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# **MEDIA INFLUENCE MATRIX: SLOVAKIA**

## **Government, Politics and Regulation**

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## About CMDS

The Center for Media, Data and Society (CMDS) is a research center for the study of media, communication, and information policy and its impact on society and practice. Founded in 2004 as the Center for Media and Communication Studies, CMDS is part of Central European University's School of Public Policy and serves as a focal point for an international network of acclaimed scholars, research institutions and activists.

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*The Media Influence Matrix Project is run collaboratively by the Media & Power Research Consortium, which consists of local as well as regional and international organizations. The consortium members are academic institutions (universities and research centers), NGOs, journalism networks and private foundations.*

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# MEDIA INFLUENCE MATRIX: SLOVAKIA

## GOVERNMENT, POLITICS AND REGULATION

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## LEGAL OVERVIEW

Freedom of speech and the right to information are guaranteed by the Slovak Constitution, which states that everyone has the right to express their opinions in writing, print, through pictures or any other means. Press publishing does not require any approval, and censorship is forbidden, according to the Constitution. Freedom of expression and the right to information can only be restricted if such a measure is needed to protect the rights of others, national security, public order or the protection of health and morals.[1]

The media sector is governed by several laws including the 2000 Broadcasting Law, the 2007 Digital Broadcasting Law complementing the broadcast law, and the Press Law of 2008. These laws were all amended at a later stage. They put forward provisions guaranteeing protection of sources by journalists. Most of the important media-related issues and operations including licensing of broadcasters, media ownership and transparency of ownership are covered by these laws.

The most contentious legal issue that the media sector was faced with in 2019 was the approval by Parliament of an amendment to the Press Law that would make it easier for politicians to demand a right of reply in the media. The amendment was sponsored by the ruling Smer-SD party as a response to “media terror,” which is how Smer-SD calls journalists’ critical coverage. The amendment, which was yet to be signed by the President, had been harshly criticized by international press freedom groups.[2]

Other important laws that affect the media include an act adopted in 2010 that regulates the operation of the Slovak public media, and a 1995 law on State Language of the Slovak Republic that has provisions on use of language in electronic media. Some of the provisions in the language law were criticized for restricting use of minority languages.

A law on access to information from 2000 empowers any citizen in Slovakia to request information from state agencies.[3] According to the law, officials who do not respond to such requests can be fined. In 2013, government officials said that they might change this law because it was “misused by students and private interests.”[4] However, local surveys showed that the amount of information requests during the period 2010-2013 was far from overwhelming the state administration and local municipalities. Defamation is a criminal offense in Slovakia, punishable by eight years in prison. This provision has been used by politicians to sue newspaper and journalists critical of the government.[5]

Privacy is mainly regulated by a law on data protection adopted by Slovak parliament in 2013. This law implemented an EU Directive on data protection. As of May 2018, it was replaced by a new EU piece of law, known as the General Data Protection Regulation (GDPR).[6] Police are the main implementer of the data protection legislation in Slovakia.

[1] Constitution of the Slovak Republic of 1 September 1992, republished on 26 March 2001 and supplemented by the Act of 11 April 2002, available online at <https://www.prezident.sk/upload-files/46422.pdf>

[2] Reporters Without Borders (RSF), “Slovak press law change would dangerously expand politicians’ ‘right of reply,’” 29 March 2019, available online at <https://rsf.org/en/news/slovak-press-law-change-would-dangerously-expand-politicians-right-reply> (accessed on 2 September 2019).

[3] For more information on media laws in Slovakia, see Andrej Skolkay, *Media Law in Slovakia*, Kluwer Law International, 2011. A database of legal acts adopted in Slovakia is made available, in Slovak, by the justice ministry on this portal: <https://www.slov-lex.sk/domov>

[4] Freedom House, “Slovakia” in *Freedom of the Press 2017*, available online at <https://freedomhouse.org/report/freedom-press/2014/slovakia>

[5] Ryan Heath, “Robert Fico Calls Reporters ‘Dirty, Anti-Slovak Prostitutes’”. in *Politico* (23 Nov 2016), available online at <http://www.politico.eu/article/robert-fico-calls-reporters-dirty-anti-slovak-prostitutes-foreign>

[6] See the GDPR on the EU’s website: [http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L\\_.2016.119.01.0001.01.ENG](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2016.119.01.0001.01.ENG)

## REGULATORY AUTHORITIES

The regulation of media in Slovakia is a heavily politicized process. All of the regulators covering media are in theory autonomous institutions, but in practice they take orders from the politicians in power as the state has the biggest say in appointing and dismissing their members. The sole authority directly in charge of media regulation is the Council for Broadcasting and Retransmission (RVR), a body created in the early 1990s to watchdog the broadcast industry. Their regulatory role has been decreasing as licensing of broadcasters in the digital era has become a formality. Nevertheless, as calls for regulation of content online are intensifying, RVR (and possibly other regulators) are likely to regain their importance in the country's regulatory mix. The internet is still an unregulated field and, according to all of the journalists interviewed for this report, it should stay like that. However, using fake news as a pretext, authorities are looking into designing models to regulate content online, which journalists fear would eventually lead to more self-censorship among journalists and media outlets. RVR is increasingly expanding its authority to the internet, including in its monitoring a hotchpotch of small and big broadcasters, publishers and telcos that have an online presence. Major on-demand suppliers and social media such as Netflix and Facebook are not regulated today, but the regulations in the pipeline are very much likely to include them.

Policy in Slovakia is usually initiated by the culture ministry, which drafts most of the initial proposals for legislation in the media field. However, parliament has an equally high influence (in some cases even higher) in the policy process. A number of media laws (such as the Digital Broadcasting Act) drafted by the culture ministry were significantly altered in parliament under pressure chiefly from private broadcasters, according to journalists and media experts interviewed for this report.[7]

Several other regulatory authorities indirectly cover news media. In fact, a significant role in shaping the Slovak media market is played by the antitrust regulator, PMU. Its decisions, for example, allowing media acquisitions by Penta Investments, a mighty financial group, have helped this company gain a dominant position in the media market.

The key influencers in the Slovak media regulation are in a way or another associated with politics and politicians. Most of those sitting on regulatory bodies need in the first place the support of authorities (parliament or government) to be appointed in those positions. The Slovak regulatory environment is characterized by a dearth of vision and progressive thinking needed to spark innovative journalistic projects. Instead, hackneyed regulatory practices allow the Slovak news media market to get captured by a handful of financial powerhouses with dubious business practices and close anchors in political life. The investigations into the killing of the journalist Jan Kuciak are unveiling a cesspool of corruption and organized crime that connects major media groups, politicians and criminals.

These revelations though have led to a mobilization of civil society that has no precedent in Slovakia, creating a momentum for a major cleanup in the country's society. The election of Zuzana Caputova, a progressive lawyer, as Slovakia's president in June 2019, has given civil activism another boost. People are calling top officials from politics, judiciary, police and other public administration bodies to account. But although some of these efforts forced some out of the public office, the structure of the Slovak media sector remains unchanged, with wealthy oligarchs and dubious financial groups of interests controlling much of the country's media.

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[7] See Methodology in Media Influence Matrix: Slovakia

## Regulation: Rules in the Works

### Broadcast Media and Frequency Spectrum

#### *Remit and Tasks*

#### Council for Broadcasting and Retransmission

The radio and TV broadcast media in Slovakia are regulated by the Council for Broadcasting and Retransmission (*Rada pre vysielanie a retransmisiu*, RVR). The competencies of the RVR fall into three categories:

- Licensing and registrations

RVR is in charge of awarding licenses to broadcasters to operate in Slovakia as well as of withdrawing licenses in cases of serious legal breaches.

- Legal compliance

RVR is the body that ensures broadcasters comply with the legal provisions laid down in local legislation, particularly the Act on Broadcasting and Retransmission, Slovakia's primary broadcast law. Failure to comply with law leads to sanctions such as fines or suspension of licenses that RVR has the power to impose on broadcasters.

- Reporting and policy recommendations

RVR is churning out regular reports for the European Commission on how broadcasters perform their duties. The authority also processes statistics about TV and radio programs, focusing on statistics related to legal obligations related to the EU law such as the share of European works in the total audiovisual offering or volume of advertisements. The authority also participates in drafting laws applying to broadcasting.

RVR's remit covers radio and TV broadcasters, retransmission operators such as cable providers, and on-demand providers of audiovisual media services.[8]

#### Regulatory Authority for Electronic Communications and Postal Services

Another regulator with competence in the area of broadcasting is the Regulatory Authority for Electronic Communications and Postal Services (*Urad pre reguláciu elektronických komunikácií a poštových služieb*, RU), formerly the Telecommunications Office.

The RU's regulatory tasks target primarily the area of telecoms and postal services. The most relevant tasks for the broadcast media are those related to the frequency spectrum. The RU is in charge of managing the broadcast frequency spectrum jointly with the Ministry of Transport and Construction of the Slovak Republic. They cooperate with the RVR in updating every two years the planning for broadcast frequency allocation. Broadcasters in Slovakia, to be able to operate, need, in addition to the broadcast license from the RVR, an approval to use a frequency use from the RU.[9]



[8] For more information about the RVR, visit the regulator's website at [www.rvr.sk](http://www.rvr.sk)

[9] For more information about the RU, visit the regulator's website at <https://www.teleoff.gov.sk>

*Board Composition***Council for Broadcasting and Retransmission**

The RVR is according to its Statute an “independent organ” that is not part of the governmental administration. However, in reality it acts as an administrator operating on behalf of the government. It decides who can and cannot operate TV and radio broadcast channels and monitors broadcasters to ensure they comply with the state law.

The RVR council, the main governing structure of the authority and the body with decision-making power, consists of nine members, all appointed by the National Council of Slovakia, which is the country’s Parliament. The RVR’s annual report has to be approved by Parliament, which is also the sole authority who can fire the RVR’s members. They can do that, though, in line with a set of legal provisions.

The members of the RVR are elected for six-year mandates. One-third of the members are replaced every two years to ensure that the RVR board is less vulnerable to the changes in political power. A staff of some 30 specialists, known as the RVR Office, offer advice and expertise to the council to help them make the right decisions. The RVR usually meets twice a month. In December 2018, Parliament appointed three RVR board members as three board member mandates ended. One of them was Marta Danielova, the chair of the RVR board whose mandate was renewed for another term.[10]

**List of RVR members, October 2019**

- Marta Danielova (in office until 15 December 2024), chair
- Peter Kubica (in office until 26 January 2026), vice-chair
- Ingrid Fasiangova (in office until 16 December 2020)
- Gabriela Rothmayerova (in office until 16 December 2020)
- Peter Kolenic (in office until 13 January 2021)
- Milan Blaha (in office until 16 February 2023)
- Pavol Holestiak (in office until 28 March 2023)
- György Batta (in office until 13 December 2023)
- Anikó Dusikova (in office until 26 January 2025)

**Regulatory Authority for Electronic Communications and Postal Services**

The RU’s Office is authority’s main decision-making body: it consists of a chairman who is elected and recalled by Parliament at the recommendation of the Government, and a vice-chairman who is appointed and recalled by the Government. The RU is a large institution with nine different offices all reporting to the chairman. They include the legal, telecommunications, technical regulation and postal services offices.

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[10] “Zvolili nových členov licencnej rady, aj spoluauctora knihy o Tisovi” (New members of the licensing board, including co-author of book about Tiso, appointed), Trend, 6 December 2018, available online at <https://medialne.etrend.sk/televizia/zvolili-novych-clenov-licencnej-rady-aj-spoluauctora-knihy-o-tisovi.html> (accessed on 15 September 2019).

**RU board and management, October 2019****Board**

- Vladimir Kesjar, chair
- Jan Flak, vice-chair

**Management**

- Bruno PatUs (RU office)
- Milan Mizera (frequency spectrum)
- Milada Lovicova (economy)
- Kamil Mikulasek (technical regulation)
- Ivan Martyak (economic regulation)
- Paulina Stanova (legal)
- Miroslav Baxa (telecommunications and IT)

*Funding***Council for Broadcasting and Retransmission**

The RVR operates with a subsidy from the state budget. In 2018, the regulator received a state subsidy of nearly €1.4m to cover its expenses, a slight increase, of less than 5% compared to the year before. However, over the past five years or so, the government has pushed the RVR to generate more cash on its own. In 2016, a revenue target of €350,000, more or less as in the previous two years, was imposed on the RVR by the finance ministry. The government for the first time hiked the level of revenue that RVR must raise in 2014, forcing the regulator to increase the number of fines on broadcasters, which is the main source of revenue that RVR can generate.

International NGOs, such as the International Press Institute (IPI) and South East Europe Media Organisation (SEEMO) criticized the government's decision.<sup>[11]</sup> They say that by forcing the regulator to impose more fines, the government threatened the RVR's independence and instilled fear and self-censorship among media outlets. According to legislation, RVR can impose fines on broadcasters ranging from €99 to €165,959, depending on the gravity of the violation. The funding the RVR generates on its own is returned to the state budget.

**Paying the watchdog**

*The budget of the broadcast regulator RVR (€), 2013-2018*

	2013	2014	2015	2016	2017	2018
<b>Revenue</b>	160,000	340,000	350,000	350,000	250,000	250,000
<b>Expenses</b>	1,142,605	1,134,638	1,151,224	1,188,473	1,337,057	1,402,536

Source: CMDS based on data from RVR annual reports

[11] "Press group says state budget threatens Slovak broadcast regulator", *The Slovak Spectator*, 12 December 2013, available online at <https://spectator.sme.sk/c/20049191/press-group-says-state-budget-threatens-slovak-broadcast-regulator.html> (accessed on 2 September 2019).



## Regulatory Authority for Electronic Communications and Postal Services

The telecom regulator generated revenues of over €14.7m in 2016. Much of that came from fees for spectrum management and technical regulation. The regulator had a staff of 146 in 2016. The government is imposing on the telecom regulator an annual revenue target of €6.5m. The RU has overachieved in the past five or so years when it comes to revenue generation, sending to the state budget much more than that. They generated a high record sum in 2014 mostly thanks to the auctioning that year of some lucrative frequencies for mobile telephony operations.

### A powerhouse

*The budget of the telecom regulator RU (€), 2013-2018*

	2013	2014	2015	2016	2017	2018
<b>Total income</b>	11,536,831	17,921,340	13,111,695	14,704,546	16,715,291	15,399,140
<b>Expenditure</b>	4,482,102	4,413,282	4,400,088	4,629,309	5,343,168	5,866,736

Source: CMDS based on data from RU annual reports

## Print Media Regulators

There is no government regulator of the print media in Slovakia. The sector has though a system of self-regulation represented by the Press-Digital Council of the Slovak Republic (*Tlacovo-digitalna rada Slovenskej republiky*, TR SR), a body created in 2002 through the merger of the Slovak Syndicate of Journalists and the Association of Periodical Print Publishers. (See *Decision-making process/Impact in this report*)

## Internet Regulators



There is no official regulator specifically covering the internet in Slovakia. Thus, online media is not subject to any form of institutionalized regulation. There is no legal provision either establishing responsibility for third-party online content such as comments. However, informal avenues for pressure and censorship on the internet are in place, according to a 2014 assessment of the Slovak internet by Miroslav Kollar for the Institute for Public Affairs (IVO).[12] Lawsuits related to online content can be lodged in court.

Increasingly, the RVR is entering the internet space by making decisions about media content online. They are empowered by EU regulations to do so. According to EU law, audiovisual media including on-demand service providers and internet broadcasters are regulated more or less like traditional broadcasters. EU regulation, for example, obliges such providers to clearly distinguish between advertising and content in their videos posted online.

[12] Miroslav Kollar, "Free for All, but Someone is Watching. Internet Freedom Report 2014: Slovakia", The Institute for Public Affairs (IVO) Bratislava, PASOS, Transitions Online, available online at <http://pasos.org/wp-content/uploads/2015/03/Internet-freedom-Slovakia.pdf>



The law allows RVR to regulate three content-related aspects: age appropriateness, legal provisions on advertising and news standards such as objectivity or protection of human dignity. Under the EU's Audiovisual Media Services Directive (AVMSD), the RVR started to regulate certain types of online content, particularly videos. Local experts and journalists say that the RVR's regulatory approach online is too strict, which is in contradiction with the recommendations of the European Commission that has called for a light-touch regulation.[13]

In recent years, the main regulatory challenge has been the lack of clear definitions of the content that RVR is competent to regulate online. RVR has the power to impose fines on publishers of videos on the internet that do not respect standards on children protection or hate speech, but it has no power in judging news impartiality or objectivity online. RVR first used its regulatory power in 2011 when it warned the TV station Joj TV that one of its broadcasts aired online violated children protection rules.

The adoption of an amended Audiovisual Media Services Directive (AVMSD) in November 2018[14] is expected to change that. The directive cover video-sharing platforms (VSPs), which is the first time EU legislation addresses content regulation on any digital platform. The culture ministry in Slovakia announced in April 2019 that it established a working group that was drafting amendments to Slovak law to incorporate the directive's new provisions.[15]

Already for the past five years, RVR has expanded its regulatory remit on the internet. It identified a total of 65 online news media that fall under its regulatory remit, according to the RVR 2016 annual report. Two years later, the number of regulated news media online increased to 80. They all have an audiovisual element in their internet content. The outlets include small online media, primarily local outlets such as Hlohovska televizia and Humenska televizia, but also major players such as the public broadcaster RTVS, all of the largest private TV stations in Slovakia, the telecom operators Orange Slovensko and Slovak Telekom and the publishers Ringier Slovakia and Petit Press. However, sanctions imposed by RVR on online content are rare. For some reason, international social media such as Facebook or Twitter and global on-demand service providers such as Netflix are not regulated by RVR or any other body although these providers host audiovisual content on their platforms. However, following the adoption the new audiovisual directive, these operators are likely to be regulated, according to RVR experts.[16] Local experts interviewed for this report say that the planned regulations represent a revolutionary measure in Slovakia as it will be for the first time when online content will be regulated in full.

So far, IAB Slovakia-Association for Internet Advertising, a joint industry committee of digital media, ad agencies and advertisers, has done a great deal of self-regulation on the internet. Although it covers mostly advertising-related issues, it also has an ethical commission that often covers cases related to news media.

[13] Ingrid Lunden, "EU backs light-touch regulation for on-demand companies like Uber and Airbnb", 2 Jun 2016, TechCrunch, available online at <https://techcrunch.com/2016/06/02/eu-on-demand-guidance/>

[14] See EU's official announcement online at <https://ec.europa.eu/digital-single-market/en/audiovisual-media-services-directive-avmsd> (accessed on 1 August 2019).

[15] "Do jesene pripravime novy zakon o vysielani a retransmisii, hovori skreko z ministerstva kultury" (By autumn we prepare a new law on broadcasting and retransmission, says skreko from the culture ministry), *Stratégia*, 25 April 2019, available online at <https://strategie.hnonline.sk/media/1930086-do-jesene-pripravime-novy-zakon-o-vysielani-a-retransmisii-hovori-skreko-z-ministerstva-kultury> (accessed on 12 August 2019).

[16] Petronela Sevcikova, "Ľubos Kuklis: Je nacas, aby sa regulacné iniciativy zacali zaoberat socialnymi médiami" (Ľubos Kuklis: It is time that regulatory initiatives started to address social media), *Stratégia*, 29 March 2019, available online at <https://strategie.hnonline.sk/media/1915409-novy-audiovizualny-zakon-zasiahne-aj-youtube-a-facebook> (accessed on 3 August 2019).

On the other hand, calls for regulation of content on social media have become more frequent. In early 2019, Martin Fedor, an MP from the Social Democratic and Christian Union-Democratic Party (SDKU-DS), said that the state had to intervene to “curb the influx of hate and disinformation.” Fedor added that German and French models of legislation that prevent incitement to hatred on social networks should be followed by the Slovak government.[17]

In another call for regulation of the internet, Robert Fico, a former Prime Minister until his resignation in 2018, floated suggestions to regulate content online by making it mandatory for people to give their real names when they make comments online. However, experts agree that this will be totally impossible.[18] A more dangerous proposal came from Andrej Danko, chairman of the Slovak National Party, a racist nationalist party, who called for legal provisions that would equally apply to radio and television broadcasting as well as the internet. Saying that, “media in the digital space cannot write what they want,” Danko called for a law that would introduce a strong provision that would give people the right to “correct” content online.[19]

## Data Protection Regulation

### *Remit and Tasks*

Established in 2002, the Office for Personal Data Protection (*Urad na ochranu osobných údajov SR*, UOOU SR) is the main data regulator in Slovakia. It principally regulates the use of personal data in Slovakia in line with the Data Protection Directive of the EU. As the law authorizes the use of personal data for journalistic purposes (subject to certain conditions), the remit of the UOOU is not much relevant to journalism.[20]

### *Board Composition*

The UOOU's chair is Sona Potheova, a former television journalist who also worked in Public Relations and government before joining the data regulatory authority. The office operates with a staff of some 40. The UOOU's head is appointed by Parliament.

### *Funding*

The data regulator is financed by the state. It operated with a budget of over €1.4m in 2019, an increase of almost 24% compared to the year before. The organization's budget has increased the most in recent years compared to the financing allocated to other regulators in the media and internet areas.

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[17] “Socialne média, siren timer nenavisti a dezinformacii sa stavajú hrozbou, tvrdi Fedor” (Social media, spread of hatred and disinformation are becoming threat, said Fedor), *Zoznam*, 6 January 2019, available online at <https://glob.zoznam.sk/socialne-media-siren timer-nenavisti-a-dezinformacii-sa-stavaju-hrozbou-tvrdi-fedor/> (accessed on 1 August 2019).

[18] “Filip Struharik, “MediaBrifing: Fico a Danko chcú tento rok zregulovať média a internet” (Media Briefing: Fico and Danko want to regulate media and internet this year), *DennikN*, 4 January 2019, available online at <https://e.dennikn.sk/1341136/mediabrifing-fico-a-danko-chcu-tento-rok-zregulovat-media-a-internet/> (accessed on 15 March 2019).

[19] Filip Struharik, “SNS vymysla nové pravidla pre média. Pripomina mi to meciarizmus, reaguje právnik” (SNS envisaged new rules for the media. It reminds me of the Meciar ideology, lawyers responds), *DennikN*, 18 January 2019, available online at <https://dennikn.sk/1354712/sns-chce-vacsie-zmeny-v-tlacovom-zakone-pripomina-mi-to-meciarizmus-reaguje-pravnik/> (accessed on 15 August 2019).

[20] For more information about the data regulator, visit the UOOU website at <https://dataprotection.gov.sk/uouu/>

## Data watchdog coffers

*The budget of the data regulator UOOU (€), 2013-2019*

	2013	2014	2015	2016	2017	2018	2019
Budget	876,324	856,329	874,599	988,925	1,018,835	1,163,853	1,442,263

Source: CMDS based on data from UOOU annual reports

## Other Institutions with Regulatory Powers

The **Ministry of Culture** is the key body in the state administration that prepares the basic state media policies as well as most of the media laws in Slovakia. The ministry maintains a public register of broadcast content providers and a public register of print media that includes their owners.[21]

**Slovak Trade Inspection** (*Slovenska obchodna inspekcia*, SOI), an independent watchdog with powers in consumer protection issues, regulates some aspects of advertising.[22]

A regulatory authority with a big say in the media is the **Antimonopoly Office of the Slovak Republic** (*Protimonopolny Urad Slovenskej republiky*, PMU), an antitrust public administration body. It intervenes in cases of cartels or abuse of a dominant position in all industries, media included. PMU also gives the green light for mergers and acquisitions. The decisions of the PMU are made by a seven-member council that is appointed by the government for a mandate of five years.

Most of the members of the PMU Council are lawyers.[23] Many of them have links with industry, chiefly companies where they worked before joining the antitrust authority. For example, Tibor Menyhart and Martin Suchanek both worked for Transpetrol, an oil transportation company, before their term at PMU. Another PMU member, Mojmir Mamojka, an influential lawyer and former politician, was directly involved in media regulation as a member of RVR until 2017.[24]

[21] For more information about the Slovak culture ministry, visit the ministry's website at <http://www.culture.gov.sk>

[22] For more information about the trade inspection watchdog, visit the SOI's website at <https://www.soi.sk/>

[23] For more information about the Slovak antitrust regulator, visit the PMU website at <http://www.antimon.gov.sk>

[24] According to data obtained through investigation of trade databases, regulatory reports and corporate public records.

## Decision-Making: Regulation and Policymaking

### Key Players[25]

Many of the key influencers in the Slovak media regulation have some sort of connection with politicians. Some of them are very close to political parties or come themselves from politics and, thus, their decisions are heavily influenced by the political logic. Only a few of the influencers in the Slovak policy and regulation are truly progressive and visionary, and their power is far from matching the might of those connected with political groups or financiers. That explains why the Slovak media market is shaped by the interests of a handful of powerful financial groups that have leverage with the government.

#### *Political stalwarts*

Appointed by parliament to RVR in February 2018, **Milan Blaha** is, as expected, playing a major role in the regulatory field. He has close political connections; the most important is Lubos Blaha[26], his son, a Marxist philosopher and political scientist who entered parliament in 2012 as a representative of the Social-Democratic Party (Smer-SD). Milan Blaha is a veteran journalist who was known in the old days as a propagandist of Vladimir Meciar, a controversial politician who was three times the prime minister of Slovakia in the 1990s.[27] In the 2000s, Milan Blaha worked as a journalist with the public TV and a few, now-defunct, private TV channels, including VTV and TV Luna.



Source: YouTube



Source: Wikipedia

A lawyer by education, **Andrej Danko** is chairman of the nationalist SNS party. As a parliament speaker, Danko has been exerting significant power in the Slovak public affairs. He has shown a keen interest in the media and is known as one of the most powerful government players when it comes to media policy. He has relentlessly attacked the current model of financing the Slovak public broadcaster calling for the replacement of the license fee (paid by all households) by advertising revenue.[28] Such a model, experts say, would badly affect the quality of programming produced by the public

broadcaster and would even jeopardize the very existence of the broadcaster. Much of Danko's influence will depend on the parliamentary elections scheduled for March 2020. Since 2016, Danko's party has been in the government with Smer-SD, the party of Robert Fico, the prime minister who resigned in 2018 following the assassination of the Slovak journalist Jan Kuciak. Danko is by far the biggest enemy of press freedom and independent journalism in Slovakia.

[25] The content in this part of the report is based mostly on interviews with Slovak journalists and experts carried out for this report (See *Methodology in Media Influence Matrix: Slovakia*).

[26] See a profile of Lubos Blaha on Aktuality.sk: <https://osobnost.aktuality.sk/lubos-blaha/>

[27] Miro Kern, "Meciarovsky novinar Blaha i pravnik s väzbami na Basternaka sU vo funkciach aj vdaka opozicii" (Meciar's journalist Blaha and the lawyer with links to Basternak are in positions also thanks to the opposition), DennikN, 7 Feb 2018, available online at <https://dennikn.sk/1022022/meciarovsky-novinar-blaha-i-pravnik-s-vazbami-na-basternaka-su-vo-funkciach-aj-vdaka-opozicii/>

[28] "Danko chce zmeniť RTVS, kritizuje Maďarica" (Danko wants to change RTVS, criticizes Madarica), *Trend*, 31 Dec 2017, available online at <https://medialne.etrend.sk/televizia/danko-chce-zmenit-rtvs-kritizuje-madarica.html>





Source: teraz.sk

**Ingrid Fasiangova**, member of the RVR, is a playwright with experience in cultural events management. She has held positions in the supervisory boards of both public radio and public television in Slovakia. She has been associated with the company IstroArt Production, which appears to run a real estate agency. Fasiangova was a co-owner in the company until 2008. The company is controlled by the businessman Anton Ozvold from Bratislava. Fasiangova is close to the Social-Democratic Party (Smer-SD) that won the 2016 elections. She is close to Marek Madaric, a Smer-SD

politician who was three times minister of culture and who resigned, in a moral gesture, in February 2018 after the Slovak investigative journalist Jan Kuciak was assassinated by unknown killers.[29] Madaric named Fasiangova general director of the theater Nova Scena in Bratislava.

Appointed head of the RTVS Council in 2013, and reappointed twice in 2015 and 2017, **Igor Gallo** has experience in several, often unrelated, industry sectors. His name is connected with media. He was editor-in-chief of the daily *Kosický večer* in the early 2000s. At the time, he had shares in the company Cassovia-Press, which published the daily. Gallo also works for the state-owned power provider Slovenska elektrizacna prenosova sUstava (SEPS). In that role, he was reportedly one the best-paid employees in the Slovak public system, with over €100,000 annually in wages, more than Slovakia's president or prime minister.[30]



Source: netky.sk

Appointed member of the RVR in May 2018 after the resignation of Peter Joanidis (*see Fading glory below*), **Pavol Holestiak** is another political puppet sent to the board of the broadcast regulator thanks to his affiliation with SNS. Holestiak is known as a sympathizer of Jozef Tiso, a Slovak politician and Roman Catholic priest who led Slovakia as a supporting state of Nazi Germany, between 1939 and 1945. Holestiak wrote a collection of poetry in Tiso's honor and writes critical, often false, accounts about the opposition on his social network accounts. Thanks to his SNS membership, Holestiak has had top positions in state-controlled structures or companies including head of the state insurer Vseobecna zdravotna poisťovňa (VsZP), and director of the Zilina regional government.[31]



Source: Facebook



Source: teraz.sk

**Lubica Lassakova** was appointed culture minister in March 2018, position from which she was expected to exert significant influence in the media industry. Her journalism background includes over two decades spent at the Slovak public radio. She was a local councilor in the Banská Bystrica region and sits in the supervisory board of the development company MBB, controlled by the Banská Bystrica municipality. Lassakova's appointment was harshly criticized by NGOs following her comments that civil society organizations in Slovakia are influenced by the philanthropist

[29] "Culture minister resigns after journalist murder shakes Slovakia", *Reuters*, 28 Feb 2018, available online at <https://www.reuters.com/article/us-slovakia-crime-government/culture-minister-resigns-after-journalist-murder-shakes-slovakia-idUSKCNIGCIXO>

[30] Marian Kizek, "Manažér statnej akciovky zarobil viac ako prezident či premiérka" (Manager of state shareholding earned more than president or prime minister), *Korzar Kosice*, 22 Aug 2011, available online at <https://kosice.korzar.sme.sk/c/6021036/manazer-statnej-akciovky-zarobil-viac-ako-prezident-ci-premierka.html>

[31] "Pochybné rozhodnutie poslancov parlamentu: Média bude kontrolovať sympatizant Tisa" (Wrong decision of MPs: Tiso's sympathizer will control the media), *Topky.sk*, 17 May 2018, available online at <https://www.topky.sk/cl/10/1710665/Pochybne-rozhodnutie-poslancov-parlamentu--Media-bude-kontrolovat-sympatizant-Tisa> (accessed on 1 March 2019).

and investor George Soros. She later withdrew her comments.[32] Nevertheless, in the past year she continued to receive criticism because of her decisions to cut the budget of several major cultural institutions, but also for rejecting financing for a series of LGBTI projects.[33]



Source: korkep.sk

Appointed by parliament at the helm of the public broadcaster RTVS, **Jaroslav Rezník** is a key player in the Slovak decision-making process. He has long experience in the media and has maintained close relations with politicians of all colors. In the 1990s, he had intimate links with the Movement for a Democratic Slovakia (HZDS), a national conservative party founded by Vladimir Meciar, a controversial politician who was prime minister three times.[34] Rezník is preferred by political parties because he is a loyal executant. During his management at the Slovak public radio in

the 1990s, journalists complained about his censorship. In 2007, he was appointed general director of the state-controlled news agency TASR. He is said to be close to the financial group Slavia Capital, company invested in a raft of industries including fast-moving consumer goods, aerospace industry, construction and real estate. He has also developed close relations with the right-wing party SNS. [35]

**Ivan Secik** is a key player and influencer in decision-making related to media and journalism. Born in 1951, Secik worked during communism for the Slovak Office for Press and Information (SUTI), which was known as the regime's press censor.[36] Educated in journalism universities in the former Soviet Union, Secik continued to work in the government after the collapse of communism. Secik has been a state secretary in the culture ministry, from which position he participated in drafting the country's main media legislation. Former culture minister Marek Madaric publicly said that he respected his opinion. According to local journalists, much of the ministry's direction in the media has been shaped by him. He has also been known as a key link with the Russian government, particularly in the cultural field.



Source: Ministry of Culture

## Progressives

**Peter Kerecman** is known as one of the most progressive voices supporting press freedom in Slovakia. A member of the Slovak press council, Kerecman is a renowned lawyer and non-fiction author. He influences public debates on media and journalism. He is also known for his influence on the Slovak Constitutional Court, which he has advised since 2007. Kerecman runs his own private legal firm in Kosice, which in 2018 had an annual turnover of some €150,000 and a net profit of some €44,000, according to data from the local Trade Registry.



Source: trsr.sk

[34] Marius Dragomir, "A Dim Future Approaches for Objective Reporting in Slovakia", *MediaPowerMonitor*, 15 Jan 2018, available online at <http://mediapowermonitor.com/content/dim-future-approaches-objective-reporting-slovakia>

[35] Marius Dragomir, "A Dim Future...", cit.

[36] Veronika Sutkova, Marek Vagovic, "Dozeral na tlac, teraz na zakon" (He took care of the print, now of the law), *Sme*, 7 Feb 2008, available online at <https://www.sme.sk/c/3716914/dozeral-na-tlac-teraz-na-zakon.html>





Source: lupa\_cz

Although not directly involved in the media business or in media policy, **Vladimir Kesjar**, chair of the telecoms regulator, is an influential actor in the Slovak regulatory environment, indirectly impacting decisions that can affect the media as well. In spite of his political connections, Kesjar is seen as independent thinker with a solid professional background. He has strong connections with the Smer-SD, party where he used to be a member. At some point in life, Kesjar worked for Eufinex, an investment company owned by the Smer-SD MP Ladislav Kamenicky.



Source: spolok-slovenskych-spisovatelov.sk

With an RVR mandate until December 2020, **Gabriela Rothmayerova** is seen by local journalists as a progressive voice in the country's media. She was a politician in the early 1990s in then Czechoslovakia. Rothmayerova is a writer and journalist known for influencing in an articulate manner public debates on the role of media. For several years, she has written a blog on the website of the daily Pravda.

**Anton Skreko** is the general director of the department covering media, audio-visual and copyrights at the culture ministry. He is a young, educated and outspoken expert who is known for his strong take on the independence of RTVS, Slovakia's public service media. He has been pushing for a reform package aimed at changing the rules of appointment in the RTVS' governing structure with the aim of uncoupling the institution from the political control.



Source: avf.sk

### *Non-aligned*

**Marta Danielova**, the chair of the RVR, has a solid reputation in both the political life and media industry given her long career in journalism. Danielova worked most of her life for the Slovak public media, both during communism and after 1990. She was vice-chair of the Slovak public TV board between 2008 and 2010. In spite of her reputation and support from many political parties, Danielova does not exert much power on media players or policymakers. She is described by journalists as an effective mediator and negotiator. Danielova is not connected through ownership or financial links with media companies or politicians in Slovakia, according to CMDs records. As RVR chair, she receives a monthly salary equivalent with an MP salary, which is roughly €2,000 a month.



Source: RVR

### *Fading glory*

**Peter Joanidis** was appointed to the RVR in 2017. He is known to have close relations with the Slovak National Party (SNS), a right-wing political party, which is part of the government coalition formed after the 2016 elections. Joanidis' nomination to RVR was supported by Tibor Bernatak, an MP who leads the SNS parliamentary caucus.[37] With friends in the financial group J&T and well connected

[37] "Opozicny navrh na zmiernenie zakona o statnom obciansťve nepresiel" (The opposition proposal to improve the citizenship law has not passed), *Sme*, 29 Mar 2017, available online at <https://domov.sme.sk/c/20495494/zakon-o-dvojtom-obciansťve-poslanci-nezmiernili.html>

with politicians, Joanidis has exerted significant influence in the RVR. However, following a series of scandals related to his involvement in a company with debts to the state, Joanidis has been pushed out from the Slovak power corridors. In October 2017, Joanidis was appointed member of the supervisory board at the gas distribution company Eustream, on behalf of the government, which has a stake in the company. However, following reports in the media that Joanidis' own company Start Group had unpaid debts to the state, Joanidis resigned from Eustream.[38] Several months earlier, Joanidis also resigned from the RVR.[39]

Former culture minister, **Marek Madaric** has lost much of his influence within the Smer-SD party, which means that he no longer has much impact on media-related decision-making in the state bodies. He is appreciated within the profession as he managed to change from a nationalist party nominee into a critic of the political influence in the public media. Following his resignation as culture minister after the killing of the journalist Jan Kuciak in February 2018, Madaric recommended the new culture minister Lubica Lassakova to push the public broadcaster RTVS to resume the investigative journalism program Reporteri, which RTVS' head Jaroslav Reznik canceled in January 2018.[40] The show was reinstated in September 2018.[41] Madaric was also instrumental in forcing the state-owned news agency TASR to cancel in 2017 a cooperation contract they concluded with Sputnik, the news agency run by the Russian government.

**Lubomir Kmec**, a member of the RVR, in office until January 2019, was known to have some decision-making influence in regulatory affairs. Kmec co-owns the advertising agency Hi-Reklama, company with nearly €3m in turnover in 2017, according to financial data for two Hi-Reklama subsidiaries, located in Kosice and Bratislava. With the end of his RVR membership, Kmec, a playwright and screenwriter, is less likely to influence media affairs in Slovakia.

## Transparency in Media Regulation

The main media regulator, RVR is a relatively transparent institution. Most of the documents issued by the RVR, including decrees, minutes of meetings, reports on the state of broadcasting and licensing decisions are published on the regulator's website. In the past, the licensing decisions and the deliberations around a licensing request were done behind closed doors.

While most of the members of the RVR council are regularly interacting with politicians and financiers with interest in the media, the declining importance of broadcast licensing, which is RVR's key role, has dented the influence of this body.

With the digital switchover, an increasing number of licenses for TV and radio operations has become available, making licensing a pure formality unlike more than one decade ago when only

[38] Martin Okladal, "Z Eustreamu odisiel po otazkach Aktuality.sk statny nominant" (State nominee left from Eustream after questions asked by Aktuality.sk), *Aktuality.sk*, 24 August 2018, available online at <https://www.aktuality.sk/clanok/617358/z-eustreamu-odisiel-po-otazkach-aktuality-sk-statny-nominant/> (accessed on 10 June 2019).

[39] "Peter Joanidis sa vzdal funkcie v Rade pre vysielanie a retransmisiu: Kto bude jeho nahradou?" (Peter Joanidis resigned from the Broadcasting and Retransmission Council: Who will replace him?), *Nový Cas*, 12 May 2018, available online at <https://www.cas.sk/clanok/692461/peter-joanidis-sa-vzdal-funkcie-v-rade-pre-vysielanie-a-retransmisiu-kto-bude-jeho-nahradou/> (accessed on 15 May 2019).

[40] "Madaric odporuča ministerke iniciovať obnovenie investigatívy v RTVS" (Madaric recommends the minister to initiate the reinstatement of the investigations at RTVS), *Medialne.sk*, 23 Mar 2018, available online at <https://medialne.etrend.sk/televizia/madaric-odporuca-ministerke-iniciovat-obnovenie-investigativy-v-rtvs.html>

[41] "Reportéri sa vracajú od pondelka, v pôvodnom vysielacom čase" (The program Reporters returns from Monday, at the original airtime), *Trend*, 7 September 2018, available online at <https://medialne.etrend.sk/televizia/reporteri-sa-vracaju-od-pondelka-v-povodnom-vysielacom-case.html> (accessed on 15 September 2019).

three to four television broadcast licenses were available on the market. The increased availability of licenses helped depoliticize the regulatory process and reduce the amount of pressure on the RVR's members. Today, any applicants satisfying a set of formal criteria can claim a broadcast license. In the past, a high number of bidders were participating in licensing tenders.

Today, if digital license holders want to air also terrestrially (besides via digital platforms), they have to conclude bilateral agreements with digital multiplex operators, which does not involve regulation either.

## Regulation: Impact on News Media and Journalism

Although the quality of the decision-making at RVR has improved dramatically in the past 15 years, the regulator is still seen by local journalists and experts as a “conservative” body whose decisions can often hamper the independent operation of news media in Slovakia. In the past five years or so, as the government has pushed RVR to generate more income from its own activities, the regulator has increasingly focused on imposing fines on broadcasters, their only venue to boost revenues.

However, in spite of complaints from some fined broadcasters, RVR has not made in recent years any earth-shattering decisions that would negatively or positively affect news media companies. Fines, usually to the tune of thousands of euros, are not life-threatening for the major broadcasters.

Moreover, many of the RVR's decisions are turned down by the Constitutional Court, which according to experts interviewed for this project is seen as the institution with the biggest role in protecting and promoting freedom of expression in Slovakia. The court is the sole actor outside the politically polarized state institutions involved in media policy and regulation.

PMU, the Slovak antitrust watchdog, has substantial influence in the media market. PMU has been instrumental in the expansion of the country's major financial groups in the media. The regulator approved several major merger cases during the past 20 years. Recently, some of its decisions allowed the expansion of the financial group Penta Investments in the media. In June 2016, PMU approved the takeover by Penta Investments along with Prva slovenska investicna skupina, of the publisher Petit Press.[42] A year before, the PMU dealt with the acquisition by Penta Investments of the publishing houses Spolocnost 7 Plus and Trend Holding.[43]

[42] “KONCENTRACIE: PMU SR schválil koncentraciu Petit Press, a.s., Bratislava, Prva slovenska investicna skupina, a.s., Bratislava a PENTA INVESTMENTS LIMITED, Normanské ostrovy” (Concentration: PMU SR approved the concentration of ownership between Petit Press, Prva slovenska investicna skupina and Penta Investments Limited), 28 Jun 2016, available online at <http://www.antimon.gov.sk/4484-sk/koncentracie-pmu-sr-schvalil-koncentraciu-petit-press-as-bratislava-prva-slovenska-investicna-skupina-as-bratislava-a-penta-investments-limited-normanske-ostrovy/>

[43] “Penta kupuje Trend Holding a 7 Plus” (Penta buys Trend Holding and 7 Plus), *Medialne.sk*, 3 Sep 2014, available online at <https://medialne.etrend.sk/tlac/penta-kupuje-trend-holding-a-7-plus.html>

# INFLUENCERS

The industry, mostly broadcasters, advertising and publishers, is by far the most influential player in the regulatory process and policymaking affecting media in Slovakia. They actively lobby for their interests, which are primarily commercial.

However, the biggest influencers in the Slovak media (and Slovakia, generally) are a group of magnates including Andrej Babis, Marek Dospiva, Ivan Kmotrik, Petr Kellner and Peter Korbicka, who control vast amounts of funds and have interests in a spate of industries; many of them operate also in neighboring Czech Republic. They are supported by a network of less wealthy, yet powerful and politically connected underlings with high positions in media companies, coming mostly from Penta Investments and J&T, two key players in the Slovak news media. For example, Dospiva is more active in the Czech media market using his partner Jaroslav Hascak to handle Penta's media-related acquisitions in Slovakia.

A dynamic group of professionals, mostly in top media management positions, exert influence in media on their own, but are hardly able to dismantle the dominance of the few media owners. Slovakia has a vibrant civil society and some NGOs are actively involved in media policy and journalism debates. The Slovak press council, a self-regulatory body, often calls government worthies and politicians to account over undue influence in and attacks on media and journalism.

However, that is not sufficient to build a propitious environment for independent journalism. Building an independent journalism operation outside the established industry is a tortuous task as very few journalists who ventured into that have learned first-hand.

## Local Influencers

### Industry Players

The industry players with the biggest influence in the regulatory and policymaking process in Slovakia are the country's large broadcasters, advertising agencies (and through them the key advertisers) and publishers. Each of these groups have a professional organization lobbying for its interests.

The Association of Independent Radio and TV Stations (ANRTS), with 19 members including the largest radio and television stations in Slovakia, represents the interests of the private broadcasting industry.<sup>[44]</sup> Its president is Marcel Grega, the general director of the Joj TV.

The Club of Advertising Agencies in Slovakia (KRAS) is the main organization of advertising companies in the country. It has 12 members, mostly big advertising agencies.<sup>[45]</sup> By far the largest advertising company in the country is JandL, marketing a reklama with revenues of over €30.9m in 2017. The company is owned by local businessman Ladislav Zdut, who also owns the luxury fashion brand Nehera. The interest of the advertising community is to ensure that rules and regulations do

<sup>[44]</sup> For more information about this association, visit its website at <http://www.anrts.sk/wp/>

<sup>[45]</sup> For more information about this association, visit its website at <http://kras.sk>



not restrict in any way how they do marketing for their clients. They are in many ways supportive of the media as this is one of their main platforms for advertising. However, they are primarily driven by commercial goals and care less, if at all, about journalistic ideals.

At the same time, ad agencies are increasingly looking for new advertising formats such as native advertising and engagement with customers on social media that are made possible by digital platforms. That has led to the emergence of a new generation of creative talents, more focused on digital ads. Together, they act as the Association of Digital Marketing Agencies (ADMA), an organization of 21 members, most of which are small-size shops, either independent agencies or daughter companies of larger advertising groups.[46] For example, Performics is a digital ad agency controlled by B2B Group, company that belongs to the French advertising giant Publicis. Another digital ad company, ecake is jointly run by four Slovak entrepreneurs.

### Slovak advertising universe

*The largest advertising agencies in Slovakia, by sales revenues, 2015-2017*

Ad agency	Revenues ('000 €)			Change, yoy (%) 17/16	Main clients	Membership KRAS
	2017	2016	2015			
JandL, marketing a reklama	30,942	27,728	29,393	11.60%	COOP Jednota, Volkswagen Slovakia, Mliecny fond, Wüstenrot	Yes
Roko	12,243	14,315	n/a	-14.50%	Allianz, TASR, Land Rover, RWE Group, Volvo, Jaguar	No
Wiktor Leo Burnett	6,724	5,174	5,458	30.00%	Fiat Group Automobile, Orange, Eurovea, HB Reavis, Heineken, J&T Banka, LIDL, Slovnaft, Postova Banka, 365.bank, Volkswagen	Yes
Made by Vaculik	4,160	5,135	6,514	-19.00%	AeroMobil, Heineken, IBM, Raiffeisen banka, Tatra banka, Tesco, Fio banka, T-Mobile CZ	Yes
Istropolitana Advertising*	4,153	3,899	3,457	6.50%	Citroen, Dr.Max, Groupama, Heineken Slovensko, Peugeot, Slovnaft, Svet Zdravia, Tesco, VUB banka	Yes
Effectivity	4,150	4,016	5,416	3.30%	WND	Yes
Promea Communication	3,902	4,721	n/a	-17.30%	Audi, Microsoft, Porsche, Eustream, Sberbank, Slovenska Sporitelna, VUB Banka	No
MullenLowe G&K	3,737	3,450	3,307	8.30%	Audi, Baumit, Bramac, Seat, Skoda Auto, Volkswagen, VW Financne sluzby	Yes
MUW / Saatchi & Saatchi	3,390	3,811	4,187	-11.00%	Slovak Telekom, CSOB Group, J&T Real Estate, Aupark, Stredoslovenska energetika, Kooperativa poistovna, Terno Real Estate, IKEA CR, Zott	Yes
Zaraguza	3,019	2,387	1,860	26.50%	Dr.Oetker, Heineken, Profesia, Orange, Primalex, Slovenska sporitelna, SPP, Volkswagen	Yes

yoy: year-on-year; WND: would not disclose; n/a: not available  
Istropolitana Ogilvy until 2017  
Source: Trend, KRAS

Media buying agencies, in charge of buying ad space on behalf of ad agencies and their clients, are a major influencer in the Slovak media market. The largest agency in Slovakia is Unimedia, with over €56m in revenue in 2017, according to data from Trend. Ten media buyers have annual revenues of at least €10m.

[46] For more information about this association, visit its website at <http://adma.sk>

## Advertising brokers

*The largest media buying agencies in Slovakia, by sales revenues, 2014-2017*

Agency	Revenues ('000 €)				Change, yoy (%) 17/16	Cooperation with ad agencies
	2017	2016	2015	2014		
Unimedia	56,474	50,258	52,373	50,977	12.40%	Havas Slovakia, Médea Slovakia and others
Wavemaker*	25,608	28,774	27,606	25,820	-11.00%	Creo Advertising
Universal McCann Bratislava	24,589	25,249	24,231	21,575	-2.60%	Mayer, McCann Erickson
ZenithOptimedia	19,408	21,677	27,226	26,772	-10.50%	MUW, Saatchi & Saatchi
MediaCom Bratislava	19,329	19,799	17,666	18,802	-2.40%	WND
Media and Digital Services	18,948	12,706	21	—	49.10%	Media Investments, Packy Advertising, Made by Vaculik
OMD Slovakia	16,615	17,225	17,774	16,905	-3.50%	Mark BBDO, DDB, TBWA
Starmedia Co.	14,213	15,753	16,708	13,817	-9.80%	2create, Miracle, Wiktor Leo Burnett
Dentsu Aegis Network Slovakia	13,775	11,200	14,255	12,481	23.00%	Adexpres.com, Community, Effectivity, Partners in communication, Progress promotion, Manifest 360, Triad
Mindshare Slovakia	13,460	11,442	5,765	6,373	17.60%	Ogilvy Czech, daren&curtis
Havas Media Slovakia**	8,668	6,334	6,680	6,753	36.80%	Ogilvy & Matter Morava, Mediaplus
PHD	6,631	2,468	6,023	6,822	168.70%	Mark BBDO, TBWA, DDB
Panmedia Western	5,324	5,768	4,578	4,917	-7.70%	MullenLOWE GSK
Branding	1,292	2,107	1,264	1,966	-38.70%	WND
METS Slovakia	1,005	1,100	1,714	2,399	-8.60%	WND
Ideamedia	504	1,022	2,074	2,914	-50.7	Apple pie, Istropolitana, Zaragoza

yoy: year-on-year; WND: would not disclose; n/a: not available

\*known as MEC Slovakia until 2017;

operating as Médea Slovakia until 2017

Source: Trend

The publishing industry is promoting its interests through the Slovak Print and Digital Media Association (ATDM), an industry group formerly known as the Press Publishers Association, set up back in 1991. ATDM has 16 members, including all major publishers in Slovakia such as Ringier Axel Springer Slovakia, News & Media Holding (NMH), Petit Press, Mafra Slovakia and Perex.[47] Alexej Fulmek, CEO of Petit Press publishing house is the ATDM's president.

[47] For more information about the association, visit its website at <http://vydavatelja.sk>



## Key influencers

### *The kingpins*



Source: Wikipedia

**Andrej Babis** is a powerful businessman, now prime minister in the Czech Republic with a net worth of over US\$ 4bn in 2017, according to estimates from Bloomberg. Born in Slovakia, Babis has made his fortune through the conglomerate Agrofert. In the Czech Republic, he founded his own political party in 2011 and two years later purchased Mafra[48], a large newspaper publisher through which he controls the most popular business newspaper in Slovakia today, *Hospodarske noviny*. [49] Babis is known for his attempts to gag and intimidate journalists in both Czech Republic and Slovakia,

according to journalists interviewed for this report. He does made these pressures by either threatening media owners or directly attacking journalists. In 2018, Babis sued the daily newspaper *Novy Cas* in Slovakia for a story in which he was accused of collaborating with the former secret service of the communist Czechoslovakia, StB, known for its oppressive practices. The accusation was made by a former secret service employee. Babis sued the accusers and the newspaper, asking for compensation worth €1m. After nine months, he dropped the lawsuit, without any explanation.[50]



Source: forbes.com

Czech **Marek Dospiva**, one of the founders of the Penta Investments group, lives in Prague and deals mostly with Czech media acquired by Penta. However, through his partner Jaroslav Hascak, he influences the Slovak market a great deal. Dospiva has close connections with Russia and China where he did his studies. He was responsible of the Penta's entry on the Czech market and then of its expansion in Germany. In Slovakia, he has stakes in nearly 250 companies, many of them being Penta investees. They include the betting company Fortuna SK, private hospitals and pharmacy

chains. Dospiva's fortune is estimated at over €800m.[51]

Czech entrepreneur **Petr Kellner** operates in the Slovak market through the mobile operator O2, in which he has a participation. PPF, the financial group controlled by Kellner, bought O2 in Slovakia in 2013.[52] Kellner is considered the richest Czech with a net worth US\$ 12.8bn.[53] Kellner is reportedly in talks with a group of other financiers from Slovakia and Czech Republic to buy Markiza TV.[54] He wants to partner in this acquisition with J&T, Penta Investments and Energeticky a prumyslový holding (EPH), a Czech energy utility. In July 2019, it was reported that he was close to a deal to buy the station.[55]



Source: forbes.com

[48] "Agrofert Andreje Babise koupil vydavatele MF DNES a Lidových novin" (Andrej Babis' Agrofert bought the publisher of MF Dnes and Lidove Noviny), *iDnes.cz*, 26 Jun 2013, available online at [https://ekonomika.idnes.cz/babis-koupil-vydavatelstvi-mafra-dqb-/ekonomika.aspx?c=A130626\\_160851\\_ekonomika\\_fih](https://ekonomika.idnes.cz/babis-koupil-vydavatelstvi-mafra-dqb-/ekonomika.aspx?c=A130626_160851_ekonomika_fih)

[49] "Andrej Babis kúpil Hospodarske noviny" (Andrej Babis bought Hospodarske noviny), *finweb.sk*, 15 Apr 2013, available online at <https://finweb.hnonline.sk/ekonomika/565688-andrej-babis-kupil-hospodarske-noviny>

[50] Veronika Prusova, "Babiš stiahol žalobu na človeka z ŠtB, ktorý potvrdil jeho donášanie" (Babis withdrew the lawsuit against a man from StB who confirmed his collaboration), *Denník N*, 17 January 2019, available online at <https://dennikn.sk/1353257/babis-stiahol-zalobu-na-estebaka-ktory-potvrdil-jeho-donasanie-komunistickej-tajnej-sluzbe/?ref=tit> (accessed on 15 September 2019).

[51] "70 nejbohatších 2017" (The 70 richest Czechs 2017), *Forbes.cz*, 6 Dec 2017, available online at <http://www.forbes.cz/miliardari/>

[52] "Potvrdené: Kellner kupuje O2" (Confirmed: Kellner buys O2), *Trend*, 6 Nov 2013, available online at <https://www.etrend.sk/trend-archiv/rok-2013/cislo-44/potvrdene-kellner-kupuje-o2.html>

[53] The 70 richest Czechs, cit.

[54] "Miliardový biznis na spadnutie. Na predaj je TV Markiza" (A billion business to fall. TV Markiza is on sale), *Strategie*, 20 Sep 2017, available online at <https://strategie.hnonline.sk/media/1029753-miliardovy-biznis-na-spadnutie-na-predaj-je-tv-markiza>

**Ivan Kmotrik** is a businessman with interests in many industries. He was described as a “gangster” by several journalists surveyed for this report. Kmotrik owns Grafobal group, which also has investments abroad. His name was linked to a slew of privatization deals during the 1990s, which contributed much to his wealth. Today, he runs printing houses, healthcare facilities, agricultural companies, food retailers, media, energy and a football club. The control over the printing businesses gave Kmotrik significant influence among big publishers in Slovakia and Hungary.



Source: biztweet.eu

Through the companies Mediaprint-Kapa Pressegrasso, GG TABAK and Royal Invest Consulting, Kmotrik secured monopoly of the print media distribution market, which gave him immense leverage with publishers. He had a stake in TV Joj, which he then sold to J&T, and now controls the all-news TV station Ta3.[56] Friendship with politicians from the Smer-SD party secured Kmotrik a string of public contracts in recent years.



Source: Youtube

**Peter Korbacka** is one of the most powerful people in the Slovak media industry (and in Slovakia generally) mainly thanks to his affiliation with the financial group J&T. A partner in the real estate and media divisions of J&T, Korbacka is one of the wealthiest Slovaks, with some €250m in his bank account, according to industry estimates from 2013. Korbacka also has investments abroad. He has run a slew of real estate projects in Russia. Slovak media reported about his swank villa equipped with a private heliport, located somewhere close to Joj TV, the station he controls.[57]

Korbacka is also one of the most politically connected businessmen. His money opens doors to many high officials. With some of them he has close friendships. Korbacka has had influence in media regulation as well. One of the RVR’s members, Peter Joanidis, was Korbacka’s business partner in a company that is now defunct.[58] Rocked by a scandal, Joanidis, however, left the regulator in 2018. (See *Key Players under Decision-Making: Regulation and Policymaking in this report*)

## The middlemen

### Penta Investments

An investment manager at Penta Investments, **Peter Andits** is also part of the supervisory boards at Penta’s publishing houses NMH and Petit Press. Andits has an important say in decisions related to Penta’s media businesses. He has a participation in a dozen of other businesses, mainly companies controlled by Penta Investments.



Source: LinkedIn

[55] Jan Kovac, “Čím je miliardár Kellner ako adept na ovládnutie Markízya Novy nebezpečný” (What makes the billionaire Kellner dangerous as a suitor to take over Markiza and Nova), *DenníkN*, 9 July 2019, available online at <https://e.dennikn.sk/1522189/cesky-miliardar-kellner-je-vo-finale-sutaze-o-ovladnutie-markizy/?ref=mpm> (accessed on 1 September 2019).

[56] Tomas Czwitkovics, “JOJ a TA3 - J&T a Grafobal si vymenili televizie” (Joj and Ta3-J&T and Grafobal exchanged TV stations), *Medialne.sk* 16 Jan 2007, available online at <https://medialne.etrend.sk/televizia/joj-a-ta3-j-t-a-grafobal-si-vymenili-televizie.html>

[57] “Poslednej stvorke slovenskych milionarov vladne Ivan Chrenko” (The last tetrad of Slovak millionaires is led by Ivan Chrenko), *Plus7dni*, 3 Jun 2013, available online at <https://plus7dni.pluska.sk/Kauzy/Poslednej-stvorke-slovenskych-milionarov-vladne-Ivan-Chrenko>

[58] Data from CMDS investigations including interviews with Slovak journalists and experts (See *Methodology in Media Influence Matrix: Slovakia*)



Source: Trend/Mano Strauch

Igor Grosaft is a controversial businessman who has been used by Penta Investments as a straw man for a number of transactions that the group made in media and other industries. Grosaft was mentioned in the Gorilla file as close to Jaroslav Hascak of Penta Investments.[59] He reportedly carried out the takeover of the publisher Petit Press for Penta Investments. The sale prompted the departure of half of the journalists working for Sme, Petit Press' most influential and popular daily. Grosaft has intermediated the Petit Press deal using the news agency SITA, which he owned at the

time.[60] The Swiss Leaks, an investigation carried out by the International Consortium of Investigative Journalists (ICIJ), revealed in 2015 that Grosaft was among the Slovak businessmen who stashed their euros in an HSBC account in Switzerland, allegedly to save on taxes.[61] But in spite of all that, Grosaft does not exert real influence in the media sector and rather is used as a middlemen by his bosses.

**Jaroslav Hascak** is a key figure in Penta Investments with high influence in the company's investment decisions. Hascak co-founded Penta group with Dospiva, using cash they made in the early 1990s in China during their studies, according to the official version of the company's history. Local observers have long questioned the provenance of the cash that led to the creation of the Penta empire, doubting that imports of textiles from China to the former Czechoslovakia was such a lucrative business as Hascak and Dospiva claimed. Hascak has a participation in many of Penta's large



Source: Penta Investments

companies, including the insurer Dovera, the private hospital operator Svet Zdravia, Prima Banka and the lottery Fortuna SK. Hascak's name was mentioned in the infamous Gorilla case as the key link with senior politicians from the ruling coalition in talks about privatization deals and sale of state property. The Gorilla case was a political corruption scandal that rocked Slovakia in 2011 when leaks from a Slovak Secret Service wiretap file known as Gorilla, recorded in 2005-2006, were published online. The file revealed a web of kickbacks to politicians in return for procurement and privatization contracts mostly involving Penta Investments. The company denied any wrongdoing. [62] Hascak was listed by Forbes magazine as the second richest man in Slovakia in 2019, with a fortune worth some €960m.[63] In 2019, Hascak was questioned by the National Crime Agency (NAKA), a unit of the interior ministry in charge of investigating corruption and organized crime. The questioning was related to the killing of the journalist Jan Kuciak in 2018. Hascak reportedly spoke regularly with Marian Kocner, a Slovak entrepreneur suspected of involvement in organized crime who was arrested for having ordered the murder of Kuciak.[64]

[59] Marek Vagovic, "Média v krajine oligarchov" (Media in the country of oligarchs), *Tyzden*, 28 Sep 2014, available online at <https://www.tyzden.sk/casopis/16360/media-v-krajine-oligarchov/>

[60] Zuzana Petkova, "Muž, ktorý kupil Pente Sme" (The main who bought Sme for Penta), *Trend*, 22 Oct 2014, available online at <https://www.etrend.sk/trend-archiv/rok-2014/cislo-42/muz-ktory-kupil-pente-sme.html>

[61] Monika Todova, "O Grosafta sa bude zaujímať aj tím vyšetrujúci Gorilu" (The team investigating Gorilla is going to be interested in Grosaft as well), *DennikN*, available online at <https://dennikn.sk/72457/o-grosafta-sa-bude-zaujimat-aj-tim-vysetrujuci-gorilu/>

[62] "The multi-million euro gorilla", *The Economist*, 27 January 2012, available online at <https://www.economist.com/blogs/easternapproaches/2012/01/scandal-slovakia> (subscription might be required).

[63] "32 najbohatších ľudí Slovenska 2019" (The 32 richest people in Slovakia 2019), *Forbes.sk*, available online at <https://forbes.sk/najbohatsi-slovaci-rebricek-2019/> (accessed on 1 October 2019).

[64] Jan Debnar, "Jaroslav Haščák z Penty vypovedal na NAKA" (Jaroslav Hascak from Penta testified at NAKA), *Aktuality.sk*, 19 September 2019, available online at <https://www.aktuality.sk/clanok/725014/jaroslav-hascak-z-penty-vypoveda-na-naka/> (accessed on 20 September 2019).

## Agrofert



Source: ahaonline.cz

**Alexej Bilek** is an influential businessman close to Andrej Babis. He has a participation in Mafra Slovakia. Bilek is part of the privileged during the communist regime in the former Czechoslovakia. After the collapse of communism, he controlled the publishing house that published the communist daily Halo noviny in the Czech Republic. Lawyer by profession, Bilek is known as one of Babis' key lawyers who helped him amass the wealth he now possesses. Bilek is known as Babis's "faithful dog" and one of the few people in Babis's circle allowed to make fun of him. Bilek also has

links with the Russian government. Back in the 2000s, he was hired by the Russian government to handle registration of Russian-owned properties in the Czech Republic.[65]



Source: famyfakta.cz

Czech **Zbynek Prusa** is a close associate of the Czech prime minister Andrej Babis, owner of the Agrofert group where Prusa is a chairman of the board. A powerful businessman with experience in the chemical manufacturing industry, Prusa is also part of Mafra Slovakia, the publishing house controlled by Babis in Slovakia. However, due to his heavy duty at the helm of Agrofert, Prusa exerts less influence in the Slovak media industry than one would expect.

## Petit Press

**Vaclav Foglar**, a board member at Petit Press, is a prominent player in the Slovak media industry, currently co-owner of Prva slovenska investicna skupina (PSIS). Foglar keeps a low profile, but has leverage with media funders. Before Penta Investments purchased Petit Press, he owned part of the publishing house through the investment holding Proxy-Finance. Foglar with Peter Vajda (who died in 2017) and Vladimir Rajcak co-founded in 1990 Prva slovenska investicna skupina, one of the pioneering investment funds in Slovakia.



Source: sme.sk



Source: sme.sk

**Vladimir Rajcak**, also a member of the Petit Press board, is an influential businessman in the Slovak media. He was one of the three founders of Prva slovenska investicna skupina. He is on the board of the leasing company VUB Leasing.

[65] Eliska Hradilkova Bartova, "Má důvěru Babiše i Rusů. Dvorní právník Agrofertu zastupoval Rusko při převodu majetku z dob SSSR" (He has the confidence of Babis and of the Russians. House lawyer Agrofert represented Russia in the transfer of assets from the times of the USSR), *HlidaciPes.org*, 16 October 2017, available online at <https://hlidacipes.org/ma-duveru-babise-i-rusu-dvorni-pravnik-agrofertu-zastupoval-rusko-pri-prevodu-majetku-dob-sssr/> (accessed on 15 September 2019).



*The executants***Penta Investments**

A former spokesperson for Penta Investments, **Martin Danko** started to work for Penta's media arm in 2015. He sits on the supervisory board of NMH, a publisher controlled by Penta Investments. Danko is in charge of chasing potential acquisitions for Penta in the media. He is known in the industry as a skilled dealmaker and negotiator with significant power in the media businesses that Penta Investments controls.



Source: Twitter



Source: NMH

**Michal Teplica** is the president of the publishing house NMH, a position he grabbed mostly thanks to his close connections with Penta Investments. Before that, he worked with the media agency Media and Digital Services (MDS), which is also a Penta investment. Many of the MDS clients were companies controlled by Penta Investments and J&T group.

**Ringier Axel Springer**

**Milan Dubec**, formerly the general director of Ringier Axel Springer Slovakia and of the leading online server Azet, is known as an expert in online products. In his position at Ringier, Dubec managed a range of online platforms controlled by Ringier Axel Springer in Slovakia including the news portals Aktuality.sk and Cas.sk, the sports website Sport.sk and the advertising servers Autobazar.sk, Bazar.sk, Nehnutelnosti.sk, Reality.sk, and Byty.sk, among many others. In July 2019, Dubec left the company after 22 years. However, he retained his stake in the company.[66] As Dubec is likely to focus on a series of real estate investments that he made in recent years, his influence in the media is likely to fade in the coming years.



Source: Axel Springer

**CME**

Austrian **Matthias Settele** has served as TV Markiza's CEO since September 2013. Prior to that, he worked for Turner Nordic and Baltic and was an advisor to Austria's public television channel ORF. Settele is credited with turning Markiza TV from a loss-incurring enterprise into a profitable business. He has an impressively strong reputation in the Slovak media industry and is known for his heft in the country's regulation. In the past year, however, Settele is involved in a massive scandal related to links with an organized crime network that surrounds a former head of Markiza TV, Pavol Rusko. (See more details in *Funding Journalism, Media Influence Matrix: Slovakia chapter*)



Source: cetv-net.com

[66] "Milan Dubec odchází z aktivního vedení Ringier AS SK" (Milan Dubec is leaving the current management of Ringier AS SK), *MediaGuru*, 14 June 2019, available online at <https://www.mediaguru.cz/clanky/2019/06/milan-dubec-odchazi-z-aktivniho-vedeni-ringier-as-sk/> (accessed on 20 August 2019).

## Joj Media House



Source: jojmediahouse.sk

**Richard Flimel** is a lawyer and economist educated in Slovakia and the U.S. As board chair at Joj Media House, the group that operates Joj TV, he exerts considerable influence in the market. His name is also linked with the Slovak outdoor advertising industry thanks to his work for BigMedia, an outdoor ad company with over €17.6m in revenues in 2018. As of 2016, Flimel has been a partner in Sandberg Capital, an investment fund focused on small and mid-size companies operating in Central and Eastern Europe. The fund has links with the financial group J&T, some of its board

members also working for J&T-run enterprises. The fund was created by Martin Fedor, a former J&T partner.

**Marcel Grega**, the general director of TV Joj, has made a career in banking in the U.S. Before joining TV Joj in 2007 as financial director, he worked for the consultancy PricewaterhouseCoopers (PwC). Under Grega, TV Joj's news programs increased their audience. Joj Media group's TV stations, Joj TV, Plus and Wau, have boosted their combined audience share during his time. He has close connections with the financial group J&T where he worked on media investments.



Source: Facebook

## Petit Press

**Alexej Fulmek**, the president of the Petit Press group, is a respected professional in the media business with substantial influence in the industry. He started his career in 1989 at the daily Sme and helped establish Sme in 1993, which is today the most popular serious newspaper in Slovakia. Fulmek is also a member of the board of directors at the Media Development Investment Fund (MDIF), a global provider of financial assistance to news media. Through the press publishers association, Fulmek exerts substantial influence in the Slovak news industry.



Source: mdif.org

## Slovak Telekom



Source: LinkedIn

**Miroslav Majoros** is the chair of the board of directors at Slovak Telekom, the largest telecom operator by revenue in Slovakia, which is owned by Deutsche Telekom. In January 2016, he was also appointed CEO of Telekom Romania, another Deutsche Telekom company. Majoros has a solid reputation in the Slovak business thanks to his successful management positions at various major technology companies. Before Slovak Telekom, he worked at IBM Slovakia. Majoros is said to have significant influence among regulators and politicians in Slovakia. He was the first director of

the public TV in Slovakia after the split of Czechoslovakia in 1993.



## Civil Society

Slovakia has a vibrant NGO community whose history harks back to the late 1990s when the most prominent civil society groups joined forces in a campaign, known as OK98, aimed to topple the isolationist, nationalist regime of Vladimir Meciar, prime minister at the time. The NGOs then called for free and fair elections.

The NGO community in Slovakia numbers over 18,000 entities, according to statistics from the Washington, D.C.-based Institute for Policy Studies.[67] Most of them are still funded by foreign donors, but funding from that source is dwindling; however, a 2% tax assignment for NGOs helps civil society groups diversify their funding sources. That tax also inspired many businesses to establish their own NGOs. Most of them are focused on education and health, and represent the interests of their founding companies.

The majority of NGOs in Slovakia are located in Bratislava in spite of efforts by some civil society groups to expand outside the capital city. The experience that Slovak NGOs have in raising civic education awareness and providing an impartial approach to policymaking made them a paragon for NGO development in Eastern Europe, according to analysis published by the Woodrow Wilson Center.[68]

But very few civil society groups are involved in media policy. The most prominent NGOs that devote some of their resources to media policy, chiefly think tanks and research groups, are the Institute for Public Affairs (*Institut pre verejne otázky*, IVO) that was founded in 1997 by Martin Butora, a well-known political dissident; Globsec, a global think tank located in Bratislava that carries out studies on various topics including media; Media Institute, a research institute focused on media studies. However, none of these organizations has much power in influencing media policy in Slovakia.

Thanks to its growing clout, Creative Industry Forum (*Forum Kreativneho Priemyslu*, CIF) has emerged as an important player in the Slovak media. The forum, whose members are independent producers, professional broadcasters associations and advertising associations, has been involved through its experts in drafting media legislation. CIF advocates for fair economic competition and protection of investments in the creative industry.

The Press Council of Slovakia or TRSR is described by journalists interviewed for this report as an effective professional association. A self-regulatory organization, TRSR is the executive arm of the Association for the Protection of Journalistic Ethics (*Asociacia na ochranu novinarskej etiky*, AONE). The TRSR mainly deals with complaints from the general public, be they individuals or companies. Most of TRSR's work is related to journalism ethics. In its more than 15 years of history, the TRSR has handled over 300 complaints.

In 2017, responding to the shifts in the media triggered by the internet, TRSR changed its name to the Press-Digital Council of Slovakia (*Tlacova-digitalna rada Slovenskej republiky*, TRSR). Furthermore, IAB Slovakia-Association for Internet Advertising also joined TRSR in 2017. IAB Slovakia has 39 members, including the largest publishers, media agencies and other players in the Slovak internet advertising market.[69] TRSR's governing structure is a council consisting of nine people, mostly

[67] John Feffer, "The New Wave of NGOs in Slovakia and East-Central Europe", *Foreign Policy in Focus*, 16 Jan 2014, available online at <http://fpif.org/new-wave-ngos-slovakia-east-central-europe/>

[68] Sabina Crisen, "A Closer Look at the Slovak NGO Community", 7 Jul 2011, Wilson Center.

[69] For more information about TRSR, visit its website at <http://trsr.sk>

personalities from the public, culture and society who are not active journalists or publishers and do not belong to any political party. They themselves appoint the board's chair. In the past, the TRSR's members included painters, judges, psychologists, pedagogues and priests. All TRSR members have a six-year mandate.

### TRSR board

- Alena Panikova (NGO activist, 2017-2023), chair
- Andrej Schwarz (lawyer, 2015-2021)
- Ivan Podstupka (former journalist, 2016-2022)
- Tomas Kamenec (lawyer, 2015-2021)
- Peter Kerecman (lawyer, 2016-2022)
- Ivana Potocnakova (former journalist, 2015-2021)
- Marek Ogurcak (lawyer, 2017-2023)
- Pavol Mudry (former journalist, 2017-2023)
- Valer Kot (digital business expert, 2017-2023)

TRSR is funded through a combination of membership fee and other financial contributions from members, grants, gifts from individual sponsors and cash from paid services, according to the organization. One major case handled by TRSR involved the government of the former prime minister Robert Fico and the newspapers *Sme* and *DennikN*. Government officials refused to answer questions from journalists working with these newspapers arguing that they constantly published incorrect articles about the government. TRSR discussed both cases (*Sme* and *DennikN*) in 2015 and found that the government breached provisions on free access to freedom of information. The case was brought before the European Court of Human Rights (ECHR).

Slovakia has an ombudsman office known officially as the Office for the Public Defender of Rights. In February 2017, Maria Patakyova was appointed by Parliament to head this office for a five-year mandate. An active barrister, Patakyova is a respected lawyer with expertise in European law. Upon her investiture, Patakyova said that she wanted to keep tabs on the executive power.[70] According to human rights activists, Patakyova is doing her job well in spite of obstructions posed by politicians. However, her power to influence the media regulatory process is limited.

The killing of the journalist Jan Kuciak in February 2018 led to an unprecedented mobilization of civil society in Slovakia. A group of students established an informal group known as *Za slušne Slovensko* (For a decent Slovakia) that has since organized anti-government protests across Slovakia. In September 2019, they called on Dusan Kovacik, the Slovak Special Prosecutor, who was allegedly the main link through which two men charged with Kuciak's murder, tried to influence criminal prosecutions. Zuzana Caputova, who was elected Slovakia's president in June 2019, supported the protest.[71]

[70] "Maria Patakyova Elected as New Ombudswoman", 7 Feb 2017, *TASR*, available online at <https://newsnow.tasr.sk/policy/maria-patakyova-elected-as-new-ombudswoman/>

[71] Denisa Hopkova, Rudolf Sivy, "Za slušné Slovensko na námestiach: Dušan Kováčik, odstúpte" (For a decent Slovakia in the public squares: Dusan Kovacik, go away), *Aktuality.sk*, 20 September 2019, available online at <https://www.aktuality.sk/clanok/725401/za-slusne-slovensko-dnes-pojde-do-ulic-hlas-ludu-moze-odvolat-celu-koaliciu/> (accessed on 10 September 2019).

## External Influencers

International bodies and intergovernmental institutions have little leverage with the Slovak regulatory authorities that cover media. They rarely influence decisions or policies that affect the media industry and journalism in Slovakia. In the telecommunications sector though the European Commission has considerable influence. It often requests regulatory authorities and government bodies in Slovakia to remedy policies or intervene in the market when various developments are likely to jeopardize competition or consumers.

These requests are usually complied with as the Commission has legal mechanisms to intervene in cases where the Slovak government fails to remedy breaches of EU law. Most of the requests are either technical or competition-related and do not affect media or journalism. For example, in October 2017, the Commission launched an investigation into the proposal of the Slovak regulator RU to set a maximum price for wholesale voice call termination services that is likely to affect all telecoms on the market.[72] The Commission has the right to impose fines on telecom operators in Slovakia. Its work is coordinated with the Body of European Regulators for Electronic Communications (BEREC), the EU's regulator for the pan-European telecom market, based in Riga, Latvia.[73]

The Strasbourg-based European Court of Human Rights (ECHR) has some influence in the Slovak media as its decisions are legally binding. However, rarely this instance is used by Slovak media and journalists mainly because it is a complicated, time-consuming procedure, journalists say. In one case, Slovak journalist Arpad Soltesz won a case at ECHR ten years after the publication of a story under his byline got him in trouble. The court ordered compensations of €20,000. Soltesz lost a libel suit lodged against him by a local lawyer in Slovakia's courts before referring the case to the ECHR.[74]

In a separate case, in 2013 eight current and former judges sued Ringier Axel Springer, the publisher of the tabloid *Nový čas*. They were unhappy with a story *Nový čas* published in 2011 that featured photos of the judges with mock assault rifles and wearing blue ear protectors at a party. A few months before the party, seven people, some of them Roma, were killed by a gunman wearing blue ear protectors. The judges asked for compensation worth €1.8m. A Slovak court ordered *Nový čas* to publicly apologize to Daniel Hudák, a Supreme Court justice who was among the peeved judges arguing that the newspaper published his picture without Hudák's consent. Ringier Axel Springer appealed the decision. In January 2014, the ECHR awarded a total of €30,000 to Ringier Axel Springer and found that Slovak courts failed to protect the right of *Nový čas* to free expression.

The International Telecommunication Union (ITU), a UN agency setting standards globally in the information and communication technologies sector, exerts influence in Slovakia, but mostly on technical issues such as frequency management and technical standards. The three Slovak members in ITU are the transport ministry, the technical regulator RU and the telecom operator Slovak Telekom. The Slovak broadcast regulator RVR is a member of the European Platform of Regulatory Authorities (EPRA), a network of broadcast regulators. EPRA as such has no influence in the internal

[72] EC, "Commission opens a second phase investigation in Slovak wholesale mobile termination market", 25 Oct 2017, available online <https://ec.europa.eu/digital-single-market/en/news/commission-opens-second-phase-investigation-slovak-wholesale-mobile-termination-market>

[73] For more information about the work of BEREC, visit its website at <https://berec.europa.eu>

[74] "Journalist prosecuted for Facebook status", *The Slovak Spectator*, 13 Feb 2018, available online at <https://spectator.sme.sk/c/20760309/journalist-prosecuted-for-facebook-status.html>

broadcast regulation in Slovakia. It functions essentially as a forum for exchanges of information among European broadcast regulators.

The Organization for Security and Co-operation in Europe (OSCE) plays an important political role in Slovakia, particularly in monitoring elections. OSCE has a media representative office that is led by a highly reputable expert or politician. This office has the power to reach out to top officials in Slovakia, but its influence in the Slovak media is limited to political pressures and does not lead to any tangible change in media policy. For example, in early March 2018, the current OSCE media representative Harlem Desir, a French politician, met in Bratislava with the Slovak prime minister Robert Fico to ask the Slovak officials to investigate the assassination in February 2018 of Jan Kuciak, an investigative journalist from Slovakia. The Slovak officials ordered an investigation into the killing, but that came after a wave of pressures from international NGOs, networks of journalists and governments. In the end, it was a mass protest that forced the resignation of high officials in the Slovak government.[75]

When it comes to foreign countries, neighboring Czech Republic shares the most with Slovakia in terms of media regulation, funding and content. Much of that is due to the cultural history that the two countries are sharing thanks to close linguistic links and cultural affinities as well as rich business exchanges. The two countries were one, Czechoslovakia, for a good 75 years until 1993 when Slovakia and the Czech Republic split following a political agreement to break up. Because language permits, the Czech television stations for a long time have been watched by Slovak audiences (and vice-versa, although to a smaller extent). The media regulatory systems in the two countries are up to a point similar. The two countries look at each other when they regulate or initiate policies in the media. Moreover, the largest financial groups and many influencers in the Slovak media have operations in the Czech Republic (some of them are Czech investors).

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[75] Tatiana Jancarikova, "Slovak protesters demand more resignations over corruption neglect", *Reuters*, 15 April 2018, available online at <https://www.reuters.com/article/us-slovakia-politics/slovak-protesters-demand-more-resignations-over-corruption-neglect-idUSKBN1HM0OI>





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