



Office for Democratic Institutions and Human Rights

SLOVAK REPUBLIC

PARLIAMENTARY ELECTIONS 5 March 2016

OSCE/ODIHR Election Assessment Mission
Final Report



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I. EXECUTIVE SUMMARY

Following an invitation from the Ministry of Foreign and European Affairs of the Slovak Republic to the Organization for Security and Co-operation in Europe (OSCE), the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) deployed an Election Assessment Missions (EAM) to observe the 5 March parliamentary elections.

The elections were held in a competitive and pluralistic environment and fundamental freedoms were respected. Stakeholders expressed confidence in most stages of the electoral process. Voters had the opportunity to make an informed choice from a variety of political options.

In line with the OSCE/ODIHR recommendations to harmonize the election legislation, the legal framework was amended in 2014, resulting in a number of improvements. The revised legal framework provides for more detailed rules on composition and activities of election commissions, imposes administrative sanctions for certain election violations, further regulates party and campaign financing, and criminalizes vote-buying. However, certain aspects of the electoral process remain under-regulated, including those concerning dispute resolution and the rights of observers.

OSCE/ODIHR EAM interlocutors expressed a high level of trust in the ability of the election administration to conduct elections professionally and according to the law. Following the amendments to the elections act, a permanent State Commission for Elections and the Control of Funding for Political Parties (State Commission) was established to oversee the preparations for elections and the funding of political parties, and to determine election results. Some OSCE/ODIHR EAM interlocutors opined that the mechanism of appointment of State Commission members may lead to a lack of impartiality in its decision-making. While the elections act does not explicitly state whether the State Commission sessions are open to the public, the OSCE/ODIHR EAM was given full access and could observe its sessions.

Those serving prison sentences for particularly serious crimes, as well as those deprived of legal capacity are denied the right to vote. Voter registration is decentralized and maintenance of the voter lists is under the responsibility of the municipal authorities. There is a high level of confidence among election stakeholders in the accuracy and inclusiveness of the voter lists. Voters have the possibility to vote in person in polling stations, by absentee ballot in any polling station in the country, by post if they are temporarily or permanently abroad, or in case of a serious medical condition by a mobile ballot box.

The candidate registration process was inclusive with 23 candidate lists being registered. Independent candidates cannot stand, contrary to OSCE commitments and other international obligations and standards. Some political parties included in their lists candidates who publicly declared themselves as independent.

¹ The English version of this report is the only official document. Unofficial translation is available in Slovak.

Political parties could campaign freely and fundamental freedoms of assembly and expression were respected. The campaign was marked by accusations of corruption and fraud between some candidates, and overall lacked discussion about party programmes. Many OSCE/ODIHR EAM interlocutors voiced allegations of misuse of administrative resources for campaign purposes by the ruling party. Of the 2,882 candidates, 677 were women. Women candidates did not feature prominently in the campaign. There are no specific legal measures to promote women's participation in elections and, often, no internal party policies on the issue.

In line with previous OSCE/ODIHR recommendations, the system of political party and campaign financing was reviewed and a number of improvements were introduced. Recent amendments included the provisions on registration of 'third parties' and on financing campaigns only through a 'transparent account', with details of all transactions made available for public scrutiny. However, the possibility to cover various campaign expenses with a single transaction limited the effect of such measures. Some campaign finance aspects remain to be addressed, including the ease of circumventing the expenditure ceiling through third parties and absence of interim reporting by election contestants.

The State Commission is tasked with overseeing political party and campaign financing, along with the Ministry of Interior (MoI). However, functional dependence of the State Commission on the MoI may potentially reduce the State Commission's independence.

The media environment is vibrant and pluralistic with a significant number of TV and radio channels, as well as newspapers. The concentration of ownership of media led to increased concerns over editorial independence. Also, high damages in civil defamation cases and criminalization of defamation are thought to have a detrimental effect on journalism.

The law obliges broadcasters to be impartial, objective and ensure plurality of views in news and current affairs programmes. Public broadcaster fulfilled its legal obligation to devote 10 hours to political discussion programmes on both radio and television. The compliance is overseen by the Council for Broadcasting and Retransmission. The media covered the election campaign extensively including through special discussion programmes. While most print media were predominantly critical of the government, OSCE/ODIHR EAM interlocutors noted that several TV channels favoured the ruling party and its leader in their news programmes. The newly introduced ban on publication of opinion polls two weeks before elections was seen by many as infringing the public's right to information.

According to the 2011 census, the largest minorities in the country are Hungarians and Roma. Three ethnic Hungarian parties contested the elections and one entered the parliament. No Roma party presented a list of candidates, and none of the 23 Roma candidates running on ten different candidate lists was elected. According to the OSCE/ODIHR EAM interlocutors, efforts to deter vote-buying, including through education and criminalization of such offenses, appeared to decrease the practice for these elections, previously a significant concern, especially in vulnerable Roma communities.

The elections act does not provide for specific mechanisms for resolution of election-related disputes. Despite previous OSCE/ODIHR recommendations, there are no mechanisms for adjudication of campaign-related complaints and lower-level commissions have no authority to review complaints. No campaign-related complaints or appeals were filed with the MoI or the State Commission. Election results can be appealed to the Constitutional Court after the establishment of final results by the State Commission. There are no specific timelines for the resolution of election-related disputes and the general deadline of 60 days to decide on administrative complaints is

applied. The lack of legal deadlines for considering various types of election-related complaints can undermine the right to effective remedy.

In line with OSCE/ODIHR's methodology, the EAM did not observe election day proceedings in a systematic and comprehensive manner. However, mission members visited a limited number of polling stations. In polling stations visited by the OSCE/ODIHR EAM voting and the vote count took place in an organized manner with only minor inconsistencies noted. The State Commission published the final results on 6 March.

II. INTRODUCTION AND ACKNOWLEDGEMENTS

Following an invitation from the Ministry of Foreign and European Affairs of the Slovak Republic to observe the 5 March 2016 parliamentary elections and based on the recommendation of a Needs Assessment Mission conducted from 11 to 13 January, the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) deployed an Election Assessment Missions (EAM) from 17 February to 8 March.² The OSCE/ODIHR EAM was headed by Ambassador Jorge Fuentes and consisted of six international experts from six OSCE participating states. The EAM was based in Bratislava, but also visited Dunajská Streda, Košice, Modra, Šamorín and Trnava.

The electoral process was assessed for its compliance with OSCE commitments, other international obligations and standards for democratic elections and with national legislation. In line with the OSCE/ODIHR's methodology, the OSCE/ODIHR EAM did not observe election day proceedings in a systematic or comprehensive manner. However, mission members visited a limited number of polling stations on election day.

The OSCE/ODIHR EAM wishes to thank the authorities of the Slovak Republic for the invitation to observe the elections, and the Ministry of Foreign and European Affairs, the Parliament, the State Commission for Elections and the Control of Funding for Political Parties (State Commission), the Ministry of Interior (MoI), the Constitutional Court, the Ombudsperson, the election administration at all levels, and other state institutions and municipal authorities for their assistance and co-operation. The OSCE/ODIHR EAM also wishes to express gratitude to the representatives of political parties and candidates, media, civil society organizations, representatives of diplomatic missions in Bratislava and other interlocutors for sharing their views.

III. BACKGROUND

Slovakia is a parliamentary republic and legislative powers are vested with a 150-member unicameral National Council (parliament), elected for four years. The president is the head of state, elected directly for a five-year term. The president appoints a prime minister who holds most executive powers and is responsible for forming a government.

On 12 November 2015, the speaker of the parliament called parliamentary elections for 5 March 2016. The elections were held in an environment dominated by debates about Europe's refugee and migration crisis, corruption scandals, issues of unemployment and strikes by teachers and healthcare workers.

Slovakia's first ever single-party government was formed after the 2012 parliamentary elections, when Direction-Social Democracy (*SMER-SD*), led by Prime Minister Robert Fico, won an

² See all [previous OSCE/ODIHR election reports](#) on the Slovak Republic.

overwhelming majority with 83 seats. Mr. Fico ran for the presidency in 2014, but lost to Andrej Kiska in the second round. In addition to *SMER-SD*, four other parties and one coalition were represented in the outgoing parliament: the Christian Democratic Movement (*KDH*); Ordinary People and Independent Personalities (*OL'aNO*); *Most-HiD*; the Slovak Democratic and Christian Union-Democratic Party (*SDKÚ-DS*); and Freedom and Solidarity (*SaS*).

The Slovak political landscape is characterised by a wide spectrum of parties. The choice that voters faced was, however, widely perceived as one between a continuation of the government led by *SMER-SD*, and a potential coalition of centre-right parties, some of which were recently established.

IV. LEGAL FRAMEWORK AND ELECTORAL SYSTEM

The legal framework for the parliamentary elections includes primarily the Constitution and the Law on Conditions for the Exercise of Voting Rights and on Amendments to Certain Laws (hereinafter, elections act). Specific aspects of elections are regulated also by the Act on Electoral Campaign, the Act on Political Movements and Political Parties, the Act on Broadcasting and Retransmission and the Criminal Code.

In line with the OSCE/ODIHR recommendations to harmonize election practices and to eliminate gaps and inconsistencies in the legislation, the legal framework was amended in 2014, resulting in adoption of the elections act and the Act on Electoral Campaign and in changes to the Act on Political Movements and Political Parties.

The electoral system and the rules governing electoral processes were not changed significantly, but a number of improvements were introduced. Among others, the revised legal framework provides more detailed rules on the activities and composition of the newly created State Commission, imposes administrative sanctions for certain election violations, and further regulates party and campaign financing. In 2011 sanctions for vote-buying were introduced to the Criminal Code, as previously recommended by the OSCE/ODIHR. However, some previous OSCE/ODIHR recommendations remain unaddressed. Certain aspects of the electoral process are still under-regulated, including those concerning the rights of observers and campaign-related disputes.

The parliament is elected in one nationwide constituency, on the basis of a proportional electoral system with a preferential component. In addition to voting for a party list, voters may select up to four individual candidates on the chosen list.

Parties need to receive at least 5 per cent of valid votes to participate in the distribution of mandates.³ Candidates who receive at least 3 per cent of preference votes out of all votes cast for their party have a priority during distribution of mandates. The remaining mandates are distributed according to the order of candidates in party lists.

V. ELECTION ADMINISTRATION

The elections are administered by several institutions including the State Commission, the MoI, the Statistics Office, the lower-level commissions including 49 District Election Commissions (DECs) and a total of 5,992 Precinct Election Commissions (PECs), as well as the municipal authorities. In

³ The threshold for coalitions composed of two or three parties is 7 per cent, and for four and more parties – 10 per cent of valid votes.

general, OSCE/ODIHR EAM interlocutors expressed a high level of trust in the ability of the election administration to conduct elections professionally and according to the law.

The State Commission was established as a permanent body by the 2014 elections act, with its mandate expiring after each parliamentary elections. The State Commission is an independent body with a role to oversee the funding of political parties, electoral preparations and tabulation of results. It comprises 14 members, of whom 10 are nominated by parliamentary parties (5 each by the ruling and the opposition parties). In addition, the President of the Constitutional Court, the President of the Supreme Court, the Public Prosecutor and the President of the Supreme Audit Office nominate one member each. The chairperson of the State Commission is elected by the parliament from among the commission members by a secret vote. Three of the State Commission members are women. Some OSCE/ODIHR EAM interlocutors opined that the mechanism of appointment of State Commission members may lead to a lack of impartiality in its decision-making.

The elections act does not explicitly state whether the State Commission sessions are open to the public. Moreover, the State Commission's Rules of Procedures stipulate that their sessions are closed, except upon invitation by the commission. The commission's interpretation of the elections act, which covers the rights of observers to observe voting, counting and tabulation of results, is that those rights are also extended to the observation of State Commission's sessions. The OSCE/ODIHR EAM members were invited to State Commission sessions and received full support and co-operation.

The elections act should be amended to explicitly allow observers, both citizen and international, to be present at sessions of election commissions of all levels.

The State Commission adopts decisions with simple majority, except on questions related to candidate registration or breaches of the opinion poll moratorium, for which three-quarter majority of all members is required.⁴ During sessions attended by the OSCE/ODIHR EAM the State Commission conducted open discussions and usually reached its decisions unanimously. The minutes of the State Commission sessions were published promptly on its website.

Political parties contesting the elections have the right to nominate members to all DEC and PECs.⁵ An electoral officer with an advisory and secretarial role is appointed by state and municipal authorities to each commission to support its work.

The work of the DEC and PEC is limited to organizing the voting, counting and tabulation.⁶ According to the State Commission, the DEC, PEC chairpersons and electoral officers attended training sessions and received a copy of the elections act and methodological instructions on procedural aspects provided by the MoI. Statistics on gender breakdown of DEC and PEC members was not available.

According to the State Commission, its decisions are legally binding for lower-level commissions. However, this is not explicitly regulated in the legislation and may prove problematic on election day if any DEC or PEC reaches unlawful decisions or fails to implement the law.

⁴ In the case of a tie, the vote of the chairperson is decisive.

⁵ Minimum number of DEC and PEC members is five. In case fewer than five members are nominated, the district and municipal authorities, respectively for DEC and PECs, must fill the remaining seats.

⁶ In general, DEC and PEC met in sessions only twice, once to appoint the commission chairperson through lottery, and the second time on the election day.

As previously recommended, the elections act could be amended to explicitly stipulate that the State Commission's decisions on procedural matters are legally binding for lower-level commissions.

The MoI is responsible for the technical aspects of the organization of elections, including the printing of ballot papers and envelopes, training of election commissioners and conducting voter information and education programs. The MoI provided information to the public on changes to voting procedures, such as the obligation for voters to sign the voter list and the obligation to deposit unused ballots inside the polling station, mainly through interviews given to the media closer to election day.

The Statistics Office is responsible for the tabulation of election results at district and central levels. The election administration fully relies on the Statistics Office to organize this process, while the State Commission and the DEC's are legally tasked to supervise the process.

VI. VOTER REGISTRATION

Citizens aged 18 years or older are eligible to vote. Those serving prison sentences for particularly serious crimes, as well as those deprived of legal capacity, including persons with mental disabilities, are denied the right to vote. The evolving case law of the European Court of Human Rights (ECtHR) calls for proportionality of the restrictions on voting rights of persons with mental disabilities.⁷

Consideration could be given to revising the existing blanket denial of the right to vote to those deprived of legal capacity to ensure proportionality of restrictions on the voting rights of persons with mental disabilities.

Voter registration is decentralized and maintenance of the voter lists is under the responsibility of the municipal authorities. Voters are included in the voter lists based on their permanent address. The voter lists are updated continuously and are based on the municipalities' own records and information provided by the state institutions. Municipalities may use and update the information contained in the population register that is maintained by the MoI.

According to the elections act, voters can be added to the voter list in the precinct of their residence by the PEC on election day if they present an identity card and proof of residence.⁸ Voters without permanent residence may request to be entered in the special register maintained by the MoI.⁹ Voters can verify their data at any time during working hours and, if necessary, request corrections of the voter lists until the last day before election day.¹⁰ There is a high level of confidence among election stakeholders in the accuracy and inclusiveness of the voter lists.

Voters can vote in person in polling stations, by absentee ballot in any polling station in the country, by post if they are temporarily or permanently abroad, or in case of a serious medical condition by a mobile ballot box in the place of their residence. Application for postal voting is possible from the

⁷ See *Alajos Kiss v. Hungary* where the ECtHR ruled that the indiscriminate denial of voting rights of mentally disabled people violates Article 3 of Protocol 1 of the European Convention on Human Rights.

⁸ According to municipal authorities met with by the OSCE/ODIHR EAM, in case when citizens change their permanent address close to election day, they receive an administrative document which can serve as a proof of their newly registered permanent residence.

⁹ In this case active registration is required before each parliamentary elections. Some 1,200 voters without permanent residence registered for these elections.

¹⁰ Voter lists are printed and delivered by the municipal authorities to the PECs at the latest one hour before the opening of the polls.

time the elections are called and until 50 days before election day.¹¹ Absentee voting certificates are issued by the municipalities of permanent residence, and could be requested by e-mail and post no later than 15 days before election day or in person or by proxy no later than 1 day before election day. Adequate mechanisms are put in place to prevent misuse of absentee voting certificates.

A dedicated online platform to assist voters was created to facilitate the administrative process of applying for a postal or absentee ballot. The number of requests for postal and absentee voting increased significantly, compared with previous elections.¹²

VII. CANDIDATE REGISTRATION

Citizens aged 21 years or older and who have permanent residence in the country can stand for office. Residency requirements for parliamentary candidates are at odds with international standards and good practice.¹³ In accordance with the elections act, those who served a prison sentence for committing an intentional crime, regardless of the gravity of the crime, are not eligible to stand if the sentence has not been expunged. This is at odds with the principle of proportionality enshrined in paragraph 24 of the 1990 OSCE Copenhagen Document.¹⁴

Candidate lists can be nominated by registered political parties, movements and coalitions. Independent candidates cannot stand, contrary to OSCE commitments and other international obligations and standards.¹⁵ The nomination shall be supported by an electoral deposit of EUR 17,000 per list, which is returned to a party that gets at least 2 per cent of valid votes. By the deadline of 6 December 2015, 24 candidate lists were submitted to the State Commission for registration. The candidate registration process was conducted in an inclusive manner. On 7 December, the State Commission registered and published candidate lists of 23 registered contestants (22 political parties and one coalition).¹⁶ One political party candidate list was not registered for refusing to pay the election deposit.¹⁷ In addition, four citizens submitted applications as independent candidates, but were rejected by the State Commission based on the elections act,

¹¹ The MoI opined that the early cut-off day for applications to vote by post was due to the need to send ballots and receive them back in time before election day. Postal ballots are counted if they are delivered to the relevant municipality or, in case of permanent residence outside of country, to the MoI by 4 March.

¹² The number of absentee certificates issued in 2016 was 112,640, compared to 89,505 in 2012. The total number of postal ballots received was 17,278 in 2016 and 7,051 in 2012.

¹³ Paragraph 15 of the 1996 UNHCR General Comment No. 25 states that “any restrictions on the right to stand for election, such as minimum age, must be justifiable on objective and reasonable criteria. Persons who are otherwise eligible to stand for election should not be excluded by unreasonable or discriminatory requirements such as ... residence...” The [2002 Code of Good Practice in Electoral Matters of the Council of Europe’s Commission for Democracy through Law \(Venice Commission\)](#) section I.1.1.c recommends that “a length of residence requirement may be imposed on nationals solely for local or regional elections, the requisite period of residence should not exceed six months”.

¹⁴ Paragraph 24 of the 1990 OSCE Copenhagen Document provides in part that “any restriction on rights and freedoms must, in a democratic society, relate to one of the objectives of the applicable law and be strictly proportionate to the aim of that law.”

¹⁵ Paragraph 7.5 of the [1990 OSCE Copenhagen Document](#) provides that participating States will “respect the right of citizens to seek political or public office, individually or as representatives of political parties or organisations, without discrimination”. Paragraph 15 of the [1996 General Comment No. 25 to Article 25](#) of the International Covenant on Civil and Political Rights (ICCPR) provides that “persons who are otherwise eligible to stand for election should not be excluded by unreasonable or discriminatory requirements such as ...political affiliation”.

¹⁶ A total of 2,914 candidates were registered.

¹⁷ Movement for Democratic Slovakia (HZDS).

which does not foresee independent candidates.¹⁸ Some political parties included candidates in their lists who publicly declared themselves as independent.

Limitations on the right to stand should be reviewed to ensure full compliance with OSCE commitments and other international obligations and standards. The withdrawal of individual franchise in case of a criminal conviction must be proportionate to the severity of the offence. The legislation should be amended to allow citizens to run as independent candidates.

Political parties may withdraw the complete list from the elections. Candidates may withdraw from the race at their own discretion. In addition, the nominating political party may revoke the candidacy of specific candidates, by the deadline of 48 hours before election day. Such requests do not need to be substantiated or explained. By the deadline, the State Commission deregistered 32 candidates. As the ballot papers have already been printed and contained the names of the withdrawn candidates, the names of deregistered candidates were posted by the PECs at polling stations, in accordance with the relevant provisions of the elections act.

VIII. ELECTION CAMPAIGN

The official campaign lasted almost four months, beginning on 12 November 2015 when the elections were announced and ending 48 hours before election day. Many political party representatives told the OSCE/ODIHR EAM that their campaigns were already well under way since mid-2015.

Political parties could campaign freely, and fundamental freedoms of assembly and expression were respected. Most candidates used traditional campaign methods to reach out to voters including meetings, concerts, billboards, and traditional and online media. Facebook was the most heavily used social media platform. While only the larger parties bought TV advertising, several others made promotional videos and posted them on YouTube and on party websites.

Of the 2,882 candidates 677 were women. Women candidates did not feature prominently in the campaign. There are no specific legal measures to promote their participation and, often, no internal party policies on the issue. According to the party representatives that the OSCE/ODIHR EAM met with, it was difficult to persuade women to get involved in politics, due to cultural and societal reasons as well as lack of interest.

Possible legislative measures could be considered to facilitate a more balanced participation of women and men in political and public life. Political parties could consider ways to further increase gender balance on their party lists.

The contestants were widely criticized for a lack of discussion about their programs. The incumbent prime minister employed populist rhetoric on the European Union's (EU) refugee and migration crisis by focusing on perceived threats to Slovakia's border and citizens; his party changed its slogan during the campaign from "We work for people" to "We protect Slovakia".¹⁹ While other parties were less vocal on the subject, most told the OSCE/ODIHR EAM they also disagreed with the migrant quota system. Allegations of corruption, particularly in the area of public procurement

¹⁸ All four of them appealed to the Supreme Court, which on 22 December upheld the decisions of the State Commission. At least one submitted a petition to the Constitutional Court challenging the constitutionality of the decision of the State Commission. At the time of this report the Constitutional Court did not yet consider the petition.

¹⁹ The government has filed a suit with the European Court of Justice against the EU's migrant relocation plan.

in the health sector, were a major campaign theme, as well as unemployment, public sector pay and conditions, pensions and tax rates.

Some interlocutors alleged to the OSCE/ODIHR EAM that the prime minister's reserve fund, which finances ad-hoc measures during unforeseen emergencies, was significantly increased in 2015, followed by substantial expenditures from the fund on non-emergency projects such as the building of sports fields, a number of which were launched at publicized events during the campaign.²⁰

Many OSCE/ODIHR EAM interlocutors claimed the government had misused state resources for campaign purposes by sending cheques worth between EUR 10 and EUR 165 to customers of gas distribution companies as compensation for commodity prices decrease. The law allowing for such payments was passed on 20 November 2015, eight days following the announcement of elections.²¹ On 27 January TV reports showed the prime minister issuing the first batch of cheques.

As previously recommended, consideration should be given to introducing provisions prohibiting the misuse of administrative resources for campaign purposes.

IX. POLITICAL PARTY AND CAMPAIGN FINANCE

In line with previous OSCE/ODIHR recommendations, the authorities reviewed the system of political party and campaign finances and introduced a number of improvements. Political party financing is regulated by the Act on Political Parties and Political Movements, amended in 2014, while the new Act on Electoral Campaign governs campaign financing. The Council of Europe's Group of States against Corruption (GRECO) concluded in 2014 that the adoption of the Act on Electoral Campaign provided a significant improvement, making the financing of election campaign more transparent.²² However, additional measures can be taken to further improve the revised political and campaign finance regulations.

A. FUNDING SOURCES

A political party that receives more than 3 per cent of the total number of valid votes is entitled to a state subvention of 1 percent of the average monthly salary for each vote received.²³ The same total amount is paid to these parties for their activities. A party is also entitled to receive a subvention for each parliamentary seat it has.²⁴

Political parties and political movements may also take bank loans, as well as receive donations and in-kind services from individuals and legal entities, membership fees and revenues from assets. Donations from foreign sources, legal entities with capital participation of the state, foundations and other non-governmental organizations are prohibited. Political parties participating in elections can receive donations only through a special so-called 'transparent' account established only for the election campaign purposes.

²⁰ Some EUR 1.5 million was allocated to this reserve fund for 2015; the amount spent was close to EUR 5.6 million.

²¹ The funds were disbursed under the 2016 state budget.

²² See: [GRECO addendum to the Second Compliance Report on Slovakia, Third Evaluation Round, 16 October 2014](#).

²³ The average salary is about EUR 800, i.e., the political party receives about EUR 8 for each vote obtained. For example *SMER-SD* obtained EUR 8,915,441 state subvention for votes received. *KDH* and *OL'aNO* received EUR 1,771,337 and EUR 1,384,052, respectively.

²⁴ Qualified party receives approximately EUR 24,000 per seat per year. In the last four years, *SMER-SD* received a total of EUR 5,847,400 in state subventions for all gained seats, and *KDH* and *OL'aNO* EUR 1,509,120 each.

The Act on Electoral Campaign introduced a new type of campaign stakeholder called a ‘third party’. This can be any individual or legal entity that wishes to support the campaign of a political party or candidate. A third party has to register with the State Commission and must also establish a transparent account.²⁵ Funds can be transferred to transparent accounts of political parties or third parties up to 48 hours before election day. There is no limit on the amount of donations. The introduction of transparent accounts and third parties is a step forward in increasing the transparency of the financing of election campaign as well as the accountability of political parties.

B. CAMPAIGN EXPENDITURE

The campaign spending limit is EUR 3,000,000 for each party that nominated a candidate list. This ceiling covers the campaign period and the pre-campaign period of 180 days before the official start of the election campaign. Many OSCE/ODIHR EAM interlocutors pointed out that parties had election-related expenditures long before the pre-campaign period, making it difficult to verify if the reports match the actual expenses.

An unlimited number of third parties can register in support of a specific political party or candidate.²⁶ In addition, there is no ban on political parties donating to third parties; therefore the expenditure ceiling can be *de facto* circumvented.

In order to prevent possible circumvention of the expenditure ceiling, the authorities could consider introducing a ban on political party donations to third party transparent accounts.

C. DISCLOSURE AND REPORTING

Political parties are required to publish the list of donations quarterly as well as annually. If the donation exceeds one minimum salary,²⁷ the details must be published in the annual list of donors.²⁸ Moreover, all donations need to be listed in quarterly reports, regardless of the amount. If a donation to a political party exceeds EUR 200, the party must sign a donation agreement with the donor, which *inter alia* identifies donors and contains details and the value of the donation. In case of donations higher than EUR 5,000, the donor should inform the State Commission about it no later 31 January of the following year. The differences in requirements regarding the quarterly and annual reporting may obscure the understanding of the amounts of donations to be disclosed.

The authorities could consider harmonizing the requirements for quarterly and annual donation reports.

Other sources of income, such as bank loans and in-kind donations, are not subject of disclosure, which limits the possibility of public scrutiny of political financing.²⁹

²⁵ Donations to a third party’s transparent account are possible through bank transfer from political parties, individuals and legal entities.

²⁶ A third party may spend no more than EUR 100,000 for an election campaign.

²⁷ Minimum salary for 2016 is EUR 405.

²⁸ Annual reports are published on the political party website or in a daily newspaper.

²⁹ See paragraph 198 of the [2010 OSCE/ODIHR and Venice Commission Guidelines on Political Party Regulation](#) that mentions “States should require political parties to keep records of all direct and in-kind contributions given to all political parties and candidates in the electoral period. Such records should be available for public review and must be in line with the pre-determined expenditure limits.

To increase the transparency of political party financing, consideration should be given to requiring that political parties disclose all types of income, including donations, bank loans and in-kind contributions, on a quarterly basis.

The details of transactions through transparent accounts are available to the public, providing for the possibility of public scrutiny. However, parties have a possibility to cover various campaign expenses with a single transaction to a subcontractor, which limits public awareness on details of how the funds are spent. Moreover, political parties in a number of cases do not disclose information about the type of service purchased, even though it is legally required. Since recent amendments the political parties are not required any longer to submit interim reports on income and expenditure during the election campaign. This reduced the possibility of the public to scrutinize the political party and campaign finances before election day.

The authorities could consider mandating detailed interim reports of all types of income, including in-kind donations and bank loans, and expenditure incurred during election campaign.

Political parties are required to submit final reports on the election campaign donations and expenditures to the MoI within 30 days after elections. The MoI must publish the reports within 30 days after receipt. Third parties are required to publish an overview of expenditures on their websites within 10 days after the end of the election campaign.

D. OVERSIGHT

According to the elections act, the State Commission is tasked with overseeing political party and campaign financing. However, the Office of the State Commission, which is an organizational unit of the MoI, has competences in controlling certain aspects of political party activities and their election campaigns. Among those are registration of contestants and third parties, verification of the data available on transparent accounts and imposing administrative fines in case of non-compliance. The State Commission does not have its own secretariat and fully relies on the MoI staff. This functional dependence of the State Commission on the MoI may potentially impact its independence.

Consideration should be given to providing the State Commission financial and human resources independent from the Ministry of Interior, so that the commission fulfills its role as a fully independent political party and campaign finance oversight body.

The law provides for fines up to twice of the amount of the received donation for violations of finance regulations. Most of the OSCE/ODIHR EAM interlocutors were satisfied with the interaction with the State Commission and its readiness to provide explanations on the aspects of campaign finance. However, the State Commission did not issue guidelines on campaign finance for political parties that could help clarify important issues before the start of campaign.

The State Commission could consider publishing instructions for political parties and other stakeholders on the implementation of legal provisions related to political party and campaign financing.

X. MEDIA

A. MEDIA ENVIRONMENT

Media environment in the country is vibrant and pluralistic, with 12 nationwide, 14 regional and 41 local TV channels, 20 national and regional radio stations, as well as 9 national daily newspapers and 35 weeklies. Some 79 per cent of the population has access to the internet. The newspaper market is dominated by the tabloids *Nový Čas* and *Plus Jeden Deň*, while four daily newspapers *Pravda*, *SME*, *Denník N* and *Hospodárske noviny* provide news and analysis.

Television is the main source of election-related information. The most popular TV channel is privately-owned *TV Markíza*, followed by another private TV station *TV JOJ*. All-news TV channel TA3 runs news and current affairs programs for 17 hours a day. The public broadcaster, Radio and Television of Slovakia (RTVS), has two TV channels, as well as nine radio stations, including radio channels with special programmes in national minority languages.

Gradual changes in media consumption habits and the economic recession have led to takeovers and concentration of ownership of media companies by influential business groups.³⁰ Many of the OSCE/ODIHR EAM interlocutors expect this trend to continue, leading to potential concerns over editorial independence, self-censorship in coverage of politically sensitive subjects and the resulting impact on the plurality of views. Some interlocutors stressed that the ownership concentration had a negative impact on investigative reporting.³¹

A set of measures to strengthen media diversity and plurality of opinions could be considered. The decline in investigative journalism could be mitigated by strengthening the public broadcaster. Legal measures to limit concentration of media ownership could be considered.

Another detrimental effect on journalism is the high damages in civil defamation cases envisaged by the legislation.³² The OSCE RFoM has called on the authorities to limit compensation in these cases³³ and also abolish defamation as a criminal offence in line with international standards.³⁴

To prevent self-censorship and remove unjustified strain on the financial stability of the media, defamation should be decriminalized and proportional legal limitations of damages in civil libel cases should be introduced.

³⁰ In 2014, *Penta* financial group acquired shares in publisher of weekly *Trend*, tabloid *Plus Jeden Deň* and its sister *Plus 7 Dní*, as well as in publisher of flagship daily *SME* and 15 other titles. *J&T Group* controls *TV JOJ*, daily *Hospodárske noviny* is controlled by the enterprise belonging to businessman and politician Andrej Babiš and *TV TA3* is controlled by the company of a businessman Ivan Kmotřík.

³¹ See also the 2010 Joint [Declaration](#) by the United Nations Special Rapporteur on Freedom of Opinion and Expression, the OSCE Representative on Freedom of the Media (RFoM), the Organization of American States Special Rapporteur on Freedom of Expression and the African Commission on Human and Peoples' Rights Special Rapporteur on key challenges to media freedom who noted that “growing concentration of ownership of the media, with serious potential implications for content diversity is a concern”.

³² For example, the daily *SME* had 80 unresolved civil libel cases at the beginning of 2016, some running for ten years. Overall, the highest requested damages for a single person were 150 000 EUR. The majority of claims originated from the law enforcement officials, judges and politicians, and not the general public.

³³ See [OSCE RFoM statement from 2 May 2013](#).

³⁴ Paragraph 47 of the 2011 UN Human Rights Committee General Comment No. 34 provides that states “should consider decriminalization of defamation.”

B. LEGAL FRAMEWORK FOR THE MEDIA

Freedom of speech, the right to information and ban on censorship are enshrined in the Constitution. During the pre-election period, the main laws regulating the work of the media are the Act on Electoral Campaign and the Act on Broadcasting and Retransmission. There are no restrictions for campaigning on the Internet.

The campaign silence period is set for 48 hours before election day. A ban on the publication of opinion poll results in the last 14 days before elections was introduced to the legal framework in 2014. Many OSCE/ODIHR EAM interlocutors saw it as infringing the public's right to information.

RTVS is obliged to devote 10 hours to political discussion programmes both on radio and television which it fulfilled by organizing eight radio and four TV programmes with equal time provided to the contestants. Political parties are entitled to up to 30 minutes of paid political TV advertising per channel, but the total length is limited to 10 hours altogether. Prices must be equal for all political parties.

The law obliges broadcasters to be impartial, objective and ensure plurality of views in news and current affairs programmes. The compliance is monitored by the Council for Broadcasting and Retransmission (CBR).³⁵ The Act on Broadcasting and Retransmission gives the CBR up to six months to impose the sanction after it has learned about a possible breach, a norm which lets the CBR to address the election-related complaints after elections were conducted.³⁶

The authorities could consider amending the law to set reasonably shorter time limits for the Council for Broadcasting and Retransmission to decide on campaign-related media complaints.

C. MEDIA COVERAGE OF THE ELECTIONS

The pre-election campaign was marked by frictions between several media outlets and the prime minister, who refused to answer their questions, citing politically biased coverage.³⁷ The decision of the government from May 2015 to refuse providing information to daily *Dennik N* was not observed anymore during the election campaign.³⁸

The media covered the election campaign extensively. Most main TV and radio channels and online news sites ran special pre-election discussion programmes. TV broadcasters opted for grouping political parties in discussions according to their popularity in different opinion polls. Generally, this practice was accepted by the contestants.

Several OSCE/ODIHR EAM interlocutors expressed an opinion that while most print media were predominantly critical of the government, they noted that several TV channels, and especially the TA3, favoured the incumbents in their news coverage. The positive coverage was explained by the advertising contracts of these channels with the government agencies meant to promote the EU-funded projects.

³⁵ The CBR started monitoring of 12 TV stations and 8 radio stations on 12 February 2016, covering the last three weeks of campaign.

³⁶ The CBR received 12 complaints about media coverage of the electoral campaign.

³⁷ *SME*, *Dennik N*, *Nový Čas* and *aktuality.sk* news site confirmed the refusal of the prime minister to answer questions.

³⁸ *Dennik N* has filed a complaint to the Constitutional Court which had not ruled on its admissibility yet. On 9 October 2015, the Ombudsman stated that the refusal to provide information to a daily newspaper is unacceptable.

The CBR opened investigations into six programmes aired by TA3, four by *TV Markíza* and four by RTVS on the basis of monitoring conducted by a non-governmental organization (NGO) that pointed to a more positive coverage of the government. By the time of this report, the CBR did not yet reach a decision.

XI. PARTICIPATION OF NATIONAL MINORITIES

Slovakia has ratified the Council of Europe's Framework Convention for the Protection of National Minorities as well as the European Charter for Regional or Minority Languages. According to the 2011 census, the largest minorities in the country are Hungarians, with 8.5 per cent of the population (over 450,000) and Roma with 2 per cent (about 100,000).³⁹

Three ethnic Hungarian parties contested these elections: *Most-Híd*, whose program calls for greater co-operation between Slovak and Hungarian communities, the Party of Hungarian Coalition (*SMK*) and the Hungarian Christian Democratic Alliance. The Hungarian minority is more active in national politics than the Roma one, and was thus more visible during the campaign. No Roma party presented a list, reportedly due to unsuccessful attempts to consolidate politically. Roma were not very active in the campaign.⁴⁰ According to a Roma NGO, 23 Roma candidates ran on 10 candidate lists, as party members or as self-declared independents within the lists.

Poor socio-economic circumstances, social exclusion and low level of education have previously rendered Roma communities vulnerable to undue influence and electoral manipulation. While vote-buying was a significant concern in the 2010 parliamentary elections, many OSCE/ODIHR EAM interlocutors expressed an opinion that efforts made to educate Roma communities, as well as new legislation criminalizing such electoral offences, would discourage the practice. However, some political parties expressed skepticism about the effectiveness of these measures. Following an OSCE/ODIHR recommendation in 2010, the removal of unused ballot papers from polling stations has been prohibited.⁴¹

The use of ethnic stereotypes and intolerant speech with regard to national minorities was generally absent. However, billboards posted by the party Kotleba – People's Party Our Slovakia featured a derogatory reference to Roma.

In line with previous OSCE/ODIHR recommendations, the elections act mandates that voter information is provided in Slovak and minority languages where applicable.⁴² This includes invitations to vote and information for voters at polling stations, including on how to vote. There were no special national minority pre-election discussion programmes in the media.

XII. ELECTION OBSERVATION

The elections act provides for the citizen and international observation of the voting and counting process. Despite previous OSCE/ODIHR recommendations, the law provides no further detail about

³⁹ By some estimates, the actual number of Roma is between 380,000 and 600,000. See, for instance, [Council of Europe's estimates](#).

⁴⁰ Several Roma interlocutors said municipal elections were perceived as more relevant to Roma communities than the parliamentary ones.

⁴¹ The elections act provides for a EUR 33 fine for non-compliance by a voter.

⁴² According to the 1999 Law on Usage of Ethnic Minority Languages, in municipalities with more than 20 per cent of minority population there should be information available in these minority languages.

observation of the other stages of the electoral process, or about the status and rights of observers, both citizen and international. The OSCE/ODIHR EAM was able to conduct its activities enjoying the support of the State Commission, as well as other relevant bodies in charge of organizing the elections.

Legal provisions should be introduced to ensure full access to all stages of the electoral process to citizen and international observers, including accreditation arrangements.

XIII. COMPLAINTS AND APPEALS

The elections act does not provide for specific mechanisms for resolution of election-related disputes. Despite prior OSCE/ODIHR recommendations, the elections act did not introduce a legal mechanism for adjudication of campaign-related complaints or legal procedures for review of complaints by the State Commission. Campaign-related complaints can be lodged with the MoI, but not with courts. The State Commission acts as an appellate body against the decisions of the MoI in cases related to party and campaign finance, while DEC's and PEC's have no authority to review complaints. The State Commission informed the OSCE/ODIHR EAM that no campaign-related complaints or appeals were lodged with either the MoI or the State Commission.

The elections act could be amended to introduce explicit mechanisms for adjudication of election-related disputes by election commissions and stipulate a detailed legal procedure for consideration of complaints by the State Commission.

The State Commission's decisions on candidate registration can be appealed to the Supreme Court. Election results can be appealed to the Constitutional Court within 10 days from the announcement of results by the State Commission.⁴³ The Constitutional Court can announce the election results invalid in part or declare elections null and void altogether. It can also repeal the decision of the State Commission concerning the results of the elections and reinstate a duly elected candidate.

Resolution of electoral disputes by the MoI and by the State Commission is subject to general rules of administrative proceedings. There are no specific timelines for the resolution of election-related disputes and the general deadline of 60 days to decide on administrative complaints is applied. In addition, the legislation provides no specific deadlines for adjudication of electoral disputes by the Constitutional Court.⁴⁴ The lack of legal deadlines for electoral complaints may result in protracted adjudication and can undermine the right to effective remedy.⁴⁵

Adequate time limits for election-related complaints at all levels should be provided by the legislation to ensure the implementation of the right to effective remedy.

⁴³ Petitions for invalidation of election results can be submitted to the Constitutional Court by the president, the government, one-fifth of members of the parliament, the prosecutor general, a political party contesting elections, a candidate who has received not less than 10 per cent of the votes in an electoral district, as well as 10 per cent of voters in the electoral district where the election results are challenged.

⁴⁴ A deadline of 90 days is stipulated for adjudication by the Constitutional Court of petitions related only to local elections.

⁴⁵ Paragraph 5.10 of the 1990 OSCE Copenhagen Documents states that "everyone will have an effective means of redress against administrative decisions, so as to guarantee respect for fundamental rights and ensure legal integrity". The Venice Commission's Code of Good Practice in Electoral Matters provides in paragraph Section II 3.3 (g) that timelines for lodging and deciding on electoral complaints must be short (three to five days at first instance) and that a "little more time" may be given only to Supreme or Constitutional Courts for their rulings (paragraph 95 of the Explanatory Report).

During the campaign period the Prosecutor's Office investigated two election-related cases, both based on allegations of vote buying. Since the 2011 amendments to the Criminal Code that criminalized vote-buying, the Prosecutor's Office has initiated 21 criminal cases, resulting in 13 convictions by courts. The OSCE/ODIHR EAM was informed by some interlocutors that the sanctions for vote-buying and their subsequent enforcement by the Prosecutor's Office had an important deterring effect, considerably diminishing the practice.

XIV. ELECTION DAY

In line with OSCE/ODIHR methodology, the OSCE/ODIHR EAM did not carry out a systematic or comprehensive observation of voting, counting or tabulation procedures. The OSCE/ODIHR EAM team visited a limited number of polling stations in Bratislava, Modra and Trnava on election day.

Polling stations were open from 07:00 to 22:00 hours. In the limited number of polling stations visited, voting took place in an organized manner and PECs appeared knowledgeable, including on new voting procedures.⁴⁶ However, in some polling stations visited the secrecy of the vote was not ensured due to the positioning of voting booths. The similar design of the ballot box and the box for unused ballots, and their placement in close proximity in some polling stations, led to confusion among voters in some cases.

The PECs should be instructed to position the voting booths in a way that ensures the secrecy of the vote. The boxes for depositing unused ballot papers could be clearly distinguished and placed far apart from the ballot box.

A number of polling stations visited by the OSCE/ODIHR EAM were not easily accessible to voters with disabilities. However, voters could request that the mobile ballot box be brought to them.

After the election day, the police and the State Commission informed the OSCE/ODIHR EAM that nine alleged cases of vote-buying were being investigated. The public prosecutor started investigations for suspected cases of electoral malfeasance, however no further information was provided due to sensitive nature of the investigations.

The OSCE/ODIHR EAM also observed vote count at a few polling stations. The PECs at those polling stations generally followed the counting procedures. The elections act does not require the PEC to publish the results at the polling stations or provide a copy of results protocols to PEC members and observers. Some PECs told the OSCE/ODIHR EAM they would provide the copy of results protocols to observers, if requested.

To enhance transparency of the counting procedures, the election legislation could be amended to mandate that the PEC publishes election results at polling stations and provides copies of results protocols upon request.

The Statistics Office produced an application for PECs to be able to process election results electronically at polling station level and send the results directly or through a data carrier to the DEC for tabulation; according to the Statistics Office, 2,344 out of 5,992 PECs did so. The municipalities had to provide the required equipment but were not always technically prepared.

⁴⁶ According to amendments voters needed to sign the voter list and deposit the unused ballots in the polling stations.

The tabulation process in the Bratislava DEC, observed by the OSCE/ODIHR EAM, was well organized. Several PECs were sent back to reconvene and correct errors on PEC protocols.

The State Commission announced the final results on 6 March without taking into account the results from one PEC in the municipality of Borovce. This was due to an ongoing investigation after a voter cast ballots in both mobile and stationary ballot boxes. As the PEC was unable to establish election results, the State Commission excluded results from that PEC, stating that the allocation of parliamentary mandates could not be affected in any way.

As directed by the State Commission, the Statistical Office published the partial and preliminary results on their website as they were tabulated at DECs.⁴⁷ The final results of each polling station were published on 6 March and were available for full download in a tabulated format since 9 March.

XV. RECOMMENDATIONS

These recommendations, as contained throughout the text, are offered with a view to further enhance the conduct of elections in Slovakia and to support efforts to bring them fully in line with OSCE commitments and other international standards for democratic elections. These recommendations should be read in conjunction with past OSCE/ODIHR recommendations that remain to be addressed. The OSCE/ODIHR stands ready to assist the authorities of Slovakia to further improve the electoral process and to address the recommendations contained in this and previous reports.⁴⁸

A. PRIORITY RECOMMENDATIONS

1. Limitations on the right to stand should be reviewed to ensure full compliance with OSCE commitments and other international obligations and standards. The withdrawal of individual franchise in case of a criminal conviction must be proportionate to the severity of the offence. The legislation should be amended to allow citizens to run as independent candidates.
2. As previously recommended, consideration should be given to introducing provisions prohibiting the misuse of administrative resources for campaign purposes.
3. To increase the transparency of political party financing, consideration should be given to requiring that political parties disclose all types of income, including donations, bank loans and in-kind contributions, on a quarterly basis.
4. Consideration should be given to providing the State Commission financial and human resources independent from the Ministry of Interior, so that the commission fulfills its role as a fully independent political party and campaign finance oversight body.
5. To prevent self-censorship and remove unjustified strain on the financial stability of the media, defamation should be decriminalized and proportional legal limitations of damages in civil libel cases should be introduced.

⁴⁷ The Statistics Office reported it experienced a half-hour interruption in the functionality of the electronic results system due to hacker attacks.

⁴⁸ In paragraph 24 of the 1999 OSCE Istanbul Document, OSCE participating States committed themselves “to follow up promptly the ODIHR’s election assessment and recommendations.”

6. Legal provisions should be introduced to ensure full access to all stages of the electoral process to citizen and international observers, including accreditation arrangements.
7. Adequate time limits for election-related complaints at all levels should be provided by the legislation to ensure the implementation of the right to effective remedy.

B. OTHER RECOMMENDATIONS

Election Administration

8. The elections act should be amended to explicitly allow observers, both citizen and international, to be present at sessions of election commissions of all levels.
9. As previously recommended, the elections act could be amended to explicitly stipulate that the State Commission's decisions on procedural matters are legally binding for lower-level commissions.

Voter registration

10. Consideration could be given to revising the existing blanket denial of the right to vote to those deprived of legal capacity to ensure proportionality of restrictions on the voting rights of persons with mental disabilities.

Election campaign

11. Possible legislative measures could be considered to facilitate a more balanced participation of women and men in political and public life. Political parties could consider ways to further increase gender balance on their party lists.

Political party and Campaign Finance

12. In order to prevent possible circumvention of the expenditure ceiling, the authorities could consider introducing a ban on political party donations to third party transparent accounts.
13. The authorities could consider harmonizing the requirements for quarterly and annual donation reports.
14. The authorities could consider mandating detailed interim reports of all types of income, including in-kind donations and bank loans, and expenditure incurred during election campaign.
15. The State Commission could consider publishing instructions for political parties and other stakeholders on the implementation of legal provisions related to political party and campaign financing.

Media

16. A set of measures to strengthen media diversity and plurality of opinions could be considered. The decline in investigative journalism could be mitigated by strengthening the public broadcaster. Legal measures to limit concentration of media ownership could be considered.

17. The authorities could consider amending the law to set reasonably shorter time limits for the Council for Broadcasting and Retransmission to decide on campaign-related media complaints.

Complaints and Appeals

18. The elections act could be amended to introduce explicit mechanisms for adjudication of election-related disputes by election commissions and stipulate a detailed legal procedure for consideration of complaints by the State Commission.

Election Day

19. The PECs should be instructed to position the voting booths in a way that ensures the secrecy of the vote. The boxes for depositing unused ballot papers could be clearly distinguished and placed far apart from the ballot box.
20. To enhance transparency of the counting procedures, the election legislation could be amended to mandate that the PEC publishes election results at polling stations and provides copies of results protocols upon request.

ANNEX I: ELECTION RESULTS

Final results were published by the Statistics Office.⁴⁹

Final election results according to the official State Commission results protocol:

	total	percentage
Total number of PECs	5,993	
Number of PEC results protocols included in the results	5,992	99,98
Total number of registered voters	4,426,760	
Total number of voters who took part in the elections	2,648,184	59,82
Voters who voted in person in polling stations	2,628,548	99,25
Voters who returned postal votes from abroad	17,278	0,65
Number of valid votes	2,607,750	98,56

Distribution of valid votes to political parties and allocation of seats:

No.	Party abbreviation	Valid votes	Percentage	Seats
1	TIP	18,845	0.72	
2	SMS	4,559	0.17	
3	OLANO – NOVA	287,611	11.02	19
4	DS - Ľudo Kaník	1,998	0.07	
5	ŠANCA	6,522	0.25	
6	SME RODINA - Boris Kollár	172,860	6.62	11
7	SZS	17,541	0.67	
8	KSzS	1,777	0.06	
9	MKDA - MKS	2,426	0.09	
10	VZDOR	3,182	0.12	
11	MOST - HÍD	169,593	6.50	11
12	SNS	225,386	8.64	15
13	Odvaha	3,428	0.13	
14	KSS	16,278	0.62	
15	SDKÚ- DS	6,938	0.26	
16	SMER – SD	737,481	28.28	49
17	KDH	128,908	4.94	
18	SKOK	21,785	0.83	
19	Kotleba – ĽSNS	209,779	8.04	14
20	#SIEŤ	146,205	5.60	10
21	SMK-MKP	105,495	4.04	
23	PD	3,595	0.13	
23	SaS	315,558	12.10	21

Number of elected members of parliament that are women: 29, or 19.33 per cent.

⁴⁹

<https://volbysr.sk/en/data01.html>.

ABOUT THE OSCE/ODIHR

The Office for Democratic Institutions and Human Rights (OSCE/ODIHR) is OSCE's principal institution to assist participating States "to ensure full respect for human rights and fundamental freedoms, to abide by the rule of law, to promote principles of democracy and (...) to build, strengthen and protect democratic institutions, as well as promote tolerance throughout society" (1992 Helsinki Summit Document). This is referred to as the OSCE human dimension.

The OSCE/ODIHR, based in Warsaw (Poland) was created as the Office for Free Elections at the 1990 Paris Summit and started operating in May 1991. One year later, the name of the Office was changed to reflect an expanded mandate to include human rights and democratization. Today it employs over 150 staff.

The OSCE/ODIHR is the lead agency in Europe in the field of **election observation**. Every year, it co-ordinates and organizes the deployment of thousands of observers to assess whether elections in the OSCE region are conducted in line with OSCE commitments, other international obligations and standards for democratic elections and with national legislation. Its unique methodology provides an in-depth insight into the electoral process in its entirety. Through assistance projects, the OSCE/ODIHR helps participating States to improve their electoral framework.

The Office's **democratization** activities include: rule of law, legislative support, democratic governance, migration and freedom of movement, and gender equality. The OSCE/ODIHR implements a number of targeted assistance programmes annually, seeking to develop democratic structures.

The OSCE/ODIHR also assists participating States' in fulfilling their obligations to promote and protect **human rights and fundamental freedoms** consistent with OSCE human dimension commitments. This is achieved by working with a variety of partners to foster collaboration, build capacity and provide expertise in thematic areas including human rights in the fight against terrorism, enhancing the human rights protection of trafficked people, human rights education and training, human rights monitoring and reporting, and women's human rights and security.

Within the field of **tolerance** and **non-discrimination**, the OSCE/ODIHR provides support to the participating States in strengthening their response to hate crimes and incidents of racism, xenophobia, anti-Semitism and other forms of intolerance. The OSCE/ODIHR's activities related to tolerance and non-discrimination are focused on the following areas: legislation; law enforcement training; monitoring, reporting on, and following up on responses to hate-motivated crimes and incidents; as well as educational activities to promote tolerance, respect, and mutual understanding.

The OSCE/ODIHR provides advice to participating States on their policies on **Roma and Sinti**. It promotes capacity-building and networking among Roma and Sinti communities, and encourages the participation of Roma and Sinti representatives in policy-making bodies.

All OSCE/ODIHR activities are carried out in close co-ordination and co-operation with OSCE participating States, OSCE institutions and field operations, as well as with other international organizations.

More information is available on the ODIHR website (www.osce.org/odihhr).