June 1994 Vol. 6, No. 9

SLOVAK REPUBLIC

Restrictions on Press Freedom in the Slovak Republic

Contents

Introduction 1
Political Background 3
Effects on the Press 4
State Control of the Broadcast Media 5
The End of Federal Television 5
Slovak State Television 5
Preserving the State's Monopoly 8
News on State and Private Radio 9
Government Interference with the Print Media 10
Production and Distribution 11
Government Intimidation of the Press 12
Enforcement of Journalists' Ethics 13
Semna and SME15
Prosecutions for Libel:
The Case of Slobodnik vs. Lubomir Feldek 16
State Funding of Cultural Journals 18
Government Efforts to Foster a Nationalist Press 19
Conclusions 22
Recommendations 22

Introduction

In March 1994, when research for this report had been completed, the Slovak government of Vladimir Meciar was defeated by a no-confidence vote and a new government was formed from a five-party coalition. In the intervening months the new prime minister, Jozef Moravcik, former Slovak Foreign Minister, has begun to outline a platform for his government, an interim government until early elections that are scheduled for the fall of 1994.

Heightened political tension is likely to color the next months in Slovakia, as the country approaches the elections. Even before the election campaign had begun, journalists critical of Vladimir Meciar have been physically assaulted by pro-Meciar mobs, while police reportedly failed to protect the journalists under attack. Human Rights Watch/Helsinki urges the interim Slovak government to give special consideration to the concerns outlined in this report and to disassociate itself from the media policies of its predecessor in order to create an environment in which the independent press can flourish.

It is not enough that the new government leaders, prior to coming to power, criticized the Meciar government for its efforts to control and intimidate journalists who were critical of its policies. The new government, which is itself likely to become the focus of increased press scrutiny, must also resist the temptation to resort to such methods against its own opponents in the press.

After the Velvet Revolution that deposed the communist regime in Czechoslovakia, there was an explosion of new papers in Slovakia representing a wide variety of viewpoints, including many that were critical of the Slovak government and its leaders. During this period, the press was independent and largely free from government interference, and the broadcast media, although they remained state-owned, increasingly reflected a broad spectrum of political and social viewpoints. However, during the past two years - - especially after the June 1992 election victory of the Movement for a Democratic Slovakia and the appointment of its leader, Vladimir Meciar, as prime minister - - the broadcast and print media came under increasing attack by the Slovak government.

Instead of becoming a strong advocate for a free and critical press, the Slovak government created an environment in which journalists felt increasingly besieged. The Meciar government was intolerant of criticism of its policies by the Slovak press and tended to view such criticisms as slanderous attacks on the Slovak state. Slovak government officials became preoccupied with what they viewed as the failure of the press to tell the "truth" about Slovakia and its government, and they initiated a series of steps intended to subjugate the media to the government's own political interests.

This report reviews the Slovak government's efforts to control the media, especially from mid-June 1992 until March 11, 1994, when the Meciar government was defeated in a no-confidence vote. The report is based on interviews that were conducted with Slovak journalists and media experts, human rights representatives and government officials throughout 1993. In addition, Human Rights Watch/Helsinki relied on a wide variety of documentary sources.

Human Rights Watch/Helsinki urges the Slovak government to review this report and the human rights concerns discussed in it and to take steps to prevent similar abuses from occurring during its own administration. Specifically, we call on the Moravcik government to acknowledge the important role played by an independent press in a democratic society generally, and during the forthcoming election campaign specifically. We urge the new government to guarantee journalists' access to government officials and information without discrimination on the basis of political opinion. We also call on the Slovak government to

ensure that state resources, including access to the state broadcast media, are allocated in a manner that does not discriminate against opposition political views.

Political Background

Vladimir Meciar, prime minister of the Slovak Republic between June 1992 and March 1994, was a member of the Communist Party of Czechoslovakia until he was expelled in 1970. He later became an active member of the Public Against Violence movement (VPN), the loosely-knit organization that mounted the demonstrations that toppled the communist regime in 1989. In January 1990, Meciar was appointed Minister of Internal Affairs for the Slovak Republic. When the VPN won the June 1990 elections in Slovakia it nominated Meciar to be prime minister.

In April 1991, VPN leaders, worried that Meciar was abusing his powerful position and failing to cooperate with Czech and federal authorities, joined with the second most powerful party, the Christian Democratic Movement (KDH), to replace Meciar with Christian Democrat Jan Carnogursky. The VPN movement then split in two. Meciar's supporters, angry that Meciar had been removed from office without a new election, formed the Movement for a Democratic Slovakia (HZDS). Meciar's opponents renamed their party the Civic Democratic Union (ODU) and formed a coalition with Carnogursky's Christian Democrats. The KDH-ODU coalition governed Slovakia from April 1991 until the June 1992 elections.

Meciar won the June 1992 elections handily, crushing the coalition that had ousted him in April 1991. The HZDS took control of seventy-four of Parliament's 150 seats. The ODU, which received 3.5 percent of the vote, was excluded from parliament by a 5 percent threshold. Carnogursky's KDH received 8.9 percent of the vote and eighteen seats in parliament.

Meciar formed a silent coalition with the Slovak National Party (SNS), one of Slovakia's centrist parties that had been a strong supporter of the establishment of an independent Slovak state, which controlled fifteen seats in the parliament. This enabled Meciar to return to the premiership. As part of his electoral platform, he vowed to make greater demands on the federal government than he had previously. When the victor in the Czech elections, Vaclav Klaus, refused to yield to Meciar's demands, the two leaders agreed to divide the Czechoslovak Federal Republic into two sovereign countries. Meciar's government declared itself sovereign in October 1992 and, on January 1, 1993, presided over Slovakia's formal establishment as an independent state.

Although Meciar soundly defeated his electoral opponents, his time in government was marked by political infighting and controversies. His policies after the June 1992 elections were unpopular both at home and abroad. Opinion polls at the time of the June 1992 elections, for example, showed that less than one-quarter of Slovaks favored a break with Prague, and arguments with the Czechs over the division of former Czechoslovak state property embittered both sides. In early 1993, Meciar's political movement began to crumble under the pressure.

Finally, on March 11, 1994, after many months of political infighting and defections from the HZDS and its coalition partner, the Slovak National Party (SNS), a broad five-party coalition ousted Meciar in a no-confidence vote. Jozef Moravcik was chosen as the new prime minister and established a new government.

This government is responsible for running the country until early elections can be held on September 30 and October 1, 1994.[1] If joined by the two parties in Parliament representing the ethnic Hungarian minority, Moravcik's coalition controls eighty-three seats in the 150-member Slovak Parliament. Meciar's party, however, continues to be the single largest party, and opinion polls continue to show Meciar as the most popular politician in the country. Thus, Parliament may have difficulty making any legislative decisions over the next months and the upcoming elections are likely to be hotly contested.

Effects on the Press

As a result of the power struggles within the Meciar government, as well as a series of highly controversial policies, Meciar and other Slovak government representatives came under increasing scrutiny and criticism by the Slovak and international press. The government, in turn, responded with a series of concrete steps intended to bring the press under government influence and control.

At first, Meciar responded to growing press criticism with arbitrary government force. While never imposing censorship across the board, he did not hesitate to use the state's power and influence against specific political targets. In its first year, his government was especially thorough in attacking journalists or newspapers close to the ODU and KDH. Meciar's campaign against those who, in a phrase he often used, had "refused to accept the election results" smacked of revenge. But it did not constitute an all-out effort against all his critics. Meciar never, for example, attempted to close either *Praca* or *Pravda* ("Work" and "Truth"), two of the country's three largest newspapers which are close to the former communists. But he treated state property as his personal political tool, using every ounce of leverage over television and public bodies to exclude his opponents and promote his friends.

In short, a newspaper or journalist firmly shored up by private resources was able to report freely. But anyone hoping for fair play from the state was disappointed. Instead of defending and fostering a free press, Meciar and members of his government used their government positions to fight a combative war against their political opponents.

While Meciar lashed out randomly at his opponents, members of his government systematically cultivated a group of pro-Meciar journalists who had strong nationalist and anti-federalist credentials. Through the Ministry of Culture, Meciar sympathizers plotted a "media strategy" that promised to be thorough in its pursuit of opposition journalists, especially those who had questioned the wisdom of dividing the Czechoslovak state.

Despite the ouster of Meciar's government by a parliamentary no-confidence vote on March 11, 1994, threats to press independence continue to be a concern. Meciar remains one of Slovakia's most popular politicians and could well return to power in the future. His closest ally is the leader of the Slovak National Party, Jan Slota, a man who, as mayor of Zilina, had promised to "steamroller" the opposition press. Meciar's party has succeeded in convincing its supporters that his government fell in part due to an international media conspiracy against it. Although the election campaign has not yet begun, several journalists critical of Meciar

[1] **Elections had been scheduled for June 1996.**

have been physically assaulted. Others fear for their personal safety during what is expected to be an especially tense electoral campaign period.

State Control of the Broadcast Media

The End of Federal Television

Before the split, federal television (known as "F1") was, like all federal institutions, strove for a delicate balance among the interests and contributions of the various republics' own bodies. Republic stations contributed 80 percent of F1's material. Czechoslovak Federal television contributed commentary and news and was monitored by the federal parliament.

After the Czech and Slovak governments decided to divide the state, they agreed to turn federal television and radio into commercial companies that could sign joint-ventures with the separate republics' stations. The directors of federal television of the former Czechoslovakia were eager that cooperation between the broadcasters of its two republics continue after the division of the country. Similarly, the directors of Slovak television wanted to participate as partners in a new "international" station composed of both the Czech and Slovak Republic television stations. The Slovak government, however, refused to allow this joint effort, resulting in the demise of the Czechoslovak federal television in mid-1992.

Slovak State Television

The Slovak state television, which consists of two channels, is state-owned and governed by a board composed of nine members. The Board for Radio and Television Broadcasting was created by law in May 1992. It oversees the work of both the Slovak television and the Slovak radio, and the hiring and firing of its directors. It also awards licenses to private broadcasters, sets the conditions of those licenses and periodically reviews whether private broadcasters have met the conditions. After its electoral victory, Meciar's political party frequently changed the structure and membership of the Board for Slovak Television for purely political reasons, creating chaos and dismay at the stations and among private investors.

Between the 1989 Velvet Revolution and the 1992 elections, the board governing Slovak television comprised representatives from all the major Slovak parties, regardless of whether they were in Parliament. During this period, both Slovak television and radio became "public companies" independent of day-to-day government review.

Shortly after Meciar's appointment in 1992, it became clear that he wanted Slovak television to be decidedly pro-government in its reporting and to serve as a non-critical forum for the presentation of government policies. In August 1992, he told a crowd of supporters that "the state of Slovak television is not normal" and that representatives of opposition parties, "who had lost their credibility already," appeared too often. "If this is how they [the governors of Slovak television] understand objectivity, they will be dismissed," Meciar said.[2]

[2] **Marian Timoracky, Report for the Institute for Social Analysis (later renamed the Central European Institute) on Meciar's treatment of the Slovak press.**

Thus, one of Meciar's priorities was to change the structure by which television was governed. In September 1992, the Slovak Parliament took over the previous general board's work, appointing a new television board that it considered to be "objective." It consisted mostly of sympathizers of Meciar's political party, the HZDS, such as Bohus Piatko, a leader of the pro-Meciar "Association of Journalists for a True Picture of Slovakia." A day later, the director of Slovak television, Marian Kleis, was dismissed. Ivan Mjartan, then state secretary (or deputy minister) at the Ministry of Culture, defended the dismissal, saying that Kleis had been a leftover from the opposition.

Kleis, however, believed that he had been dismissed because he had refused to fire Slovak television chief producer Jan Fule. Fule had come into conflict with the government when he refused Meciar's request to be allowed ten minutes of air time each week, arguing that the time should be divided equally among politicians at the discretion of the editors. The tradition of offering the prime minister ten minutes of air time a week had been a communist habit, Fule said, which he stopped during the premiership of Carnogursky. Carnogursky had not objected.[3]

Meciar said Fule had "abused his position as a journalist" and that he "took the guarantee of democracy for himself and isn't aware of the fact that he is not the owner of the patent for democracy."[4] Fule was dismissed in October 1992 by Peter Malec, Kleis' replacement as acting director of Slovak television. Malec, according to Fule, justified his actions by saying he was under pressure from HZDS to fire Fule.

Television board chairman Vladimir Miskovsky, a parliamentarian from the Slovak National Party, resigned from the television board in December 1992, three months after taking up his post. The board was "paralyzed" by Parliament, he complained; Meciar's party had not fulfilled its promise to withdraw its supporters from the board. A Slovak law professor, Jan Prusak, complained that there was no way to guarantee that a parliamentary majority, whatever its promises, would preserve the board's independence.[5]

In an interview with a representative from Human Rights Watch/Helsinki in August 1993, then-Minister of Culture Dusan Slobodnik vigorously denied that the government played any role in determining the political character of television news. Slovak television received part of its budget directly from the state, he said, but as public corporations were not under the direct control of any ministry, the nine-member board overseeing radio and television was independent. "There are no members of any political party [on the board]," he said. In fact, Slobodnik said, the content of Slovak television broadcasting demonstrated its freedom. Slovak television was "absolutely anti-government," he said. "It is absolutely in the hands of the opposition."

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[3] Interview with Jan Fule, Bratislava, July 13, 1993.

[4] Timoracky, Report for the Institute for Social Analysis.

[5] News survey, Czech Press Agency, March 23, 1993.

"The people in Slovakia write and write and complain that television is anti-government," Slobodnik said, "because television supports the defeated members of the party that didn't get more than four percent of the vote. Many people write that they will refuse to pay their television fees."[6]

In this interview, Slobodnik denied having any interest in the governance of television, since it was not his responsibility as minister of culture to oversee it. But, according to *The New York Times*, Slobodnik called in September 1993 for the abolition of the public corporation governing television so that the broadcasters could answer directly to the Ministry of Culture. Television, the *Times* quoted Slobodnik as saying, gives "too much space to the opposition."[7]

To date, the Slovak government has taken no such step. In October 1993, however, Meciar's political party cooperated in Parliament with its coalition partner, the Slovak National Party (SNS), once again to change the board governing television and radio. The new board had five HZDS sympathizers, observers say, and two SNS allies. On November 2, 1993, Jozef Darmo, founding member of the Association for a True Picture of Slovakia (see discussion below) was appointed chairman of the new Board of Slovak Television. On November 19, the board accepted Malec's resignation, and the deputy director of Slovak Television, Miroslav Majoros, was made acting director.

Despite the turmoil in its governance during this period, state television offered access to opposition politicians, such as Carnogursky. The opposition worried, however, that Meciar, through government-edited programs such as "Ten Minutes for the Premier" and "The Government Informs," had far too much air time. They also complained that journalists at Slovak television were afraid to confront ministers with tough questions because they feared that they would lose their jobs.

There have also been some signs that the government's monopoly over the broadcast media may be weakening. For example, in late 1993, a local, private television news station was established in the town of Presov. During this same period, another television station was established in the town of Zilina.[8]

Preserving the State's Monopoly

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[6] Human Rights Watch/Helsinki interview with Dusan Slobodnik, Bratislava, August 19, 1993, (hereinafter "Slobodnik interview").

[7] *The New York Times*, September 13, 1993.

[8] Sharon Fischer, "Slovak Television in Disarray," *REF/RL Research Report*, Vol. 3, No. 7, February 18, 1994, p. 33.

One of Mjartan's first acts after being appointed to the Ministry of Culture in July 1992 was to annul an agreement to privatize Slovakia's third television station, known as TA3. The station would be offered for sale again, Mjartan said, but he did not specify a date.

In May 1992, the KDH-ODU coalition government had given an international consortium the right to operate TA3. Of forty-two competing bids, only a joint venture between the Berlin-based Central European Development Corporation (CEDC) and two Slovak companies was able to guarantee the investment of thirty-five million Deutschmarks required by the government.

In announcing the annulment of this agreement, Mjartan said that the new Slovak government had found "legal flaws" in the granting of the license to CEDC. He did not explain what they were. Peter Huncik, a Slovak entrepreneur who had put together the deal, disputed Mjartan's claim. Federal Czechoslovak law, under which the deal was signed, required that sales of all media extending across the federation be approved by a federal committee. But it left the country's two republics free to distribute licenses to radio and television stations that operated only within one republic. TA3 is the remains of a television station established by the Soviets to broadcast propaganda into Bratislava and Western Slovakia. It does not reach the Czech Republic and therefore fell under the jurisdiction of the Slovak Ministry of Culture.[9]

The only illegal steps seem to have been taken after, not before, Meciar's government was elected in June 1992. Slovak law states that no license may be revoked by the Ministry of Culture. Only an independent committee, convened by the Parliament specifically to review licenses, may revoke them, and then only if there are serious questions of legality. Under the provisions of the law, Mjartan's immediate withdrawal of CEDC's license to operate TA3 appears to have been illegal.

Despite substantial evidence to the contrary, Slobodnik, minister of culture at the time of the withdrawal, denied the possibility that Mjartan had annulled the CEDC license in violation of the law. "He, as state secretary, knew very well that he could not interfere." The political games, Slobodnik said, had been played by the out-going government, which had given the license to Huncik two weeks before it lost the June 1992 elections. (Huncik had served as an advisor to then-Czechoslovak President Vaclav Havel and is a close associate of some of the members of the 1990-1992 government.)[10]

Huncik protested the withdrawal of the license and had its final revocation delayed through a series of appeals to the board of Slovak television. However, he subsequently lost the license on other grounds. Huncik's company, Perfects, fell out with its co-recipient of the license, Medium 5 (composed of former employees of Slovak television). Slovak law requires that television licenses allow only their original

[9] Human Rights Watch/Helsinki interview with Peter Huncik, Bratislava, July 23, 1993, (hereinafter "Huncik interview").

[10] Slobodnik interview.

recipients to broadcast. Despite offering Medium 5 director Ivan Stadaucker generous terms, Huncik says, Medium 5 walked out of the original deal on February 5, 1993. Huncik accused Slovak television board Chairwoman Emile Boldisova, formerly an editor at the pro-HZDS newspaper *Koridor*, of arranging the final collapse of the alliance that held the license.[11] It is worth noting that Stadaucker, the Medium 5 director who allegedly sabotaged Huncik's bid, was the man whom the pro-Meciar television board later appointed director of Slovak television.

News on State and Private Radio

Only two Slovak radio stations have strong news staffs -- one of the state's two AM broadcasters and Radio Free Europe. The other stations, such as "Radio Twist," "Rock FM" and "Fun Radio," use news from the Slovak Press Agency. (Its character is described below.)

[11] **Huncik interview.**

At first, Meciar did not complain about Slovak radio. Indeed, many former employees of Slovak Radio found positions in Meciar's government. For example, before taking up his post at the Ministry of Culture, Mjartan had been an editor at Slovak Radio's "Radiozurnal," a daily current affairs program. During the 1992 election campaign, when Meciar was accused of having collaborated with the communist secret police in the past, Mjartan personally edited a program that discredited Meciar's accusers. Mjartan was later fired when a BBC study of Slovak media found Radiozurnal biased in favor of Meciar.[12] After his election victory, Meciar appointed Mjartan to the Ministry of Culture and charged him with special responsibility for the media. He has since moved on to become Slovakia's Ambassador to Prague.

Despite its important role in boosting Meciar during the 1992 election campaign, Slovak state radio did not toe the government line thereafter. Mjartan's successor to the editor's chair at Radiozurnal, Maria Hluchova, was perceived as a friend of the opposition. The director of news at Slovak Radio, Lubomir Lintner, was considered relatively independent.

Slovak state radio receives 60 percent of its funding from concession fees paid by radio owners. Sixteen percent of its budget -- forty million crowns (approximately 1.3 million USD) -- comes directly from the Ministry of Finance. In June 1993, the director of state radio, Vladimir Stefko, discovered that the station's direct subsidy, although part of the approved 1993 budget, had not been provided. According to Lintner, in a private meeting (the contents of which were later relayed to Lintner and the Slovak press) the Minister of Finance, Julius Toth, told Stefko that radio had a political, not financial, problem.

In light of the smaller budget, Lintner reallocated his resources. He cut cultural programs traditionally broadcast on AM radio but kept Radiozurnal well-funded. Meanwhile, party political pressure on the radio program grew. In July, Meciar accused Radiozurnal of being "anti-government" and of having supported a failed second attempt to remove him as prime minister. In September, Meciar again accused Radiozurnal of being "anti-government" at a public rally for the HZDS. On October 8, Stefko fired Lintner. Hluchova and three other radio journalists resigned in protest.

The changes at Slovak radio left Radio Free Europe as the only independent source of radio news. Many of the government's opponents had gravitated there. However, in August 1992, Slobodnik warned the new U.S. Embassy in Bratislava that his government would "monitor" RFE's broadcasts and would complain about any hostile reporting. A test of phone lines at the station's editorial offices in Bratislava demonstrated that they were bugged.[13]

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[12] Andrew Scadding and Sarah Everett, "Report on the State of the Broadcast Media in Slovakia," prepared for the Slovak Government, September 1991.

[13] Human Rights Watch/Helsinki interview with Peter Bleha of *Radio Free Europe/Radio Liberty* - Slovakia, Bratislava, July 1992.

In late 1993, the Slovak government announced that it had "cancelled Radio Free Europe's right to broadcast on medium-wave transmitters within Slovakia effective January 31, 1994."[14] Roman Hofbauer, Slovak minister for transport and communications, originally argued that the government needed the frequency RFE held for broadcasts in case of a national emergency. In a letter to RFE dated January 28, 1994, however, he announced that the station could continue to broadcast. Hofbauer cited Slovakia's "good relations" with the United States as the reason for his reversal.[15]

Government Interference with the Print Media

Slovakia has a wide range of daily and weekly newspapers that operate with great freedom. However, under the Meciar government, some constraints were placed on the print media, including limited access to press conferences and to government ministers. Dailies such as *Pravda*, *Praca* and *Trend*, a business weekly, criticized the Meciar government without suffering retribution. But when the Slovak government picked its targets, as it often did after the 1992 elections, it hit hard.

Production and Distribution

Danubiaprint, the publishing house that prints all the national newspapers in Slovakia, was sold by the 1990-92 government to a private businessman just weeks before the elections that brought Meciar to power. But Meciar's minister of privatization, Lubomir Dolgos, annulled the contract in July 1992, arguing that a state monopoly was less dangerous than a private monopoly.

In its penultimate session, the Slovak government that lost to Vladimir Meciar approved the sale of Danubiaprint to Milos Novak, the proprietor of a small magazine printing business. Novak offered 394 million crowns (US$13.1 million) for six of the former state monopoly's seven outlets. The only competing bid, a management buy-out, offered 320 crowns (US$10.6 million) for the entire monopoly.

Under the rules governing the privatization of state industry, a "direct sale" such as that of Danubiaprint required the comment of the Slovak Anti-Monopoly Office, although these comments had no binding legal force.

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[14] Center for Foreign Journalists Clearinghouse, p. 170.

[15] Meciar and other Slovak officials had met U.S. President Bill Clinton in Prague on January 12, 1994, to discuss state relations, especially the possible expansion of the North Atlantic Treaty Organization (NATO). In addition, U.S. Ambassador to the United Nations, Madeleine Albright, and the U.S. Ambassador to Hungary, Charles Thomas, had raised the issue of RFE during meetings with Meciar and other Slovak government officials during this period.

Although Novak's bid actually divided the monopoly, Dolgos, as head of the Anti-Monopoly Office in the 1990-92 government, favored the management buy-out which preserved the monopoly. Dolgos became a formal member of Meciar's movement, the HZDS, after the 1990-92 government removed him from the Anti-Monopoly Office for his suspicious connections to the state monopolies.

The government Meciar eventually defeated did indeed hurry to sell the newspaper printing house, according to former parliamentarian Peter Tatar, but did not use political criteria to choose a buyer. An examination of the documents of the deal supports Tatar's claim that "[t]he deal was 100 percent legal." The government, Tatar said, sought merely to free the printing house from the upcoming Meciar administration, fearing that Meciar would misuse his power over the institution.[16]

"I think what is happening here is a nightmare," Novak said. "I am a businessman, not a politician." Meciar cancelled his bid, Novak said, because "he wants to control the mass-media."[17]

The Slovak state newspaper distributor, Postova Novinova Sluzba (PNS), has been a common target of complaints among newspaper editors. The editors of the most ferociously oppositional newspapers, *Slovensky Vychod*, *Kulturny Zivot* and *Domino*, complain that PNS will not carry their papers.

It is difficult to judge the validity of such claims, since PNS, like many state companies, is poorly run. New newspapers, such as *Domino*, face obstruction from the point-of-purchase salesmen who are often unwilling to change their accounting procedures to accommodate a new paper. Papers are sent back unsold because the on-site distributor cannot be bothered to (and, as a state employee, has no incentive to) attempt to sell a new title. PNS now faces competition in the larger cities from new companies such as the Austrian-owned Mediaprint (over 300 stands) and smaller networks. With an outlet in every Slovak village, however, PNS remains the main source of newspapers.[18]

At least one government minister in the Meciar government said he would like to control what was sold through PNS. The government's aim was to restrict the sale of Czech newspapers, many of which were openly hostile to the Meciar government and employed some of its fiercest critics (the best example being Karol Wolf of *Mlada Fronta Dnes*, whom Slovak ministers mentioned by name when complaining about the press). In an interview with the Slovak Press Agency, former State Secretary at the Ministry of Culture Roman Zelenay complained that "there are too many Czech periodicals in Slovakia, and we will have to do something

[16] Human Rights Watch/Helsinki interview with Peter Tatar, Bratislava, July 15, 1992.

[17] Human Rights Watch/Helsinki interview with Milos Novak, Bratislava, July 15, 1992.

[18] Conversations with Tomas Hrivnak, former head of the Print Media Program, Open Society Fund, Bratislava, July and August 1993.

about it." At a press conference on October 13, 1993, Zelenay, referring to PNS, said that "we will discontinue [receiving] foreign periodicals that do not sell well."[19]

Government Intimidation of the Press

[19] **Quoted in a column by Matt Welch in *Prognosis*, October 29 - November 11, 1993.**

The ministers of the Meciar government had a penchant for exacting revenge on individual journalists and newspapers. When, shortly after the revolution, the regional daily *Smer* accused Meciar and his then-ally Knazko of having had links to the secret police, both sued. When they lost in the local court, Meciar appealed and asked that the trial be moved to Bratislava.[20]

Meciar had had better luck attacking the eastern Slovak daily, *Slovensky Vychod*. The newspaper has published in eastern Slovakia since 1919 and became, along with other newspapers, a Communist Party mouthpiece during the pre-1989 regime. When Dusan Klinger became editor after the 1989 revolution, he fired most of the paper's staff and brought in a pro-reform editorial policy. The newspaper had a reputation of being virulently anti-Meciar. "God help *Slovensky Vychod*," a member of Meciar's party said, "for there is no greater proof of democracy in Slovakia so long as it continues to exist."[21]

When asked at an election rally in 1992 if he would close *Slovensky Vychod* for having so often criticized him, Meciar said he would not, but that he would make sure that the newspaper paid for the mistakes it had made. A few days after the election, *Slovensky Vychod* was evicted from its offices in a state-owned construction company. The editorial staff of a new newspaper, *Luc* ("Ray"), moved in, and in their first issue carried a long interview with Meciar. The new newspaper was founded by the construction company that owned the building. According to Jan Holcik, a former minister of industry, Meciar's government gave *Luc* start-up capital of forty million crowns.[22] According to its cultural editor, Miro Prochazska, he and most of the staff came from the Communist-era *Slovensky Vychod*.[23] Now, with the fall of the Meciar government, *Slovensky Vychod* is enjoying the benefits of having been critical of the former prime minister.

Enforcement of Journalists' Ethics

Meciar used his interview with *Luc* to explain his views on journalism ethics. He stated:

> A citizen has the right to obtain truthful information and the state has to guarantee it. There are only two possibilities; either you, the journalists, do it of your own free will, and protect the citizens from lies and manipulations, or the other possibility is that the state has to do it. I'm asking you, what's better? I'm telling you, "Please write the truth." Of course, I have the other possibility, the possibility to prepare a proposal by which the state organs which would

[20] Human Rights Watch/Helsinki interview with Martin Krajcovic of *Smer*, Bratislava, April 22, 1993.

[21] Timoracky, Report for the Institute for Social Analysis.

[22] Timoracky, Report for the Institute for Social Analysis.

[23] Human Rights Watch/Helsinki interview with Miro Prochazska, Kosice, April 26, 1993.

divide the dailies and media into the "vulgar press" and the "serious press." We can then differentiate your incomes according to the tax code.[24]

[24] ***Luc*, quoted in Timoracky.**

In addition to threatening to tax "irresponsible" journalists more heavily, Meciar's government also used an old communist law forbidding the "spreading of alarming reports." A recent issue of the quasi-official state magazine *Europa Vincet*, which is published in English, French and German, called on Slovaks living abroad to submit newspaper clippings in which citizens of Slovakia criticized the government. "The authors of these cynical lies often are citizens of [Czechoslovakia]," the editorial board writes. "Through the constitution of a sovereign and independent Slovak Republic, conditions have ensued for the propagators of this anti-Slovak political racism to be brought to justice . . ." Slobodnik was both minister of *Europa Vincet* and a member of *Europa Vincet*'s editorial board at the time the article was published.[25]

When presented with the above quotation, Slobodnik defended the policy it represents. "Many authors abroad," he said, use "a system. Somebody here who dislikes this state says there will be hunger here, a social uprising. He sends it to a German paper, they print it, they repeat it, and it's a false rumor." Such false rumors are a threat to the state that the government must counter, Slobodnik said, since they are "dangerous to the public." Slobodnik also said that many such "rumors" printed in dailies abroad, such as that Slovakia is an inherently anti-Semitic country or that there will soon be a food shortage in the country, had turned out to be untrue. The rumors had nonetheless had the effect of frightening Slovak citizens and defaming Slovakia's name abroad.[26]

Milan Zitny, then editor of the now-defunct *Echo*, became the first journalist after Slovak independence to be prosecuted under the communist law for spreading "alarming reports." Zitny, who frequently investigates the activities of the former secret police, came under attack after he began an investigation into Meciar's past. During a televised debate in November 1992, Zitny claimed that there were still former members of the old state security apparatus in "high government positions" in Slovakia despite a federal law, supposedly still in force, that banned them. The government filed for indictment the following day. Chief Civil Servant Ivan Lexa said that Zitny had committed two crimes -- "attacking a government organ" and "spreading alarming reports." The government did not pursue the case further.[27]

At least one other journalist investigating Meciar's past was intimidated. On the evening of November 26, 1993, two members of the Slovak Ministry of the Interior visited Czech journalist Jarmila Kudlackova at her home in the Czech Republic. The Slovak Ministry of the Interior said the two had planned to discuss an interview Mrs. Kudlackova had held with Leonard Cimo, a former Slovak secret police officer with close ties to Meciar. The Czech Ministry of the Interior filed a protest with its Slovak counterpart, arguing that the visit was an attempt to intimidate Mrs. Kudlackova.[28]

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[25] ***Europa Vincet*, Autumn 1992.**

[26] **Slobodnik interview.**

[27] **Human Rights Watch/Helsinki interview with Milan Zitny, Bratislava, December 3, 1992.**

[28] ***The Prague Post*, December 2 - 8, 1993.**

Journalists have also been prosecuted under Articles 102 and 103 of the Slovak Penal Code, which penalize defamation of, among other things, the Slovak republic, the government, the constitutional court and the president. For example, on January 14, 1994, Andrey Hrico, editor-in-chief of *Domino efekt*, was charged under Article 103 for having published a reader's letter that was considered defamatory to President Kovac. Hrico was interrogated by the police in the town of Kosice on several occasions, and his case is still pending.

Articles 102 and 103 present a serious threat to freedom of espression generally, and to freedom of the press specifically. They infringe upon the right of individuals to impart and receive information and ideas without government interference and, as such, violate the International Covenant on Political and Civil Rights to which Slovakia is a signatory. Such prosecutions for defamation may ultimately cause the press, in an effort to avoid criminal liability, to opt to be less critical of the Slovak government and its political leaders. This is very troubling because it is one of the crucial roles of the press in a democracy to inform the public about the conduct of its leaders, especially that conduct which is illegal or improper. The electorate must have adequate information in order to make informed decisions about its leaders. It is the role of the press to provide the electorate with a variety of views on the conduct of government officials, including critical views. In fact, in some countries the role of the press is considered such an important check on the conduct of government that the press is given greater leeway to criticize public officials without being subject to penalties than they would be if the statements were about private persons.

Smena and SME

On January 3, 1993, the Slovak government replaced the controversial staff of the state-owned youth daily *Smena* ("Change" or "Shift"), the country's third-largest daily.

Smena had had trouble with Meciar since the day after his election. The newspaper's first post-election headline asked, "Will we become a one-party state again?" Within weeks Meciar had announced a government investigation of the newspaper's finances.

Despite an attempt to privatize *Smena*, the paper still belonged to the government, right up until the change in editors, through a foundation responsible for administering the property of the former socialist youth organization. This organization was in turn under the control of the Ministry of Education. Socpress, the publishers of the French daily *Le Figaro*, tried to buy a minority share in the paper but were put off, according to the removed editors, after Socpress officials met Slobodnik, who was also Meciar's minister of education at the time.[29]

Slobodnik denies this vigorously. He had opposed the privatization plan, he said in an interview, because the government had discovered that the editors hoped to own 75 percent of the stock themselves. "They wanted to get rich from the paper."[30] According to the removed editors, the editorial staff hoped to have 0.1 percent of the private company's stock.

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[29] ***Smena* press conference, January 4, 1993.**

[30] **Slobodnik interview.**

Since *Smena* remained in state hands, the Slovak government had no problems changing the paper's staff. First, it removed friends of the staff from the foundation that owned the paper and replaced them with friends of the government. Then, two days after Slovak independence, the new board voted to remove the newspaper's editor, Karol Jezik. The new board argued that the government's investigation showed that Jezik's editorial policy had lost the paper money, a claim Slobodnik defended. The newspaper had slid from 130,000 readers to 70,000 under Jezik, Slobodnik said.

The newspaper's own records showed that Jezik's *Smena* made a profit of over seven million crowns in 1992. The paper's profits declined in the third quarter while it launched a Sunday magazine, but that was an investment, Jezik said, not a loss. The government objected to the paper's politics, not its finances, Jezik said. "We know what the game is," he added.[31]

Julius Gembicky, chairman of the Slovak Association of Journalists, worried that the government's moves against *Smena* "would not send a good signal abroad, since the implication is that there is no freedom of the press in Slovakia."[32] Meciar, however, saw fault not in his government's action but in criticism of it. "The *Smena* case is being stirred up by people unwilling to accept the last election results who were against the establishment of an independent Slovak Republic," he said in his weekly television broadcast. "They used the case to advertise the new newspaper they want to publish. They did this at the expense of disgracing the honor of Slovakia's name abroad."[33]

Because the government had made its intentions clear since June 1992, *Smena* was prepared. Eighty percent of the staff left the paper in protest. They were hired by Jezik for his new daily, *Sme Na*. Today they publish without government censorship. In September 1993, however, two ministers and the governor of the national bank brought criminal charges against the newspaper for publishing a story that alleged they had taken a share of funds transferred from the government of India. Editor-in-chief Jezik and two of his journalists face criminal charges that they attacked a public personality, committed slander and attempted to blackmail three government officials. The state prosecutor for the city of Bratislava is scheduled to bring the case to court in mid-1994.

Now that the Meciar government has fallen, the case may never be tried. Investigators from the local prosecutor's office visited the *Sme Na* offices in December 1993, but made it clear that they would await the report of a parliamentary investigation into the so-called "Indiagate" affair before proceeding with prosecution. It should be noted, however, that Meciar's own office appears to have interfered with the investigation of the case. According to Jezik, two investigators from the prime minister's office visited the *Sme Na* office in January 1994 to determine what information *Sme Na* had provided to the parliamentary investigation committee. Jezik refused to cooperate with them, however, arguing that he needed the authorization of the parliamentary committee.

Prosecutions for Libel: The Case of Slobodnik vs. Lubomir Feldek

[31] ***Smena* press conference.**

[32] **Human Rights Watch/Helsinki interview with Juluis Gembicky, Bratislava, 1993.**

[33] **Meciar on "Ten Minutes for the Premier," January 10, 1993.**

In the summer of 1993, Dusan Slobodnik, minister of culture, sued Slovak poet Lubomir Feldek for defamation of character. Slobodnik argued that Feldek had in three instances falsely accused him of having been a willing collaborator of the Hlinka Youth, a fascist organization established during the 1939-1945 independent Slovak state.

In one instance, Feldek told newspapers such as the Slovak daily *Praca* (among others) that Slobodnik's "fascist past" made him an inappropriate minister of culture. *Praca* published the quotation in its July 24, 1992 issue. Secondly, Slobodnik argued that a poem Feldek had published in the cultural weekly *Kulturny Zivot* had alleged again that Slobodnik had been an eager fascist.[34] Finally, Slobodnik accused Feldek of having been behind a conspiracy to blacken his name abroad, specifically in *The New York Times*, which published an opinion piece by the Czech-Canadian writer Josef Skvorecky shortly after Slobodnik had been appointed minister of culture. In his column, Skvorecky claimed that Slobodnik had been both a Nazi and a KGB collaborator. In the course of the trial, Slobodnik dropped this third claim.

It was a civil, not a criminal, case. But for several irregularities it might have been a standard case of a minister attempting to clear his name. As a civil case, it boiled down to whether Feldek had sufficient evidence on which to base his accusations. Feldek said that he had read of Slobodnik's "fascist past" in Slobodnik's autobiography, *Beyond the Arctic Circle*. Slobodnik argued in turn that the book specifically states that, as a seventeen-year-old, he had joined the Hlinka Youth under duress and had merely attended a camp for five days. Slobodnik argued that Soviet authorities had accused him of being an active agent of the Hlinka Youth organization and that those accusation had later been disavowed by Slovak authorities.

Feldek's lawyer, Ernest Valko, made an argument that was to carry the case in Feldek's favor. Valko asked the court to take into account American legal precedent, such as the 1964 *Sullivan vs. The New York Times* case, that provides "public persons" such as government officials with less protection against defamatory remarks than those accorded to private individuals. This lower level of protection for public officials would allow Feldek greater freedom in writing about Slobodnik than he would have had if the words had been written about a private person. On October 18, 1993, the Bratislava City Court dismissed Slobodnik's case.

Despite the outcome in favor of Feldek, the trial was beset by irregularities that call into question the Meciar government's response to criticism of its officials by the press. The most notable irregularity was the illegal use of secret police files in an attempt to intimidate Feldek. In July 1993, Feldek received anonymous phone calls alleging that Darius Rusnak, director of the Slovak state archives, had taken the former regime's files on both Feldek and his father and given them to Slobodnik's supporters. The caller said that the files would be used to demonstrate that, whatever the charges against Slobodnik, Feldek's father had collaborated with the Nazis when he served as a judge in the town of Senica during the war.[35]

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[34] Although the poem does not mention Slobodnik by name, it describes the Meciar government as being one in which "[a communist secret policeman] kisses an SS man. ("Esesak sa objal s estebakom") After abolishing a law restricting the participation of former secret police agents in government, Meciar's party suffered accusations that it was full of former agents and collaborators.

[35] Human Rights Watch/Helsinki interview with Lubomir Feldek, Bratislava, August 18, 1993.

There is no evidence linking Slobodnik directly to the anonymous phone calls. When asked about the documents in an interview, however, Slobodnik admitted that he had copies of the files. They had been sent to him, he said, by an anonymous supporter. "I have the documents. I don't deny it," he said. "The question is whether I use them or not. I was sent them from my supporters and I don't see anything unusual [about that]." Slobodnik said he had decided not to use the files.[36]

[36] **Slobodnik interview.**

Slobodnik appealed the lower court decision to the Slovak Supreme Court. No court date had been set at the time of this writing.[37]

State Funding of Cultural Journals

Like most former communist countries, Slovakia has a literary tradition built on state funding. Until recently, every major cultural magazine received some kind of state support. After the 1989 revolution, the magazines were filled with "dissident" writers, while authors close to the former regime were removed. Publications that had been issued before 1989 in illegal *samizdat* form were given large state grants.

The state funding of culture is a controversial political issue in the east as well as in the west. It has posed difficulties for a variety of Slovak politicians. For example, the prime minister who immediately preceded Meciar, Jan Carnogursky, denied the cultural weekly *Kulturny Zivot* a state grant after it published a short story portraying Jesus Christ as a drunken lecher. Carnogursky, the leader of the Christian Democratic party, argued that a largely Catholic population had no interest in spending state money on literature that was hostile to Christianity.

The Slovak government must undoubtedly make difficult decisions regarding the allocation of limited financial resources to cultural journals. However, the Meciar government cut off state funds for magazines using criteria that are almost entirely political. For example, it appears that no cultural journal staffed by former dissidents received any state funds from the Meciar government.

Restitution of property confiscated by the Communist Party was also used by the Meciar government to silence independent voices. For example, *Slovenske Pohlady*, founded in 1881, is the oldest cultural magazine in Slovakia. From 1922 to 1952 it was published by Matica Slovenska, a Slovak cultural organization. It was then seized by the Association of Slovak Writers, then a communist front organization, in whose hands it remains today. After the Velvet Revolution, former dissidents took over the administration of the writers' association and quickly staffed *Slovenske Pohlady* with like-minded colleagues. Since most were ardent proponents of the Czech and Slovak federation, the magazine took on a "pro-federalist" tone.

Matica Slovenska, however, which has been ardently nationalist ever since it was established under Hungarian rule to protect Slovak culture, opposed the pro-federalist position of *Slovenske Pohlady* and laid claim to the right to publish the journal again. Matica Slovenska argued that it had been the magazine's last non-communist publisher. The foundation also complained that *Slovenske Pohlady*'s current editors were "anti-Slovak." Milan Ferko, a Slovak writer, called them "enemies of the state." Matica Slovenska's director, Jozef Markus, has said he would like to make the magazine a "representative national literary and cultural journal."[38] *Slovenske Pohlady* has fought the restitution claim but has not obtained a final resolution of the issue.

Government Efforts to Foster a Nationalist Press

[37] **Interview with Ernest Valko, November 3, 1993.**

[38] **Timoracky, Report of the Institute for Social Analysis.**

After the June 1992 elections, the Slovak government's media policies sought to compromise the independence of the press. Although there was no across-the-board censorship, the Meciar government used its influence to limit journalists freedom to report critically about political developments in Slovakia. As the above description of abuses demonstrates, journalists were particularly at risk when going against the Meciar government. By targeting a handful of opposition newspapers and television journalists to attack and intimidate, the Meciar government succeeded in creating an atmosphere of hostility toward the independent press.

The Meciar government also used state resources to create incentives for journalists who were loyal to Meciar and his government. For example, the Meciar government carefully cultivated a group of extreme nationalist journalists. These journalists received government aid in putting across a ferociously pro-Slovak, anti-Hungarian line that has contributed to increased tensions between the two ethnic groups.

The core of this inner circle of journalists is the "Association of Journalists for a True Picture of Slovakia" (initially called the "Club of Journalists for a True Picture of Slovakia"). This association was established in 1991 by Dusan Kleinman and others.[39] Kleinman is now the director of the Slovak Press Agency (TASR). TASR was created as a result of a 1991 agreement between the Czech and Slovak republic governments to divide the former Czechoslovak News Agency (CSTK). Meciar appointed Kleinman to direct it after the 1992 elections. TASR provides news bulletins used by virtually every radio station in Slovakia and acts as the government's official means of distributing information.

The association's journalists have especially close relations with Meciar's political party and, while Meciar was prime minister, were often given information ahead of other news organizations. Its correspondents were also apparently allowed access to internal meetings of the HZDS and would receive invitations to exclusive press conferences. There were also allegations that Meciar gave the association a half-million crowns from his office's reserves.[40]

Another group of pro-Meciar journalists was the alumni of *Koridor*, a now-defunct daily. Under the editorship of Jergus Ferko, *Koridor* had promoted a fiercely nationalist line even before the division of Czechoslovakia. Before the paper's demise, the newly-founded Slovak Press Agency ("TASR") had been in negotiations to take it over as a government daily.

Instead, TASR established a new daily, *Republika*, under the editorship of a former *Koridor* journalist, Jan Smolec. Smolec had praised the virtues of taking a strong nationalist line in *Koridor* the year before. "Dear colleagues," he wrote, "Slovakia, our homeland, is now passing through times of historic decisions. We, the journalists of this generation, have to decide whether we are going together with the nation and will strengthen its will, its spirit, its right to its own existence, to give it the strength which will help it to overcome the lies and misinformation which our enemies spread around, not only in the world, but also in this country." Although

[39] ***Ibid.***

[40] ***Ibid.***

Smolec now distances himself from *Koridor*, which he dismisses as having been "nationalist in a Balkan way," he admits that he hopes to run a nationalist newspaper.[41]

Although officially a "commercial venture," former TASR employees report that *Republika* was funded by TASR and frequently received news of important Meciar government decisions ahead of other TASR subscribers. Employees reported that some of *Republika*'s equipment was purchased by the Meciar government for TASR. However, Meciar government officials denied that the paper had received any direct state funds.

[41] **Interview with Jan Smolec, Bratislava August 13, 1993 (hereinafter "Smolec interview").**

"Our situation with *Republika* is economically and politically difficult," Kleinman said in an interview, "but Slovakia needs such a daily." Kleinman admitted that the paper took a pro-government line but said that in a "new democracy" such as Slovakia, "some things function differently than in other democratic states. . . We live in a time when everybody can spread myths and you can see it in the newspapers. . . We intend to write true information."[42]

Kleinman's frankness about the government's aims in establishing *Republika* was echoed by Slobodnik. Slobodnik said the paper was indirectly supported by the government but only as a means of countering newspapers supported by other political players. "If you read Slovak," he said, "you will find that every daily is propaganda. There is no daily newspaper in Slovakia which would not be [considered] propaganda."[43]

When Meciar was prime minister, *Republika* was not merely an unquestioning supporter of government policy, but also ferociously anti-Hungarian. Almost every issue contained an editorial cartoon depicting the Hungarians as scheming to retake control of Slovakia.[44]

Republika's nationalist tone is especially frightening given one of its 1993 "entrepreneurial" successes. In August 1993, the newspaper signed a deal whereby it would publish articles for the Slovak army in exchange for an army requirement that Slovakia's 30,000 soldiers buy the newspaper. An article in the September 13, 1993, issue described in great detail how the Hungarian army would launch an attack on Slovakia.

Smolec also said the paper would take a different approach from other papers on questions such as state conflicts with the Roma (Gypsy) community. Most papers had, for example, roundly criticized the mayor of an eastern Slovak village who had announced curfews for Romas. *Republika*, on the other hand, would seek to "describe the crimes of the Gypsies and what the motivation of the mayor was."[45]

Although Meciar's government has fallen, his government's legacy of promoting hatred of critical journalists outlives it. Recent physical attacks on such reporters do not augur well for press freedoms during the upcoming election campaign, when political animosities are likely to run high.

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[42] Interview with Dusan Kleinman, Bratislava, August 13, 1993.

[43] Slobodnik interview.

[44] Until the founding of the Czechoslovak state in 1918, Hungary governed Slovakia as part of its share of the Austro-Hungarian empire.

[45] Smolec interview.

Four journalists were attacked on March 14, 1994, as they tried to maneuver past an angry crowd of demonstrators gathered outside the office of the Slovak president. The Slovak Ministry of the Interior said the journalists had provoked the crowd. The reporters, however, blamed the attack on an atmosphere of hatred cultivated by Meciar government members and state-funded newspapers.

The four journalists - Milan Zitny, Luba Lesna and Stefan Hrib, all reporters for Radio Free Europe, and Ana Sanelova, a Slovak Radio correspondent - were attacked by participants of a rally in support of Meciar, who had just been removed as Slovakia's prime minister. The demonstrators were gathered outside the office of the Slovak president, Michal Kovac, who had played a crucial role in putting together an anti-Meciar coalition in the Slovak parliament.

Members of the crowd identified the journalists as they left the president's office and began shouting their names to the other participants. The crowd then surged toward them. Three were punched until they collapsed and then kicked after they had fallen to the ground. Zitny, the largest of the four, defended himself with a canister of gas and escaped unharmed. The others sustained minor injuries.

On television that evening, Peter Kuchar, spokesman for the Slovak Ministry of the Interior, said the journalists had provoked the crowd. Hrib denied Kuchar's accusation. The members of the crowd were eager to attack him, Hrib said in an interview with Human Rights Watch/Helsinki, not for what he had written, since few of them were likely to have read the papers he wrote for or to have listened to Radio Free Europe, but because he had so often been singled out by members of Meciar's government and by the state-funded newspaper *Republika*. "They don't know me." he said. "They don't read my reports or listen to the radio. But they know my name from speeches of members of the last government, from *Republika*, and from those meetings where they say that I am an enemy of Slovakia."[46]

Hrib also complained that police officers directly responsible to the Ministry of the Interior had failed to come to his aid once he told them that he worked for Radio Free Europe. He was eventually defended by the "black sheriffs," a separate police force answerable to the mayor of Bratislava.

Conclusion

Meciar's media policies were an assault on basic principles of a free press. These policies damaged civil society, hampered the transition to democracy and damaged Slovakia's reputation abroad.

Meciar was hostile toward the press from the very beginning of his tenure as prime minister. At his first press conference after the 1992 Czechoslovak elections, he announced that he won the vote in the Slovak republic despite federal television's attempts to smear him. One of his post-electoral demands, he said, would be the dismantling of federal television and radio, which he accused of broadcasting "disinformation."

[46] **Human Rights Watch/Helsinki interview with Stefan Hrib, Bratislava March 16, 1994.**

Meciar then proceeded to treat state institutions, not as a public trust, but as his private weapons in a political war against "the opposition." The Meciar government, through its Ministry of Culture, cultivated institutions and journalists dedicated to fighting a ferociously nationalist propaganda campaign. This dangerous campaign, although long in the making, is only now beginning to show its fruits.

The new Slovak government has the possibility to make a clean break with the media policies of the Meciar government and to create an environment of openness and respect for diversity of opinions that are the true markings of a democracy. Although it has only a few months in office before the fall elections, the new government of Prime Minister Moravcik can do much to distinguish itself as a champion of a free press.

We urge that the new government take the findings of this report into consideration and take steps to undo the damaging press policies of its predecessor. We call on the Slovak government to reaffirm the importance of an independent and even critical press and to ensure the utmost freedom and access to information, as well as a wide diversity of views. This will be especially crucial during the period leading up to the fall elections.

Recommendations

Human Rights Watch/Helsinki calls on the new Slovak government to take an affirmative position in support of freedom of the press. This support includes, by definition, the press that is critical of members of the government and of Slovakia. Human Rights Watch/Helsinki urges the Slovak government to take positive steps to foster the free exchange of different views. Specifically, Human Rights Watch/Helsinki calls on the Slovak government to:

- propose legislation that would repeal laws that penalize the press, particularly those laws that make it a crime to criticize government officials and the Slovak state;

- propose legislation that guarantees the non-discriminatory allocation of private broadcast frequencies;

- guarantee access of journalists to government press conferences and other sources of press information, such as press releases and public position papers, on a non-discriminatory basis;

- respect the independence of professional organizations.

In those situations in which the state still maintains a virtual monopoly on nationwide television broadcasting, such as is the case in Slovakia, it is particularly incumbent upon the state to:

- guarantee that a wide variety of points of view are given equal access to state television and that such views are freely and fairly aired;

- ensure that state resources are allocated in a manner that does not discriminate on the basis of political opinion;

- propose legislation and regulations that assure the editorial independence of state-funded media.

Human Rights Watch/Helsinki believes that the role of independent professional organizations is crucial to the development of a civil society that can operate as a check on government abuses. Such organizations are unable to fulfill this role if they are obligated to serve the state's political and nationalist interests. Human Rights Watch/Helsinki therefore urges Slovak journalists to

- vigorously oppose any governmental efforts to compromise the independence of their professional organizations or to interfere with activities that should be the sole purview of the professionals themselves. Specifically, Human Rights Watch/Helsinki urges the journalist associations to adopt ethical standards that are subject to peer, as opposed to governmental, review;

- vigorously protect the independence of their professional associations and to champion the case of any journalist who comes under attack by the government for his or her political views, regardless of whether individual members of the association share those views.

* * *

This report was written by Chandler Rosenberger, previously a John O. Crane Memorial Fellow of the Institute of Current World Affairs monitoring the press in Slovakia and currently a freelance journalist living in Slovakia. The report was edited by Holly Cartner, Counsel to Human Rights Watch/Helsinki.

Human Rights Watch is a nongovernmental organization established in 1978 to monitor and promote observance of internationally recognized human rights in Africa, the Americas, Asia, the Middle East and among the signatories of the Helsinki accords. Kenneth Roth is the executive director; Cynthia Brown is the program director; Holly J. Burkhalter is the advocacy director; Gara LaMarche is the associate director; Juan E. Méndez is general counsel; and Susan Osnos is the communications director. Robert L. Bernstein is the chair of the executive committee and Adrian DeWind is vice chair. Its Helsinki division was established in 1978 to monitor domestic and international compliance with the human rights provisions of the 1975 Helsinki accords. It is affiliated with the International Helsinki Federation for Human Rights, which is based in Vienna. The staff includes Jeri Laber, executive director; Holly Cartner and Julie Mertus, counsels; Erika Dailey, Rachel Denber, Ivana Nizich and Christopher Panico, research associates; Christina Derry, Ivan Lupis, Alexander Petrov, and Isabelle Tin-Aung, associates; and Zeljka Markić and Vlatka Mihelić, consultants. The advisory committee chair is Jonathan Fanton; Alice Henkin is vice chair.