



United States Mission to the OSCE

Statement on Media Defamation Suits and Judicial Integrity in the Slovak Republic

As delivered by Deputy Political Counselor Jennifer Bosworth
to the Permanent Council, Vienna
June 13, 2013

The United States is concerned that members of the Slovak judiciary are seeking high damage awards in lawsuits against the media. As Representative on Freedom of the Media Dunja Mijatović noted, “public officials need to endure a higher threshold of criticism, including by members of the media.” We are pleased that Slovakia’s Minister of Foreign and European Affairs Miroslav Lajčák, in his May 27 reply to Ms. Mijatović, noted many of her points, and offered to accept her assistance with media freedom issues. Minister Lajčák noted the importance of “the protection of personal integrity” – and it is important that all have the opportunity to defend their reputation publicly, which is why all governments should protect the free marketplace of ideas. For that reason, we welcome the Minister’s acknowledgement that “public officials need to endure a higher threshold of criticism by the public.”

My government understands that several current and former members of the Slovak judiciary are seeking damages totaling €40,000 from a daily newspaper in the Slovak Republic. We are also following a suit brought by a judge against another daily newspaper, seeking €150,000 in damages for an investigative article about the judge, which he claims infringed upon his privacy. Additionally, apart from the damage awards sought, libel-related damages have already been awarded. For example, a sitting Supreme Court President received €5,000 in compensation from a daily paper that ran a series of articles and cartoons criticizing his management of the Supreme Court. Also, a judge was awarded €30,000 from a private radio station for a report about a criminal investigation involving that judge. These and other such cases, both past and present, could, as Representative Mijatović warned, result in self-censorship of journalists and publishers, and negatively affect media’s role in holding governments to account.

Madam Chairperson, my government finds this matter concerning because such cases show a lack of proper regard for the importance of the fundamental freedom of expression among the very people who have the responsibility to defend it. This erodes public trust in the Slovak judiciary. Various indices have identified low public trust and perceptions of infringements on judicial independence as detrimental to rule of law in the Slovak Republic. As a country that embraces the principles of democracy and human rights, the Slovak Republic should take action to address these concerns. As the Slovak Republic explores ways to improve this situation, my government will continue to stand ready to assist.

Thank you, Madam Chairperson.