (RTVS), or repeated verbal attacks by the former Prime Minister Robert Fico on journalists. This government's goal, but also my personal interest, is to stop this trend and gradually take our country back to the top of the rankings of the international Reporters Without Borders organisation.

Nevertheless, the journalistic environment in Slovakia faces several problems. Several private media have gradually passed into the hands of oligarchs and financial groups, which have had a significant influence over politics and continue to pursue their own financial interests. The Internet and social networks are full of conspiracies and hoaxes.

In cooperation with the Ministry of Culture of the Slovak Republic, we have already prepared and approved several changes that have improved the functioning of the media at the local and national level. We are gradually moving towards more fundamental changes of those laws that restrict journalists' work, and we will try to provide them with a freer environment and higher legal protection. In addition, Slovakia must have public media that are politically and financially independent, free and bold.

**Kristián Čekovský**

Chairman of the Committee of the National Council
of the Slovak Republic for Culture and Media

# The government declares it's openness to the media and the journalistic community

*"The Government of the Slovak Republic respects the irreplaceable role of the media and journalists in the control of public power and the administration of public affairs. It will therefore prepare for a fundamental recodification of media law so as to ensure, in accordance with the values of civil society, a functioning pluralistic media market with free, independent, transparent and competitive media, including fundamental guarantees for the independent exercise of the journalistic profession."*

Government Program Manifesto 2020-2024

The media and journalists are a natural part of a democratic and free society. In relation to the so-called traditional mass media, we are pushing for the liberalisation of legislative standards and the abolition of unnecessary restrictions on the exercise of the journalistic profession. At the same time, we know that a complete halt to the spread of conspiracies, disinformation and hoaxes is not realistic. Regarding the so-called alternative sources operating in the online space, we are therefore aware of the need for greater involvement in the field of media education and digital literacy.

## IN THE FIELD OF MEDIA, WE HAVE DEFINED THE FOLLOWING PRIORITIES:

**Recodification of media legislation.**
The new law on media services will comprehensively define the regulatory framework for audiovisual media services and electronic media. The protection of journalistic sources is a fundamental principle of investigative journalism, which is why we need to guarantee it by constitutional law, which will create a protective umbrella for all professional journalists.

**Fight against hoaxes and disinformations.**
We will support initiatives to combat hoaxes, fake news and other disinformation, as well as projects developing media education and digital literacy. Within the framework of European legislation, we will create a co-regulatory mechanism to combat hate speech, as well as hoaxes, fake news and other types of disinformation.

**Radio and television of Slovakia (RTVS).**
Legislative measures are intended to provide the RTVS with space to stabilise the fulfilment of its legal tasks, including the possibilities of infrastructure development, production of its own content, increasing the quality of programs or penetration into the field of new media services.

We have already achieved some goals - especially in the area of radio broadcast liberalisation. In addition, we are already intensively preparing a new media law. It should even include the constitutional protection of journalists when exercising their profession and their sources. Cases involving the monitoring of journalists only underline the urgent need to adopt such a law.

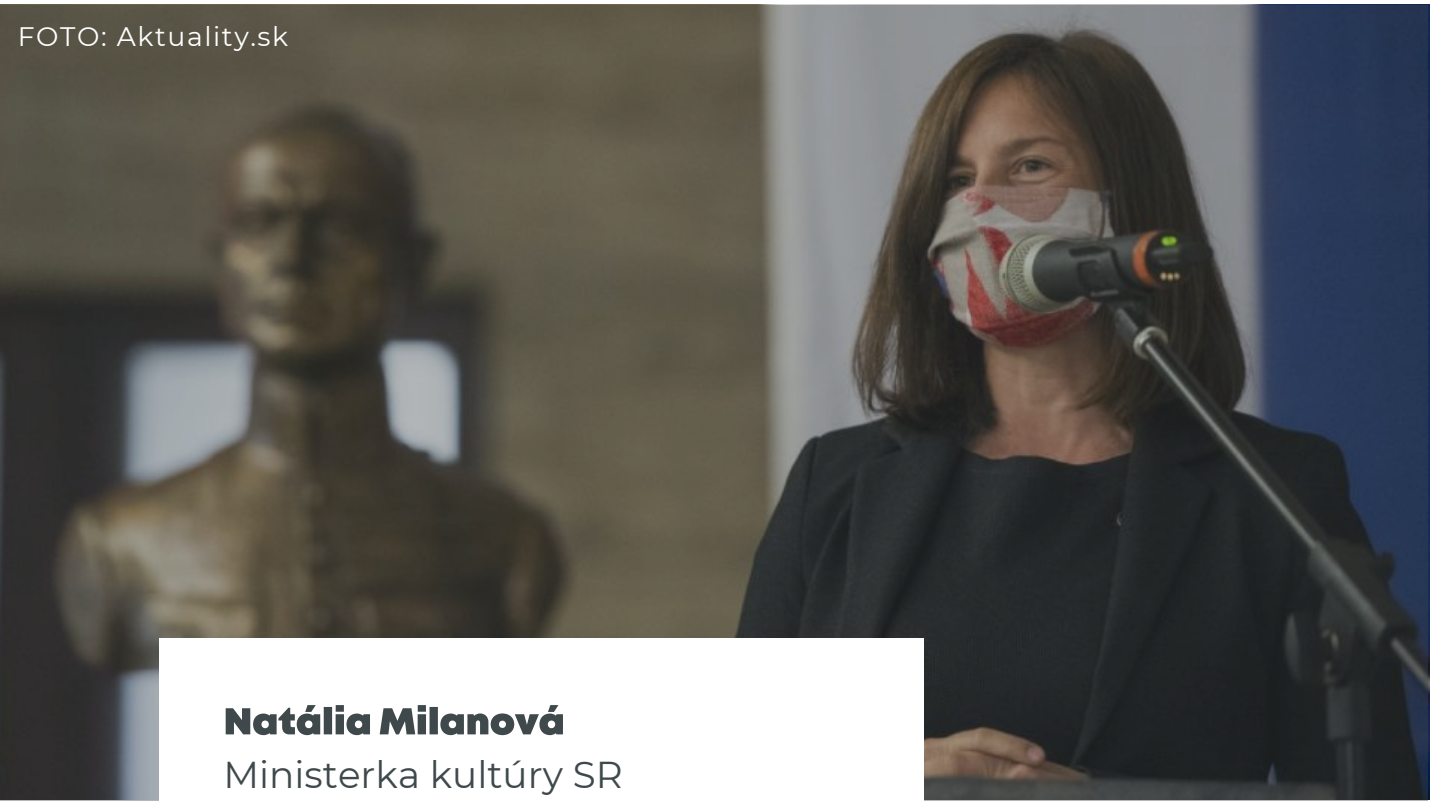
FOTO: Aktuality.sk

**Natália Milanová**
Ministerka kultúry SR

# 1. The change of government was mainly a change in the climate. Also for journalists.

The police have their hands untied, and the fight against corruption is gaining momentum. Elite police officers, prosecutors and mobsters ended up in pre-trial detention. Cases of journalist lustration and surveillance carried out during the former government are being investigated, and several stakeholders are among the accused, which means easing the social climate, including the practice of the journalistic profession.
Nevertheless, even in recent months, situations have emerged which can in no way be taken lightly.

Investigative journalist Peter Sabo found a bullet in his mailbox in June 2020. **The Interior Minister, Mr Roman Mikulec, took a clear stand on this particular case and declared a proper investigation into such a form of threat.** *"It is absolutely unacceptable for such primitive intimidation practices to be carried out today. I will do everything in my power to ensure that the sacrifice made by Ján Kuciak is not wasted and, above all, that such a tragedy never happens again. The police forces are already working intensively on this case, I will be regularly briefed on this issue,"* stressed the Minister of the Interior Roman Mikulec.

In mid-January 2021, the journalist of Denník N, Monika Tódová, also spoke about her surveillance. This was to happen during the winter months in the Tatras and in Bratislava. ***"Such surveillance and, consequently, indirect threats, but in fact, any intimidation of journalists is absolutely unacceptable. In a democratic and free country, this is something unimaginable.*** *It turns out that the mafia, even though it is not currently in the political power structures, still has its resources and willing people to carry out dirty work,"* said Minister of Culture Natália Milanová and published information about the upcoming amendment to the media law, which can enshrine the protection of journalists at the constitutional level.

Kristián Čekovský, Chairman of the National Council of the Slovak Republic Committee for Culture and Media, added that *"those who attack journalists also attack the very principles of democracy and the rule of law."* The case was also investigated by the Minister of the Interior Roman Mikulec.

The statements by the representatives of the current government are in sharp contrast to those by the former government members, who took similar situations lightly. For example, in the case of Marián Kočner's threats against Ján Kuciak, not only did they not properly examine Kuciak's criminal complaint but the then Minister of the Interior, Robert Kaliňák, cynically downplayed the whole case.

**Moreover, while the current government responds promptly to mundane forms of intimidation of journalists, former Prime Minister Robert Fico talks about how "hyenas like Tódová, or Vagovič and the like must "pay"!**

# 2. We increase transparency and engage the public

In its program manifesto, the government promised to introduce a transparent selection process so that people fulfilling the highest professional and personal preconditions would be selected for the positions of state representatives.

*"The Government of the Slovak Republic will introduce elements of public control into the selection process - publication of the call for applications, the applicatio forms and required documents, secure public hearing of registered candidates and a proper publication of the final proposal for election."*

**Based on such clear definitions, the deputies of the National Council of the Slovak Republic may propose the opening of selection processes to the public also in the field of media.**

## Public hearings of candidates for the Broadcasting and Retransmission Council

**On the proposal of the Chairman of the Committee of the National Council of the Slovak Republic for Culture and Media, Mr Kristián Čekovský, the parliament approved an amendment to the Broadcasting and Retransmission Act, which introduced public hearings of candidates for members of the Broadcasting and Retransmission Council.**

*"If we want quality and independent media, we also need professional control bodies. I believe that, in this way, we will ensure that only experts are elected to the Broadcasting Council, thanks to which journalists and the media will have greater legal certainty and will be able to do their jobs more freely. In addition, we listened to the professional public's voices, who called for a clear and transparent system for allocating licenses for radio and television broadcasting. Applicants and the public must see the circumstances in which the members of the Council make important decisions in the field of the media,"* explained Kristián Čekovský in respect to his intention to amend Act no. 308/2000 on broadcasting and retransmission.

The positive changes became apparent immediately after its adoption. There were twice as many candidates for the membership in this supervisory body in the next selection process. Members of parliament subsequently elected four experts in a public election procedure. *"It is a representation of the professions that the Broadcasting and Retransmission Council needs. They have the extensive practical experience and know current trends in the field of television and radio broadcasting. Although we could follow the old rules, we decided to make the whole selection process more transparent. We have opened the door to experts and not just to political nominees, as has been the case in the past,"* Kristián Čekovský explained, adding that the public hearing could be watched by the professional and lay public on the website of the National Council. The Broadcasting and Retransmission Council is also of great importance to viewers and listeners. It controls and regulates the content of television or radio broadcasts, handles submissions or complaints from viewers and assigns frequencies to individual broadcasters.

## Public election of members of the RTVS Council

In the coming days, the parliament will also elect new members of the RTVS Council, the supervisory body of the public radio and television service. In the past, they were elected in a secret ballot. However, we consider a public election to be more transparent. Besides, we take great care to ensure that new members comply with all legal requirements, for example, their professional and managerial experience. Some people in the RTVS Council should never have been selected at all.

# 3. Adopted legal changes for a better media environment

## We have eliminated the inequality between nationwide and local broadcasters

Regional television and radio will now be able to broadcast political advertising during the municipal elections. Although there was no similar ban for nationwide television, smaller broadcasters had their hands tied in this field. **In the autumn of 2020, the parliament abolished the inequality between local and national broadcasters by amending the election campaign law. Broadcasting political advertising in the local media will help citizens to be better informed and exercise their right to information, which will contribute to a greater degree of democracy. In addition, candidates will not only rely on billboards and various leaflets that create visual smog.** Such change will also help to professionalise local and regional media. *"In this way, we can help smaller media and broadcasters in Slovakia to better pay their editors and moderators, give opportunities to young journalists and create a better background for their work,"* said Kristián Čekovský, Chairman of the Committee of the National Council of the Slovak Republic for Culture and Media, as he explained the motivations for the adoption of the amendment, stating that local television and radio stations will have to ensure the same conditions for all candidates who order advertising time.

## Radio stations will be able to offer more programming services

Larger televisions currently also offer smaller programming services for specific target groups. Radios have not had this option until now. **In this case, too, we have removed inequality and relaxed the regulation in the Broadcasting and Retransmission Act.** *"We assume that this will also contribute to the creation of more radio stations in Slovakia so that listeners also have a more varied offer and at the same time it will create more and more jobs in the media environment,"* Chairman of the Committee of the National Council of the Slovak Republic for Culture and Media explained.

The Minister of Culture of the Slovak Republic thus succeeded in fulfilling a significant part of the program manifesto, in which the government declared that: *"in the field of radio broadcasting, the Government of the Slovak Republic will review the legislative restriction of one program service for one licensee. The Government of the Slovak Republic also considers it necessary to re-evaluate the established quotas of Slovak music on the radio, in particular, to evaluate their impact on the music industry, authors, music performers, as well as on private radio broadcasting, its diversity and media pluralism."*

FOTO: Aktuality.sk

The amendment also affected the adjustment of the calculation of the share of the statutory percentage of Slovak musical works in broadcasting. The percentage share will no longer be calculated from the total time reserved for the broadcasting of musical works for a calendar month, but from the time within which Slovak musical works are included in the set share, i.e. between 6.00 AM and midnight.

**The government has also taken action specifically targetted at helping the radio broadcasters during the ongoing Covid-19 pandemic.**

# 4. We want a better RTVS

**Despite the several managerial and personnel problems that the public RTVS has gone through in recent months, we want it to function without a disproportionate political interference.**

Shortly after the elections, the Committee of the National Council of the Slovak Republic for Culture and the Media drew the RTVS management's attention to the independent report by the NGOs Memo98 and Globsec, which analysed the broadcasting of the RTVS news service. Its conclusions show that the RTVS was not impartial in the pre-election period and preferred one of the political parties, namely the Slovak National Party (SNS). In addition, the committee noted that in connection with the broadcasting of communication between the then Speaker of Parliament Andrej Danko (SNS) and a convicted criminal Alena Zsuzsová, where at least one news item concerning this communication had been unjustifiably stopped. That is why the Committee of the National Council of the Slovak Republic for Culture and Media called on the RTVS Council to investigate these facts and asked the General Director of RTVS, Jaroslav Rezník, to take measures to ensure the objectivity of the news in the forthcoming period.

After the RTVS leadership suspended broadcasting investigative programme items during the first wave of the COVID-19 pandemic, the Committee of the National Council of the Slovak Republic for Culture and Media asked the RTVS to focus on the broadcast of the social investigative despite the pandemic restrictions. **We consider investigative programs to be extremely important for media control in a democratic society. The public broadcaster should primarily offer good investigative.** As the RTVS has not complied with the law on broadcasting for national minorities for a long time, the Committee of the National Council of the Slovak Republic for Culture and Media obliged the RTVS Council to propose a way to fulfil the letter of the law. The RTVS Council has already approved its recommendations for the management of the RTVS. **The result will be an increase in broadcasting for national minorities to double compared to the current levels.**

Based on serious suspicions that the RTVS is using public resources uneconomically, the Committee of the National Council of the Slovak Republic for Culture and Media forwarded its findings to the Government of the Slovak Republic. They recommended that the Ministry of Culture of the Slovak Republic conduct a financial audit at the RTVS. As a result, irregularities were discovered on several levels. In 2021, the Supreme Audit Office of the Slovak Republic will also inspect the financial management of the RTVS.

# 5. A clear vision for the protection of journalists

**We will soon submit to the parliament an amendment to the Act on the RTVS, which will establish an Ethics Commission. Our main goal is to protect the freedom of expression of editors and other employees from external and internal pressures, to create the optimal working conditions necessary for the production of independent content and programming, and also to strengthen the public confidence in a responsible approach of the RTVS to the issues of professional ethics.**

The proposal is a response to problems that have been recurring in the public television and radio service for two decades, and have intensified in recent years. Interventions in employees and editors' free creative process result in both voluntary and involuntary departures of journalists. Experts and international organisations also point to a negative trend in this field. We believe that the establishment of the Ethics Commission will help prevent the mass departure of news editors, who got into a dispute with the media management. It will operate similarly to the Ombudsman Institute, which also operates abroad in the media field. **Within the RTVS, we also want to improve the management of a public institution so that concessionaires can see how every single euro was spent.** At present, the production of programs and shows is covered by a veil of non-transparency, and suppliers and producers often do not have to compete with each other but receive contracts directly. It will, therefore be important for the RTVS to choose from several offers in the production of programs and shows in order to achieve the best ratio between quality and price.

## WE WILL STRENGTHEN THE PROTECTION OF JOURNALISTS AND THEIR SOURCES

The Ministry of Culture is preparing a major amendment to the media law. It should remove unnecessary restrictions that affect the work of journalists and also ensure more effective protection of journalists when exercising their profession. *"We will do everything so that Slovakia will no longer be criticised by the Reporters Without Borders and other organisations for the possibility to prosecute journalists for the performance of their profession or in connection with it,"* explained Radoslav Kutaš, the State Secretary of the Ministry of Culture of the Slovak Republic. Therefore, according to him, it is important that changes also follow constitutional guarantees in criminal law. *"It is necessary to address the criminal risks of the defamation law, which journalists still face, leading possibly up to eight years in prison."* **The second pillar of the constitutional law is to guarantee journalist access to state or local government information.**

## DEPOLITIZATION OF REGIONAL MEDIA

Regionálne médiá by mali byť menej závislé od politických predstaviteľov obcí, miest, či samosprávnych krajov. Legislatívny návrh, ktorý čoskoro predložíme počíta so zavedením nezávislých redakčných rád pre regionálne, lokálne a obecné médiá.

# 6. Fight against disinformation

The spread of disinformation and hoaxes has never been more intense in Slovakia than during the COVID-19 pandemic. The government is all the more aware of the critical role of combating nonsense that is spreading on the Internet and on social networks. Teams are gradually being set up in individual ministries to analyse the spread of disinformation or alarmist messages and explain them with relevant experts. The most active at the moment is the Ministry of Health of the Slovak Republic, which also communicates with representatives of social networks and reports harmful content to them. At the same time, they cooperate with the police, which refutes a large part of hoaxes via their Facebook page. The "Hoaxes and fraudulent information" communication channel - by the Police of the Slovak Republic with more than 70,000 followers is one of the most-watched sites that systematically deal with refuting delusions.

A critical factor is also the fact that some ministers have already explained and refuted some of the most widespread hoaxes directly at their press conferences, which have a wider reach. In the case of protests in Belarus, the Minister of Foreign Affairs and European Affairs of the Slovak Republic Mr Ivan Korčok did so, hoaxes in the area of armed forces and defence industry are regularly explained by the Minister of Defense Mr Jaroslav Naď and the Minister of Health Mr Marek Krajčí in addition to verifying dangerous disinformation about COVID-19 also filed a criminal complaint against a conspiracy website "Bádatel" (The Investigator). The police have already initiated criminal proceedings concerning the offence of spreading an alarmist message.

# 7. Communication of the Prime Minister

The Prime Minister communicates in the same way throughout his whole political career. Often informally. He also does not avoid situations where he has to communicate bad news personally, which is not always popular. Unlike his predecessors, he does not attack journalists. On the contrary - the government, chaired by him, has the ambition to create optimal conditions for the journalistic work. Despite the fact that the press conferences are sometimes longer, the Prime Minister cannot be denied the effort to answer all questions by the media, which cannot be compared to the times when the former Prime Minister Robert Fico offered only short statements without taking questions. He said what he wanted and left.

***"Freedom is a responsibility. This also applies to journalism. We want journalists to be able to do their job more freely, but we will remind them that they should carry out their work knowing, that they have the fates of the people and the whole country in their hands."***

**Igor Matovič**
Prime Minister of the Slovak Republic