



Office for Democratic Institutions and Human Rights

THE SLOVAK REPUBLIC
PARLIAMENTARY ELECTIONS

25 AND 26 SEPTEMBER 1998

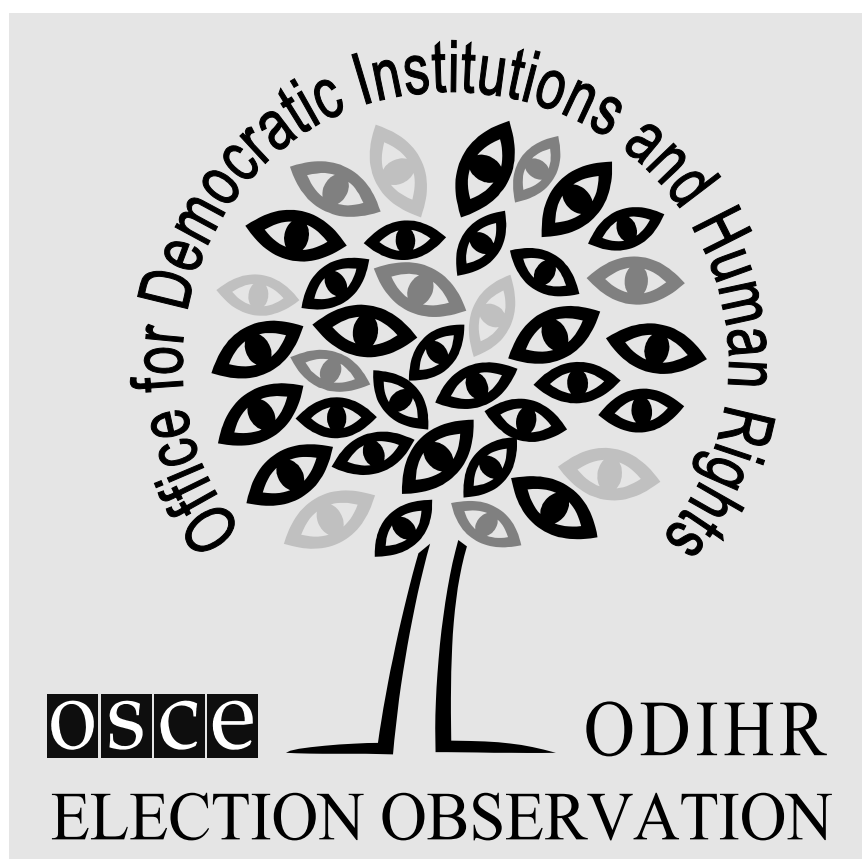


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I. INTRODUCTION

Upon invitation from the Ministry of Foreign Affairs of the Slovak Republic of 18 August 1998, the Organisation for Security and Co-operation in Europe's Office for Democratic Institutions and Human Rights (OSCE/ODIHR) established an Election Observation Mission in Slovakia for the 25 and 26 September Parliamentary elections.

Ms. Helle Degn, President of the OSCE Parliamentary Assembly and Chairman of the Foreign Policy Committee of the Danish Parliament, was designated by the OSCE Chairman-in-Office as his Representative for the Election in Slovakia.

Mr. Kåre Vollan was appointed by the ODIHR as the OSCE On-site Co-ordinator and Head of the ODIHR Election Observation Mission, and Ms Siri Skåre as Deputy Head upon being seconded by the Government of Norway.

The OSCE was involved at an early stage in the pre-election process including a visit by the ODIHR Director, Ambassador Stoudmann, on February 6 and May 5-6, and a visit by the former President of the OSCE Parliamentary Assembly Mr. Javier Ruperez on May 4-5. All OSCE Institutions closely followed the developments in Slovakia, especially the situation with the new election law. On May 8, 1998, the OSCE/ODIHR and the OSCE Representative on Freedom of the Media forwarded their comments on the media-related issues in the Amendments to the Election law to the Foreign Minister of Slovakia. These comments also reflected the views of the President of the OSCE PA. In addition to following the pre-election period, including the media, the ODIHR made early preparations for the Observers (briefing packs, deployment plan, logistical support). The International Secretariat of the OSCE PA which closely co-operated with the OSCE/ODIHR also prepared a Briefing book which was designed for the 206 short-term observers to the Parliamentary Elections in Slovakia.

This Report is based upon the collective findings of observers from 31 countries, including parliamentarians and public officials representing the OSCE Parliamentary Assembly, the Council of Europe Parliamentary Assembly and the European Parliament, observers seconded by the OSCE participating States, officials from local Embassies, as well as representatives of Non-governmental Organisations. In total, 206 short term observers and 25 long term observers and core staff members were deployed throughout the Slovak Republic. The Osservatorio di Pavia conducted a detailed analysis of both electronic and print media, upon being seconded by the Italian government.

II SUMMARY OF CONCLUSIONS

The election days were generally conducted in a peaceful and orderly manner. No serious incidents were reported during the election days. The election administration worked in an efficient manner, and the polling station commissions managed during the election days to conduct a correct election. It was encouraging to notice that Slovak citizens participated in large numbers in the democratic process on the election days.

Although an atmosphere of political polarisation led to a lack of confidence in the overall process by many Slovak citizens, the election as such was carried out in a correct and acceptable manner.

The result tabulation was carried out without problems, efficiently and without delays. Partial results were published according to the schedule set out by the Central Election Commission.

The Central Election Commission should be commended for presenting accurate results; in addition, all parties accepted them once being established.

However, the following issues did raise serious concern:

- X Although voters were able to receive information from a range of sources supporting various political parties, Public Television failed to fulfil its obligation of giving a balanced picture of the campaign. As the only source of televised information that reaches the entire country, Public Television broadcasts - which as the State sponsored broadcaster carries a special responsibility for being balanced - largely favoured the incumbent government and the ruling parties. At the same time, campaign coverage on the main private television station was biased in favour of opposition parties.**
- X Article 23 of the election law raised serious concerns regarding freedom of speech because of restrictions on campaigning beyond the time allocated to party promotion on State Television and Radio. The interpretation and consistent application of this law created difficulties.**
- X The Central Election Commission was established in such a way that its political composition made effective decision-making very difficult.**
- X Last May the election law was changed to the effect that pre-election coalitions ceased to be a viable alternative for previous coalition partners. It is noted with concern that the registration of those parties replacing the coalitions was met with resistance by almost half of the Central Election Commission. One such registration was appealed to the Supreme Court, who upheld the party's registration.**
- X It is regrettable that domestic observers were allowed only into some polling stations and that the Central Election Commission did not allow the domestic observers to follow the count. Allowing such observers would have increased transparency and enhanced confidence in the process.**
- X It is also regrettable that OSCE encountered some delays in receiving formal accreditation for their long-term staff and that OSCE was subjected to biased criticism by State Television, without being given an opportunity to give comments.**

III THE LEGISLATIVE FRAMEWORK

III.1 General

The fundamental rights and obligations to ensure elections are adequately provided for in the Constitution of the Slovak Republic as adopted on 3 September 1992. The parliamentary election law dates back to 1991 and has been amended five times. As a whole the election law is an adequate tool for the conduct of correct elections.

However, the latest amendments to the election law and related provisions in special acts were substantial. The bill submitted by the then ruling party HZDS was passed, despite united opposition protests and critical comments from national and international institutions, including the ODIHR and other OSCE Institutions.

A parliamentary group of 35 deputies (SDK) filed on 30 June 1998 a motion to the Constitutional Court, alleging that a number of the recent amendments to the election law are contrary to the Constitution and even the Convention for protection of human rights and fundamental freedoms of the Council of Europe. These include restrictions on election campaigning, the prohibition to nominate party members on the candidates list of another party, the substitution of deputies to the Slovak National Council and the limitations for a party involved in a case brought before the Supreme Court concerning appeals on its candidate lists.

In addition to the election law, the acts on the following topics are relevant to the elections:

- Registration of citizens= permanent residence
- Association in political parties and movements
- Expenditure of political parties
- Right of petition (by citizens and legal persons)
- Slovak Television
- Slovak Radio
- Operating of radio and television broadcasting
- Council of Slovak Republic for radio and television
- Periodical press and other mass media
- Criminal code, article 177
- Code of civil procedure
- Organisation of Constitutional Court and the status of its judges
- Referenda

III.2 The Electoral System

General

The elections were carried out under a proportional system in a single constituency covering the

whole country. Political parties and coalitions could nominate lists of candidates. Only candidate lists that obtained at least 5% of the total of validly expressed votes were considered for allocation of seats.

For each party, one ballot paper was printed with all the candidates of that party. The voters selected one ballot paper only. The voter could also select on the ballot up to four candidates who were given special preference.

The distribution of seats was done between those lists meeting the threshold condition and was determined using a variant of the Method of Largest Remainder, applied to the numbers of valid votes obtained by each electoral list at the national level.

The Individual Mandates

The Method of Largest Remainder determined how many seats a party got. The candidates actually elected were then taken from the top of the lists. However, if some of the candidates on the list had received more than 10 % preference votes, the seats were given to these candidates first, starting with the one with the highest number of preference votes.

Coalitions

The arrangements for coalitions as stipulated in the amendments passed before the current elections, were controversial. A coalition is - according to the law - an agreement between parties that would submit lists individually, but where the votes could be added together for the purpose of allocating seats. However, before being added together, each party had to meet the threshold individually, and the parties had also to fulfil the other requirements to get the list registered. The advantage of building such coalitions was therefore lost, and no parties used this possibility. Instead two coalitions under previous arrangements decided to register as ordinary parties, keeping the term 'coalition' in their names.

III.3 Some Legal Issues

III.3.1 Restrictions on Electronic Media

Article 23 of the Election law

The conduct of the electronic media during the election campaign was largely regulated by Article 23 of the Election Law. According to Article 23,1, parties could conduct their election campaign on electronic media only on public Slovak Television (STV) and Slovak Radio (SRo). Political campaigning in private electronic media was expressively forbidden. Article 23,2 stipulated that both STV and SRo had to allocate 21 hours to the parties running in the elections. This time was divided equally among those parties, and the individual slots were allocated by drawing lots.

Article 23,3 states that outside those 21 hours it is forbidden to broadcast election speeches and election programs and to publish any external expressions which promote the contesting political parties". The intention of these regulations may have been to provide equal rights to all contestants during the campaign. However, the unusual restrictions on the coverage of the campaign clearly limited the possibilities for electronic media to conduct regular political

journalism during the campaign period, even if the usual political broadcasts were allowed to continue. Article 23,3 made it difficult for electronic media to provide comprehensive political information. It raised a number of borderline problems, despite Recommendations on the coverage of the election campaign issued by the Council for Radio and Television Broadcasting as the body overseeing operations of electronic media. Moreover, the recommendations were not legally binding.

Unfortunately, the Recommendations on media coverage, in reference to incumbent government officials, were not adhered to by Slovak Television. According to the current law, media appearances of officials such as the Prime Minister and the Speaker of Parliament did not violate the law as long as they refrained from campaigning for or against particular parties. But their close connection to the parties that nominated them remained an issue since many viewers did not always clearly distinguish between the public office of such politicians and their party affiliation.

On the one hand, the Recommendations clarified the media's involvement in the campaign. On the other hand, however, the reference to a definition of election campaigning as involving expressions of opinion to the advantage of or disadvantage of a political party or candidate failed to define the limits of Article 23,3 precisely.

Furthermore, it is doubtful whether Article 23 is in accordance with the Constitution (Article 26), the OSCE commitments 7.7 and 7.8 of the Copenhagen document, or with the Council of Europe's Convention for Protection of Human Rights and Fundamental Freedoms Article 10, of which Slovakia is a signatory. This issue is, however, under consideration by the Constitutional Court.

The Slovak Council for TV and Radio Broadcasting played an important role as the public body responsible for deciding on complaints on the election campaign. The role of the Council was, however, very difficult because of the unclear and far-reaching provisions of Article 23. The Council could stop programs; oblige media to apologize for infringements of the law; and issue substantial fines to the electronic media ranging from SK 50,000 to 5,000,000. For the national printed media the Ministry of Culture could issue fines ranging from SK 5,000 to 1,000,000.

In several cases the Council ruled that the electronic media had violated the Elections Law and/or the Law on Radio and Television Broadcasting. Two shows were cancelled until after the elections, and a number of media were obligated to broadcast statements to the effect that they had violated Slovak legislation. Heavy fines were also issued (see Section III on the Media).

In conclusion the Article 23 can be commented on as follows:

- The principle of equal access to the electronic media is positive, and in accordance with fundamental principles. The equal allocation of the 21 hours of free political advertising is also a positive advantage to the parties.
- The general prohibition of Article 23, Paragraph 1 against election campaigning for private license holders is discriminatory. Paragraph 1 should apply only to that part of

the campaign that is allocated free of charge or to paid advertisements - for all parties on Public TV and Radio. In this context, the prohibition for private license holders to broadcast political advertisements is acceptable. If this is the intention, the term Election campaign might be substituted with the term Apolitical advertisements.

- Article 23, Paragraph 3 prohibits broadcasts of election speeches, election programs and any external expressions which promote the political parties. The provision severely restricts the right of political parties and broadcasters/reporters to express opinions freely. In a democratic society, election campaigning by definition involves expressions of different political attitudes aimed at promoting parties= political platforms. Public debate between parties is essential for a free and informed choice by the voters. Exceptions to the fundamental freedom of expression and right to information require very particular circumstances and justifications.
- The unclear provisions of Paragraphs 1 and 3 have created legal insecurity for broadcasters and political parties. The high fines that the Council of the Slovak Republic on the Radio and Television Broadcasting did impose on broadcasters, increased this insecurity in a way that might have led to self-censorship within the media.
- In the last amendment to the law the period during which publishing of election opinion polls is prohibited, was extended by one week. This period is longer than in most countries, and the justification for it is unclear.

Even though the election law is inherited from the Czechoslovak Federation, it should be noted that the Czech law does not have similar restrictions to the coverage of the campaign, and the restrictions to the private Czech electronic media only concerns (paid and unpaid) advertisements by parties, not the journalistic coverage of the campaign.

III.3.2 Control of Envelopes Ballot Papers

There should always be strict control of voting material, such as ballot papers, envelopes, etc., from where it is being produced at the printing house, to the polling station and when returned back to the tabulation points. In Slovakia a transparent system for such control was not in place. There was at least one incident that was investigated by the police, where ballot papers were found at a public place before the elections.

There were also allegations before the elections that voters could come under pressure in certain areas to show their remaining sixteen (16) unused ballot papers to some local authority person, e.g. an employer, as a proof of their vote.

Fortunately no incidents of misconduct or serious irregularities were reported during the election days. However, a system for stricter control of the envelopes may be considered. This would involve standardised protocols following the printing, the distribution to all levels, the accounting for those received and used, and returned envelopes at polling station level, and an actual reconciliation of the figures in the end. If this is being done, the control of the ballot

papers may be less rigid. In some countries all lists are placed in the booths in large numbers, so that the voter can take one for him- or herself from the piles. In that way the issue of controlling the unused ballots would disappear.

III.3.3 Substitutes of Elected Representatives

Article 42 of the election law stipulates that candidates who did not receive a mandate should become substitutes. If a mandate is vacated during the election period of the National Council, a substitute from the same political party shall take this mandate, according to a decision of the political party. This procedure for selecting the substitute was introduced by the latest amendments. The former provision stated that if a mandate was vacated during the election period, a substitute from the same political party in the same constituency should be selected according to the priority on the list of candidates adjusted for the number of preference votes. That means that the person next to receive a mandate, would be the first substitute. This procedure would further contribute to the transparency of the election, and especially in the award of mandates.

According to paragraph 7.9 of the OSCE Copenhagen Document, the participating States shall ensure that the candidates who obtain the necessary number of votes are duly installed in office and recognize their accountability to the electorate. The Slovak Constitution Article 30,4 stipulates that all citizens shall have equal access to elected or public offices. The will of the voters should thus be reflected also in regard to the substitutes in line with the allocated candidates, and a return to the previous arrangements for selecting substitutes in accordance with the voters' will should therefore be considered.

III.3.4 Arrangements for Repeat Elections

It was in the power of the Constitutional Court to decide whether the elections to the National Council had been in conformity with the Constitution and the law. The Court would act upon complaints only. Claimants might be parties or candidates. The provision saying that 10 % of registered voters within the constituency may appeal, did not seem to have been amended when the number of constituencies was reduced to one only. This democratic right to appeal was thus considerably diminished because the condition under which one can appeal is unreasonably strict. The time limit for lodging an appeal was 10 days after the announcement of the results of the election.

When an appeal is sustained, the Court can either declare the elections invalid or cancel the results of elections. The legal framework does not specify whether invalidity is connected to the elections as a whole, while cancellation might be only connected to districts/polling-stations areas. The provision should make it clear in what areas repeat elections may be held, in order to limit any re-election effort.

III.3.5 One Country-wide Constituency

In the latest amendments to the election law, the whole country was defined as one constituency only. This means that there are no structural guarantees for geographically balanced representation in the Parliament. The parties therefore have to nominate candidates from all parts of the country to win voters across the country. Similar arrangements have been implemented in other countries with homogeneous population.

In countries with a strong regionally based minority, one-constituency arrangements can have negative effects. In Slovakia, the Hungarian minority is concentrated in the southern part of the country, and the Hungarian electorate represents approximately 10 % of the total. Under the current law the three former main Hungarian parties have decided to form one party only to secure Hungarian representation in the Parliament, and this representation seems to be more important for the voters than the representation along traditional political lines. An alternative to the current electoral system could be to divide the country into constituencies along boundaries that also reflect the concentration of ethnic groups; a political competition could then have been more easily combined with possibilities for ethnic representation. Under this arrangement, proportionality between parties could still be secured by compensational seats distributed according to the countrywide support of the parties.

III.3.6 Polling Station Procedures

In the polling station procedures, there was no requirement for re-conciliation of the figures, such as checking the number of ballots found in the ballot box against the number of ballots issued. The number of invalid votes were not explicitly counted. On the other hand there was a thorough check of the consistency of the figure at the District Election Commission level. It should be considered to introduce more consistency checks even at polling station level.

The number of envelopes received, used and returned should also be recorded in the protocols.

According to the Law, the voters registers could be updated even on election days, and voters could vote absentee by presenting a Voters' Card issued by the voters' regular municipality. Before the elections questions, were raised about the reliability of these arrangements. The figures for such additions seemed to be fairly low (less than 2 %, see Section X). If the possibility is given to register on election day, the figures for additional entries specified by reason should be included in the polling station protocols.

III.3.7 Publishing of Results

The requirement for Polling Station Commissions to give each of its members a copy of the polling station protocol highly contributed to the transparency of the process. Some doubt was raised as to whether the Polling Station Commission members should receive the copy at the polling station or at district level. A recommendation from the CEC said that they should receive copies of both the one being signed at the polling station, as well as any possible corrected one at district level. If it is felt that the law is ambiguous, it should be clarified along the lines of the CEC recommendation.

There was also some doubt on the extent to which tabulated partial results could be published. The interpretation applied was that tabulation of signed District Protocols could be published. One should consider removing any doubts as to whether tabulation from approved district or polling station protocols can be published, by restricting Article 23,6 to polling station level only.

The CEC and the Statistical Office of Slovakia should be commended for prompt publication of results.

III.3.8 Observers

Domestic or foreign observers are not mentioned in the election law. A modality for accreditation of international observers was issued by the CEC, but the CEC failed to do the same for domestic observers. It should be considered to include such provisions into the legal framework in line with Paragraph 8 of the Copenhagen document.

III.3.9 The Appeal Process.

Broadcasters could file complaints to the Supreme Court concerning the decisions of the Council of the Slovak Republic for Radio and TV Broadcasting. The complaints were therefore subject to judicial scrutiny only once. Democratic states normally allow for two-step court hearings. In particular this applies for criminal charges. The fines that could be imposed on broadcasters and the printed press resemble criminal penalty. Accordingly the legal protection should be comparable. For such cases it is advised that there should be a right to appeal twice.

The deadlines for filing appeals on general electoral issues are short, and may thus be an obstacle for double redress. The provision gives the CEC and the parties very little time to deal with and correct registrations of the list of candidates before the ballot papers are printed. More time will ensure well-founded decisions.

According to an amendment of 20 May 1998 to the Code of Civil Procedure, the participants to an appeal procedure about a party's candidates' list are the political party filing the complaint and the CEC only. A political party, against which a complaint has been filed, may thus be denied of its right to take part in the legal proceedings, which runs contrary to fundamental principles of litigation. Even if the Supreme Court recently accepted the opinions of the third party as a part of the proceedings, the provision ought to be clarified.

There was no public access to the full written decisions of the Slovak Council for TV and Radio Broadcasting and the Supreme Court on elections. A provision permitting administrative bodies and courts to publish the full text of their decisions is recommended; particularly where these concerns the freedom of expression and the rights of political parties. Immediate publishing will promote transparency and the confidence of citizens in the independence of courts and public bodies.

III.3.10 The Referendum on Election Days

A referendum may be held to decide on "crucial issues in the public interest". The Prime Minister announced a referendum based on a petition signed by 548,256 citizens about banning privatisation of certain utility companies. It was the first time a referendum was held on the same days as the parliamentary elections.

The results are valid provided that an absolute majority of eligible voters participated and the issue is adopted by an absolute majority of votes. The adopted proposal is binding for 3 years. The turnout of the referendum on election days was less than 50 %. Only 44 % votes were cast, out of which 85 % voted 'yes'.

The referendum was organised by a parallel and separate set of commissions and administrations on the same levels as the general elections. It was clear that the two laws on referendum and election do not provide for co-ordination when the two events are happening on the same day. Therefore the possible administrative and financial advantage of organising the two ballots simultaneously and efficiently was lost.

IV THE ELECTION ADMINISTRATION

General

The electoral administrative structure consisted of a three-tiered hierarchy including the Central Election Commission (CEC) on the highest level, 79 District Election Commissions (DEC) and approximately 5,866 Polling Stations Commissions (PSC). The CEC had two representatives and two substitutes from each of the seventeen contesting parties. A recorder of the Election Commission was appointed at all levels to provide organisational and administrative support as well as expert counsel to the Commissions. The recorders, however, did not have a right to vote on the Commissions.

All the seventeen parties also had the possibility to designate one member and one substitute to each of the 79 District Election Commissions and one member and one substitute to Polling Station Commissions. A PSC had to have at least five members. A PSC whose List of Voters includes military personnel intermediately transferred from other polling stations, had to have at least seven members.

The Central Election Commission's powers and working practice

Issues brought up in the CEC were often decided by a narrow majority vote, even issues of a legal nature. The balance of voting in the CEC may even have encouraged the registration of new parties, since each party contesting the election had the right to have two members on the CEC. The present structure is not able to combine both multi-party representation and administrative efficiency with the integrity of the process as a whole. There is, of course, nothing wrong with taking votes in deciding issues in a commission by majority vote. But the

daily party-political struggle should be kept at some distance from the effective work of the CEC. The efficiency in reaching the results was indeed lacking. The CEC was not a very strong body and on many issues was only authorised to issue recommendations, not decisions. Therefore models for permanent CEC membership based upon proportional votes in the Parliament, majority vote for the chairmanship, certain formal requirements to the member's legal training, etc should be considered in the Slovakian context.

The problem of the CEC was the political polarisation that occurred during the debates, and made objective decision-making in plenum very difficult. Despite this procedural criticism, most of the recommendations that were passed by vote in the CEC were appropriate, and consistent with the law. The only exception was the publication of intermediate results, where the interpretation of the law was unnecessarily restrictive.

A complaint was lodged concerning the logo of the Hungarian coalition (SMK) to be used on the ballot-papers. The party-name was written in Hungarian before the Slovak version. After hearing the Ministry of Culture, the CEC in a recommendation claimed that SMK should change the logo to bring it in accordance with the act on state language. This meant that the Slovak text should be printed first. Fifteen members of the CEC voted for the recommendation, 11 abstained and 2 voted against. SMK deleted after this all text from its logo.

Polling Station Commissions

The power of public bodies on lower levels to appoint lacking members of DEC's and PSC's has also proved necessary, as some parties failed to comply with the obligation to do so. The provision in the law (Article 16,3) indicates that this should happen whenever a party has not appointed a member. However, the interpretation has fortunately been more restrictive, so that it is only when the minimum number of members of five (or seven) has not been met that the provision was used. The reference in Paragraph 3 to Paragraph 1 should be changed to Paragraph 2.

V VOTER AND CIVIC EDUCATION

Little voter education was organised by the authorities. However, there have been frequent elections in the country, so the procedures were well known to the electorate. The electorate did receive a notification of their registration 25 days prior to the elections, stating their personal data, the date, time and place of voting. The candidate lists of all registered parties were also sent out.

Many NGOs distributed a variety of materials, like postcards, leaflets and stickers, and they organised discussion forums where representatives of all parties were able to present their programs. A march crossing Slovakia, stopping in many towns and villages and a series of Rock Concerts, especially aimed at first time voters, were also organised. All activities were supposed to be non-partisan, although the neutrality was regularly doubted by the ruling coalition.

The private TV and Radio stations, local as well as national, broadcast video-spots and items

encouraging voting, on how to vote and what to do to correct personal data on the Voter Register. A newspaper published a special edition and travelled the country for three weeks with a bus, conducting a mock election and having a reporter answer questions. Spots were shown in cinemas as well.

Voter education was also done during meetings organised by political parties.

VI VOTER REGISTRATION

The Municipalities were responsible for compiling the Voters Lists, except in Bratislava and Kosice where the responsibility was with the police. The Voters Lists could not be drawn directly from the centralized register of citizens, because of the quality of these data at the moment. It is recommended that this be changed when the new law on citizen's registers enters in force in the year 2000.

The Voter Lists were submitted to the PSCs two hours prior to the election. They could be updated even during election days. The voters were informed about their registration 25 days before the elections. If a person did not receive such information, she or he should contact the municipal office.

The Voters Lists were available to be checked by the voters at the municipal offices. During previous elections the lists were actually posted in neighbourhoods and buildings. For these elections, the voters had to go to the municipal office. The arrangements varied in these offices. In some places the full list was available in such a way that voters could check the quality of entries in the whole neighbourhood. In others the voter was permitted to check her or his name only.

The practice should be changed so that the voters can check the lists for all entries in the voter's local area. This will increase the possibility to reduce double entries and entries of people deceased or emigrated, etc.

VII CANDIDATE REGISTRATION

Eighteen parties submitted candidate's lists. Sixteen were approved by the Central Election Commission. The results of the CEC-voting on the registration of each party are as follows:

No	Submitter of the List	Abbr.	For	Against	Abstained
1	Movement for a Democratic Slovakia	HZDS	34	0	0
2	Hungarian People's Movement for Reconciliation and Prosperity	MLHZP	26	1	7
3	National Alternative for Slovakia	NAS	34	0	0
4	Party of Hungarian Coalition	SMK	19	0	13
5	Our Slovakia	NSK	33	0	1
6	Becko-Revolutionary Workers Party	RRS	34	0	0

7	Party of Civic Understanding	SOP	30	3	0
8	Slovak Democratic Coalition	SDK	18	9	7
9	Slovak National Party	SNS	33	0	0
10	Independent Initiative	NI	31	1	2
11	Slovak People's Party	SLS	34	0	0
12	Movement of the Third Way	HTC	34	0	0
13	Party of Democratic Left	SDL	33	0	0
14	Communist Party of Slovakia	KSS	34	0	0
15	United Party of Working People of Slovakia	JSPS	34	0	0
16	Association of Workers of Slovakia	ZRS	28	0	0
17	Slovak National Unity	SNJ	11	13	9
	Real Social-Democratic Party of Slovaks	RSDSS	00	27	6

The CEC registration of the SMK list was accepted by a margin of 6 votes and SDK by one, abstaining votes included. Two parties, SNJ (Slovak National Unity) and RSSR (Real Social-Democratic Party of Slovaks) were rejected. Four parties filed complaints to the Supreme Court, which ruled on 14 August 1998.

The party HZDS raised on 10 August a protest against the registration of the biggest opposition party, the Slovak Democratic Coalition (SDK) with the Supreme Court. HZDS claimed that the SDK's application included a number of wrong data. First of all, the SDK, a former grouping of five opposition parties which merged into one, was registered with the Interior Ministry as the political party Slovak Democratic Coalition, while its constituent conference in July adopted statutes for a party which lacks the first two words, HZDS said. Second, the party's name conflicts with the law, since there is the word >coalition= in it and it is not clear whether this is a coalition or a party. The Supreme Court decided in favour of accepting the SDK list.

SNJ filed a complaint against the denial of registration, alleging that the CEC had misunderstood the provisions on petition sheets. The Court concluded that the sheets fulfilled the requirements and accepted the registration. The Court turned down the motion of SMK against the MLHYP registration.

The Court did not accept the complaint from RSDSS. The petition sheets did not fulfil the requirements as only photocopies of the signatures lists were submitted.

Seventeen parties were therefore on the final ballot.

VIII THE PRE-ELECTION CAMPAIGN

Rallies

The campaign became only noticeably evident two weeks after the designated period had started, although posters had been out at least a month before the official start. No major incidents occurred and no party has forwarded a serious complaint about interference or intimidation during rallies. In two instances, parties of the ruling coalition organised ad hoc rallies near to the place where an opposition party held a rally, planned long ahead. In general, political issues were not emphasized, while criticising opponents was more in evidence. In all rallies, a large proportion of time was devoted to entertainment, all main parties presenting different national celebrities in support of them.

For more than half of the parties registered, the Long Term Observers were not able to see any kind of campaign events locally.

Financing

Regarding the maximum expenditures as stated in the Election Law, opposition parties repeatedly stated that it was clear that HZDS was by far exceeding the amount. The variety of billboards and the campaign material that was handed out for free to participants, as well as free meals, was more substantial with HZDS and subsequently reinforced this allegation.

The Prime Minister invited in a few instances international celebrities to take part in events that had a clear campaigning effect. Even though a party may not have paid for this directly, it adds to the value of the election expenditure, and should be counted in with the controlled funds.

Election Observers

It is regrettable that the CEC did not accept to accredit domestic observers and thus not allowing this civic initiative to increase the transparency of the process even during the count. The practical obstacles of possible over-crowded polling stations could easily have been handled by some kind of arrangement for drawing lots in the unlikely event of having too many observers in the same polling station. It is strongly recommended that a framework be worked out to allow for non-partisan observers to observe future elections, in line with paragraph 8 of the OSCE Copenhagen Document.

The modalities for international observers were complicated and not fully understood in all parts of the country. In the pre-election phase, there were examples of obstacles being placed on the work of the observers. The accreditation of long term observers and staff therefore became crucial. This accreditation took some time to be organised. However, good will from the central authorities solved most problems that arose.

IX THE MEDIA

There are a number of principal objections against Article 23 of the Election Law (see section

III, 3 for a legal analysis). This provision imposed unreasonable restrictions on the electronic media's possibility to cover the campaign. Article 23 was not implemented in a balanced manner, and it may well have resulted in self-censorship beyond the original intentions of the law. It must be concluded that if the intention of Article 23 was to provide an equal chance to all contestants during the campaign, this intention clearly failed.

It was a source of concern that Article 23 was not applied equally to all broadcasters and all programs by the Slovak Council for Radio and Television Broadcasting. In several cases, the Council ruled that electronic media had violated the Election Law and/or provisions of the Law on Radio and Television Broadcasting referring back to the Election Law. The Council cancelled two shows hosting politicians (one of Slovak Television (STV) and one of private TV Markiza) until after the elections, and a number of media (STV, Markiza, Radio Twist, and Radio Free Europe) were obligated to broadcast statements to the effect that they had violated Slovak legislation. A fine of 200,000 Slovak crowns was imposed on Radio Twist, but the decision was invalid because legal procedures were not adhered to.

The most striking example of the possible consequences of Article 23 and related provisions in the Broadcasting Law is the case of TV Markiza, which was fined 3.5 million Slovak crowns on 17 September, a sum ranging at the upper end of the bracket of possible fines. This decision came after an ownership conflict within Markiza had escalated to the point where Markiza's editorial staff on 15 September called on the public for help against the take-over by a new majority owner. Over the next days, Markiza had live broadcasts of demonstrations and support rallies, including appearances by opposition politicians. Some of those politicians used this opportunity to campaign for their parties. Politicians were also invited to discussion shows on Markiza events. Those broadcasts appear to have violated Article 23,3, and Markiza's editors were probably aware that such violations might occur during those broadcasts.

However, there were several borderline cases in which the Council ruled that they had not violated relevant legislation, including a lengthy weekly show with Prime Minister Meciar on STV. Other complaints against STV broadcasts were also rejected by the Council. It appears that the approach of the Council was not always equal. As a result of Council decisions, public media and incumbent politicians enjoyed an overall advantage.

The Radio and Television Broadcasting Council's decisions may be according to the law, but the total picture does not comply with the intention of balanced campaign coverage without restrictions on regular political journalism. Many media representatives said they had to exercise strict self-censorship beyond the intentions of the law in order to avoid violations of Art. 23. Small private broadcasters with limited financial resources even avoided regular news coverage of campaign events in order to avoid violations and possible fines.

It is commendable, however, that the Slovak Council for Radio and Television Broadcasting unanimously rejected a request by the Minister of Culture to take virtually all private electronic media off the air during the campaign period.

Throughout the election campaign (26 AugustB23 September), the Osservatorio di Pavia as part of the OSCE/ODIHR Election Observation Mission seconded by the Italian government,

monitored three television channels (STV1, STV2, and TV Markiza) for 18 hours per day, and two radio channels (Slovensko 1 and Radio Twist) during their evening news. The 21 hours set aside for party campaigning on Slovensko 1 were also monitored. Finally, the Osservatorio di Pavia monitored five major daily newspapers (*SME, Pravda, Slovenská Republika, Novy Cas*, and the Hungarian language *Új Szó*).

The results of the monitoring show that the media as a whole provided pluralistic information: voters could form their own opinion from information provided by a spectrum of media. However, few of the media monitored were truly balanced, and voters ultimately had to rely on more than one media source to get a comprehensive picture of events.

Despite the fact that the media as a whole provided comprehensive information and a variety of views, it is a major concern that Slovak Television failed to meet internationally acknowledged standards for public broadcasters. This becomes even more relevant given the restrictions imposed on broadcasters by Article 23,3 of the election law. It was noted that a number of public figures, including the speaker of parliament, appeared on STV during the moratorium period. In their statements, they used phrases that were very reminiscent of slogans used by the HZDS in its campaign.

The allocation of the 21 hours for party advertisements (AVolby >98≅) was handled in a fair way on both public media. All parties were given equal time, but some parties chose not to use all their slots.

Despite the fair allocation of the 21 hours, STV=s coverage of the election campaign remained seriously flawed. STV1 and STV2 gave clear preference to the ruling parties and to government officials. On STV1, out of the time devoted to politics outside the 21 hours, about 74% went to the government and the coalition parties, mainly to Prime Minister Meciar. Including the equally distributed 21 hours, this share is about 61%. On STV2, this trend was less pronounced but still present. This led to a significant bias on both public television channels. In their news coverage, both STV channels followed an almost identical line. Here, government and coalition parties accounted for almost half of the time devoted to relevant political subjects. The fact that STV gave an obvious quantitative and qualitative advantage to the incumbent government and the parties supporting it, is a clear indication that STV failed to fulfil its responsibility as a public broadcaster financed by tax-payers= money.

TV Markiza, on the other hand, gave opposition parties wide coverage. This general tendency on Markiza became more pronounced due to the events on and after 15 September 1998, which were described in the section on media legislation. On the whole, however, the distribution of time among the political players was more evenly distributed, and positive and negative reporting was less pronounced than on STV. This is especially true for the news on Markiza.

The following two tables show the time devoted to relevant political subjects on STV1, STV2, and TV Markiza and the tendency of coverage. The first table includes all types of programs, while the second one excludes the 21 hours of AVolby =98≅ on the two public channels and the 10 hours allocated on STV2 for the referendum campaign. It has to be noted that the time devoted to politics on STV1 is almost three times as much as on TV Markiza. Excluding AVolby

>98,≅ it is still about twice as much.

Table 1: STV1, STV2, Markiza, all types of programmes except Volby =98 and Referendum >98

Subjects	STV 1				STV 2				MARKIZA			
	T	+	=	-	T	+	=	-	T	+	=	-
Government of Slovakia	51.8	83	16	1	45.2	83	16	1	9.1	22	34	44
Speaker of the Assembly	3.8	77	18	5	4.1	78	22	0	0.4	18	59	23
HZDS	13.9	88	10	2	21.6	87	11	2	7.1	43	27	30
SNS	3.8	87	9	4	2.0	77	20	3	10.2	58	28	14
ZRS	0.5	85	15	0	0.2	20	65	15	0.1	0	73	27
<i>Ruling parties and state officials</i>	73.8				73.1				26.9			
MLHZP	0.5	83	11	6	0.2	0	7	93	3.0	83	17	0
NAS	0.4	96	4	0	0.0	0	100	0	2.3	80	20	0
SMK	4.3	79	8	13	1.8	63	14	23	4.2	79	20	1
NSK	0.7	82	8	10	0.0	77	23	0	3.1	83	17	0
RRS	0.4	96	4	0	0.0	0	100	0	3.3	87	12	1
SOP	3.1	17	11	72	4.9	1	8	91	8.2	74	26	0
SDK	8.1	18	15	67	14.2	31	16	53	18.4	72	27	1
NI	0.7	88	11	1	0.8	88	12	0	5.5	87	13	0
SLS	0.4	95	5	0	0.1	0	100	0	3.3	85	15	0
HTC	0.4	96	4	0	0.0	0	100	0	3.3	82	15	3
SDL	5.5	71	13	16	3.5	64	25	11	11.7	69	30	1
KSS	0.4	94	6	0	0.1	79	14	7	2.0	89	11	0
JSPS	0.4	92	8	0	0.0	0	100	0	3.2	88	12	0
SNJ	0.5	96	4	0	0.0	0	100	0	1.4	80	20	0
Others	0.4	100	0	0	1.3	100	0	0	0.1	95	5	0
Totals in minutes	2214.0				616.0				1073.0			

Key:

- T Time given to political subject (%)
- + Index of positive time given to political subject
- = Index of neutral time given to political subject
- Index of negative time given to political subject

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Table 2: STV1, STV2, Markiza, all types of programmes

Subjects	STV 1				STV 2				MARKIZA			
	T	+	=	-	T	+	=	-	T	+	=	-
Government of Slovakia	51.8	83	16	1	45.2	83	16	1	9.1	22	34	44
Speaker of the Assembly	3.8	77	18	5	4.1	78	22	0	0.4	18	59	23
HZDS	13.9	88	10	2	21.6	87	11	2	7.1	43	27	30
SNS	3.8	87	9	4	2.0	77	20	3	10.2	58	28	14
ZRS	0.5	85	15	0	0.2	20	65	15	0.1	0	73	27
<i>Ruling parties and state officials</i>	73.8				73.1				26.9			
MLHZZP	0.5	83	11	6	0.2	0	7	93	3.0	83	17	0
NAS	0.4	96	4	0	0.0	0	100	0	2.3	80	20	0
SMK	4.3	79	8	13	1.8	63	14	23	4.2	79	20	1
NSK	0.7	82	8	10	0.0	77	23	0	3.1	83	17	0
RRS	0.4	96	4	0	0.0	0	100	0	3.3	87	12	1
SOP	3.1	17	11	72	4.9	1	8	91	8.2	74	26	0
SDK	8.1	18	15	67	14.2	31	16	53	18.4	72	27	1
NI	0.7	88	11	1	0.8	88	12	0	5.5	87	13	0
SLS	0.4	95	5	0	0.1	0	100	0	3.3	85	15	0
HTC	0.4	96	4	0	0.0	0	100	0	3.3	82	15	3
SDL	5.5	71	13	16	3.5	64	25	11	11.7	69	30	1
KSS	0.4	94	6	0	0.1	79	14	7	2.0	89	11	0
JSPS	0.4	92	8	0	0.0	0	100	0	3.2	88	12	0
SNJ	0.5	96	4	0	0.0	0	100	0	1.4	80	20	0
Others	0.4	100	0	0	1.3	100	0	0	0.1	95	5	0
Totals in minutes	2214.0				616.0				1073.0			

Key:

- T Time given to political subject (%)
- + Index of positive time given to political subject
- = Index of neutral time given to political subject
- Index of negative time given to political subject

Regarding radio, the prime time news on Slovensko 1 showed a neutral attitude, but still gave the government and the ruling parties considerably more coverage than the opposition. Prime time news on Radio Twist generally showed a balanced attitude.

Table 3: Prime time news on Slovensko 1 and Radio Twist

Subjects	SLOVENSKO 1				TWIST			
	T	+	=	-	T	+	=	-
Government of Slovakia	51.6	51	49	0	22.0	28	61	11
Speaker of the Assembly	6.5	63	37	0	1.1	33	64	3
HZDS	16.8	64	36	0	18.2	51	41	8
SNS	7.0	58	42	0	4.4	51	47	2
ZRS	0.2	0	100	0	0.3	0	89	11
<i>Ruling parties and state officials</i>	<i>82.1</i>				<i>46.0</i>			
MLHZP	0.2	0	100	0	0.0	0	0	0
SMK	1.9	65	35	0	5.4	78	22	0
SOP	0.9	4	92	4	4.2	35	65	0
SDK	5.7	35	64	1	28.0	57	38	5
NI	0.1	0	100	0	1.4	96	4	0
SDL	7.6	36	64	0	15.0	54	42	4
KSS	0.4	0	100	0	0.0	0	0	0
Others	1.0	84	16	0	0.0	0	0	0
Totals in minutes	137.0				146.0			

Key:

- T Time given to political subject (%)
- + Index of positive time given to political subject
- = Index of neutral time given to political subject
- Index of negative time given to political subject

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The print media had no legal restrictions on their coverage of the campaign except for during the 48-hour campaign silence and the restrictions on publishing public opinion polls. *Slovenská*

Republika was clearly in favour of the government and HZDS. It devoted over 80% of its political coverage to them, most of which was positive. Coverage of opposition parties, on the other hand, was mostly negative. The other four newspapers monitored were consistently critical of the government and the ruling parties. *SME* and *Új Szó* in particular gave positive coverage to the opposition while being critical of the government and HZDS. *Új Szó* devoted a very high share of its political coverage to SMK. With regards to party advertisement in newspapers, HZDS and SOP used this option more extensively than other parties.

Table 4: Newspapers, whole coverage except paid political advertisements

Subjects	SME				PRAVDA				SLOVENSKA REPUBLIKA				ÚJ SZÓ				NOVY CAS			
	S	+	=	-	S	+	=	-	S	+	=	-	S	+	=	-	S	+	=	-
Government of Slovakia	30.1	1	39	60	22.7	22	52	26	41.6	71	29	0	18.9	1	28	71	23.5	18	61	21
Speaker of the Assembly	1.4	0	72	28	0.6	11	88	21	2.3	73	27	0	1.0	0	91	9	1.9	0	63	37
HZDS	17.8	0	32	68	20.0	23	34	43	37.8	83	17	0	9.4	0	31	69	13.8	17	37	46
SNS	4.5	5	42	53	7.4	9	80	11	0.7	55	32	13	5.0	6	37	57	8.4	11	81	8
ZRS	2.1	7	43	50	1.4	34	57	9	0.2	26	74	0	0.5	0	40	60	2.1	44	54	2
<i>Ruling parties and state officials</i>	55.9				52.1				82.6				34.8				48.7			
MLHYP	0.0	0	0	0	0.4	0	100	0	0.2	93	7	0	4.7	49	14	37	0.8	96	4	0
NAS	0.0	0	0	100	0.1	0	100	0	0.0	0	100	0	0.0	0	100	0	0.8	97	3	0
SMK	4.1	85	35	0	7.0	6	85	9	0.9	2	11	87	32.1	86	14	0	7.0	27	73	0
NSK	3.6	98	4	0	1.0	54	46	0	0.1	0	25	75	2.8	0	2	98	1.0	95	5	0
RRS	0.1	0	0	100	0.4	0	95	5	0.0	0	17	83	0.0	0	100	0	0.7	98	4	0
SOP	8.1	80	19	1	11.2	39	61	0	3.7	0	8	92	5.8	84	32	4	9.7	80	39	1
SDK	17.6	51	48	1	13.4	46	51	3	9.2	0	9	91	18.6	58	41	1	18.2	69	26	6
NI	0.0	0	100	0	0.5	0	89	11	0.0	0	100	0	0.0	0	0	0	0.8	96	4	0
SLS	0.1	0	10	90	0.3	0	99	1	0.0	0	0	100	0.0	0	100	0	0.4	83	7	0
HTC	0.0	0	0	100	0.3	0	100	0	0.0	0	24	76	0.1	0	4	96	0.8	96	4	0
SDL	9.8	38	61	1	12.6	30	70	0	1.9	10	11	79	3.1	1	92	7	8.1	52	44	4
KSS	0.6	0	17	83	0.3	0	96	4	0.2	1	51	48	0.0	0	100	0	1.1	90	10	0
JSPS	0.0	0	0	0	0.4	0	99	1	0.0	0	17	83	0.0	0	100	0	1.3	98	2	0
SNJ	0.0	0	10	90	0.0	0	100	0	0.0	0	17	83	0.0	0	100	0	0.9	97	3	0
Others	0.1	0	94	6	0.0	0	0	0	1.1	100	0	0	0.0	0	0	0	0.6	100	0	0
Totals in pages	22.95				21.23				50.78				18.09				32.01			

Key:
S Space given to political subject (%)
+ Index of positive space given to political subject
= Index of neutral space given to political subject
- Index of negative space given to political subject

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X OBSERVATION ON POLLING DAY

The election days were generally conducted in a peaceful and orderly manner, without any serious incidents reported. The election administration worked in an efficient manner, and the polling station commissions managed during the election days to conduct a correct election. It was encouraging to notice that Slovak citizens participated in large numbers in the democratic process on the election days. A turnout of 84.2% is encouraging and shows that these elections were seen as important by the Slovak people.

More than 200 observers visited close to 1700 polling station, almost 30% of all the polling stations during election days. The following gives a summary of some of the findings reported by the observers.

About 98% of all ballot boxes were sealed properly and they were verified to be empty before sealing. However the seals were in some cases reported as being of bad quality. They could easily come off during the night. There was not a consistent practice in the use of the new sealing technique throughout the country. No complaints on the seals were however reported during the opening on the second day of voting. No incidents of lack of voting material were reported.

The polling station commissions consisted generally of more than nine persons from a variety of political parties. They seemed to be present during the whole period of voting and during the count. However, some Polling Station Commission members refused to tell which party they represented and in some cases did not know.

The CEC did not accredit domestic observers and left it up to the Chairperson of the Polling Station Commission to decide to let them in or not. OKO 98, the main domestic observer organisation, reported that they were let into approximately 50% of all polling stations during the voting. Domestic observers were present in only 10% of the polling stations observed by the OSCE. This does not necessarily confirm to what extent the domestic observers were denied access during the voting. The domestic observers were not allowed into the polling stations during the count. However, they conducted a parallel count tabulation on the basis of a sample of results from polling stations given to them by various Polling Station Commission members.

Closing of the polling station and the overnight storage of voting material and ballot boxes were reported without major problems. In many cases the Polling Station Commissions would also seal the windows and doors of the polling station.

In 11% of the polling stations observers noted instances where voters were refused to vote. However, all cases were reported as justified and the reasons given were mainly that they came to the wrong polling station or did not have a proper ID.

Family or group voting - e.g. more than one person in the booth at the same time - was observed in almost 20% of the polling stations. This is not in accordance with the law and representatives from the Ministry of Interior were quite surprised to hear about this relatively high number after the elections. It was said that this would be taken up when training the Polling Station Commission members for the local elections in November.

Less than 2% of all the voters on the Voters Lists in the OSCE/ODIHR sample of observed Polling Stations were added on the lists during election days. More than half of these came with a Voter's Card, indicating absentee voting from other municipalities. A very small number of Slovaks living abroad voted with their passports and proof of living outside of the country. Any amount of people voting more than one time with Voters Certificate or with a passport would in this case be totally insignificant.

In 17% of the polling stations voters requiring assistance was observed. In almost all cases

observed the voters were assisted in the proper manner.

Intimidation of voters was hardly observed. 90% of the voters left the unused ballots in the polling station. This could be an indication that the allegation of voters having to prove their party preference to some local authority or employer after casting their vote, could not affect very significant numbers.

On a scale from 0 to 4 the observer's general assessment of the voting process was 3.45. (0 being poor and 4 being excellent.) This translates into 86 on a scale from 0 to 100.

In general the observers were welcomed to the polling stations and most commission members and chairpersons were co-operative. However, some problems were reported on the first day of voting. Several of the observer teams were not let into the polling stations apparently because they were not on the lists of names of all observers. This was solved after intervention by the Ministry of Interior and Ministry of Foreign Affairs.

XI OBSERVATION OF COUNTING

The count took place in the polling station immediately after the voting finished. The process was carried out in an orderly manner and the Polling Station Commission members seemed to be well trained. The average time of the count was less than 3.5 hours. Although the procedures, the minutes and the protocols from the count can undergo improvements, see Section III.3.6, the count was carried out well. The number of invalid votes was very small and there was hardly any disagreement on invalid votes among the Polling Station Commission members.

On a scale from 0 to 4 the observers' general assessment of the counting process was 3.43 (0 being poor and 4 being excellent). This translates into 86 on a scale from 0 to 100.

After the count finished in the polling station the Polling Station Commission chairperson took the minutes to the DEC. In most cases the observers following the Polling Station Commissions to the DEC were allowed to observe the process even there, but in some cases they were told to leave the DEC and were not given access to results.

XII AGGREGATION AND VERIFICATION OF RESULTS

The CEC and the Statistical Office should be commended for timely publication of final results. Detailed results per polling station are also being made available to the public in such a way that the Polling Station members, observers and the public can check the tabulation.

Partial results based upon District protocols were published from the morning of the day after the elections onwards. Arrangements for publishing partial results even based upon polling

station results should be considered for future elections.

The count was observed in 87 polling stations. The observers took down the detailed results, and these have been used in a parallel tabulation. The following table is based upon a comparison between the official results and the verified sample, after having weighed the sample by the turnout figures for each of the eight regions. The results are well within the confidence interval of such sample.

List No.	Candidate List	Abbr.	Official Result %	ODIHR Sample %
1	Movement for a Democratic Slovakia	HZDS	27.00	26.35
2	Hungarian People's Movement for Reconciliation and Prosperity	MLHZZP	0.19	0.08
3	National Alternative for Slovakia	NAS	0.09	0.08
4	Party of Hungarian Coalition	SMK	9.12	5.35
5	Our Slovakia	NSK	0.48	0.49
6	Becko-Revolutionary Workers Party	RRS	0.13	0.11
7	Party of Civic Understanding	SOP	8.01	8.14
8	Slovak Democratic Coalition	SDK	26.33	28.01
9	Slovak National Party	SNS	9.07	10.12
10	Independent Initiative	NI	0.18	0.18
11	Slovak People's Party	SLS	0.27	0.21
12	Movement of the Third Way	HTC	0.07	0.06
13	Party of Democratic Left	SDL	14.66	15.90
14	Communist Party of Slovakia	KSS	2.79	3.33
15	United party of Working People of Slovakia	JSPS	0.10	0.10
16	Association of Workers of Slovakia	ZRS	1.30	1.36
17	Slovak National Unity	SNJ	0.13	0.12

According to the official results, the seat allocation was as follows:

Party	Seats
1. HZDS	43
4. SMK-MKP	15
7. SOP	13
8. SDK	42

9. SNS	14
13. SDL	23

Total	150
=====	

XIII RECOMMENDATIONS

Based upon the observations of the full electoral process, the OSCE/ODIHR Election Observation Mission would like to offer the following recommendations:

- The legal provisions for election campaigning in electronic media should be reconsidered and brought into line with international standards. At minimum, the restrictions to private media in Article 23 should be limited to advertisements only, and normal journalistic coverage in all electronic media should be unrestricted.
- The Public TV should be given rules, which should be followed up in such a way that independence and neutrality is pursued in its campaign reporting. The rules for coverage of the activities of incumbents should be adhered to.
- Private licence holders should adhere to clearly established guidelines for the conduct of the media in the election campaign, to permit election campaign coverage in a balanced manner.
- Models for permanent CEC membership based upon proportional votes in the Parliament, majority vote for the chairmanship, certain formal requirements to the member's legal training, etc should be considered in the Slovakian context. The mandate should be reviewed to strengthen the powers of the CEC.
- A division of the country into more constituencies should be considered for the purpose of securing political competition even within ethnic minority groups. Proportional representation may still be maintained.
- A control of voting envelopes should be considered.
- Polling Station protocols should include information on the voters added in the voters' lists on election days as well as issued, used and returned envelopes and explicit recording of void votes.
- Reconciliation of votes at polling station level should be considered.
- Further arrangements for publication of partial results based upon polling station protocols, should be established.
- Substitutes should be taken from the candidate list in accordance with the election results, not according to parties' decisions after the election.
- It should be considered to make it clear for which areas election results may be cancelled. Re-elections may thus be reduced to the locations where serious errors that influenced the elections occurred.

- The right for citizens to file complaints on election results should be harmonized with the one-constituency system in such a way that the requirements for appeals are reasonable.
- Two instances of appeal to the courts on electoral issues should be considered, in particular for decisions concerning the fining for infringements of the provisions on election campaigning.
- According to fundamental principles of litigation it should be clarified in the law that the political party in question is to take part in the proceedings concerning a decision on its registration of candidates list.
- Public access to electoral decisions and court-rulings will promote transparency and the general confidence in the decision-making bodies.
- Legal provisions for increasing the transparency of the process by allowing for domestic observers should be adopted, in line with paragraph 8 of the Copenhagen Document.
- The Law on referenda should be harmonized in its administrative outline with the Election Law for the purpose of gaining synergy effects when referenda are held simultaneously with elections.
- Voters' Lists should in the future be compiled directly from central citizens' register.
- The arrangements for the voter's validation of voters lists should consistently include a possibility for the checking of all entries in the voter's neighbourhood, not only his or her own registration.
- Voter education and commission member training should emphasise that voters should vote in accordance with secrecy without family members or other persons using the booth at the same time, as stated in the Law.