

# SLOVAKIA

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## 1 INTRODUCTION

Slovakia's media market is fairly concentrated. This partly stems from the small size of the country, making larger media outlets more efficient and productive. On other hand, the state's substantial holdings continue to restrain competition necessary to limit the negative effects of high ownership concentration. Most significantly, this is the case in the TV market, where the dominant *TV Markíza* has been left without any meaningful competition for several years.

Moreover, anti-concentration legislation had not been in place until 2000, but even after that it has not been properly implemented. Furthermore, there has been little public pressure on publishers and broadcasters towards transparency and disclosure of conflicts of interest. The Slovak media continue to publish news about their owners, while disclosing little relevant information about their interests or ownership ties. In such an atmosphere, highly concentrated media ownership can have a negative impact on the country's democracy as well as on its economic development.

## 2 REGULATION AND IMPLEMENTATION

In 1993, the first year of its independence, Slovakia, alongside the Czech Republic, inherited its legislation from the times of Czechoslovakia. Media legislation was no exception.

Issues of media ownership had been dealt with only vaguely in Slovakia's legislation during the first seven years of the country's existence. The first, 1991 version of the Broadcasting Law<sup>1</sup> contained only a brief stipulation referring to the obligation of the Council for Broadcasting and Retransmission, the body authorised to issue broadcasting licenses, to take into consideration the ensuing market position of the applicant when issuing a license, with a view to preventing market dominance of individual license holders (notwithstanding this provision, as this report highlights below, the media group around *TV Markíza* achieved exactly that by the late 1990s).

In 2000 Parliament adopted a new Law on Broadcasting, which included anti-concentration clauses.<sup>2</sup> According to this law, in order to insure information pluralism, no person or company can hold, or have ownership ties with a holder of, more than one national television or radio license, nor can such a person be a publisher of a national daily. Ownership ties and human resources sharing within a network of broadcasters are allowed, unless such a network covers more than 50 percent of the population. However, this is restricted to a television or radio network, but cannot include a national newspaper. Should these provi-

sions be breached, the Council can revoke the given license. The Council itself is entitled to request the necessary information on ownership and personal ties of license holders.

The law also stipulates ownership transparency rules for broadcasters: every license applicant needs to provide a list of its owners (shareholders), as well as their sources of money to service the broadcasting. Ownership ties with other media outlets, local or foreign, have to be highlighted. In turn, the Council may issue a license (which has to be approved by Parliament), after taking into consideration the following issues:<sup>3</sup> plurality of information and media content; ownership transparency; transparency of the sources of finance; preventing the applicant from acquiring a dominant position on the market; and ensuring adequate representation of Slovak owners and representatives in a joint-venture company with a foreign partner (this does not imply a minimum of 50 percent ownership of Slovak entities, however).

A license applicant or holder needs to announce any changes to the information provided in its application, including the ownership data. The law does not address the editorial independence of TV or radio channels in any way.

Despite the provisions in the law, some experts have noted the difficulties in its enforcement – friendly ties would escape the letter, if not the spirit, of the law.<sup>4</sup> There was no Council ruling involving a breach of the anti-concentration clause, nor any request addressed to it to look at such breaches, neither by the end of 2003 nor during the three years the law has been effective.<sup>5</sup> Moreover, the Council, which is authorised to impose sanctions, is elected by Parliament, which gives any powerful media group leverage against any attempt to strip it of its licenses.

There are no anti-concentration nor ownership transparency rules for the press, other than the provisions in the broadcasting law mentioned above. The Press Law (amended several times since 1966) requires publishers to register with the Ministry of Culture and provide the name and address of the publisher and its printing house, as well as the personal data of the editor in chief. However, no information about owners is required. By law, all newspapers and periodicals need to publish in every issue the following information: name of the publisher, address of the newspaper, name of the editor in chief and his or her deputy, plus date, place of issue, number and price.<sup>6</sup> Much as in the field of the broadcast media, there are no provisions shielding editorial independence from owners or publishers.

Nor does the legislation provide for state subsidies to media as a means of protecting media pluralism, if one disregards the subsidies to public TV and radio and the state-owned *Press Agency of the Slovak Republic (TASR)*. The only pluralism-motivated subsidies have been provided on an annual basis to the ethnic minority press. In 2002, support

to these periodicals amounted to 20.5 million Slovakian koruna (about EUR 480,000), of which about half went to the local Hungarian community periodicals.<sup>7</sup>

### 3 PRIVATISATION

There is no single pattern in the privatisation of newspapers in Slovakia. Nevertheless, all print media have gone through fierce encounters with government political interests, if not during the privatisation process itself, then certainly later, in the struggle over access to distribution and printing capacities.

*Nový Čas* started in 1991 as a successor to a minor party newspaper *Lud*. The paper was bought by two Austrian entrepreneurs and re-launched as a tabloid. Early foreign ownership in combination with strong foreign media investors (Germany's Gruner+Jahr, and currently the Swiss Ringier) has proved a boon to the paper – it soon became the most successful and best-selling paper in Slovakia.<sup>8</sup> Moreover, all attempts to launch a rival nationwide tabloid have failed to date.

The former communist party flagship daily, *Pravda*, was sold to its journalists in 1990. However, they could not stop the heavy decline in circulation caused by many new competitors, and, in 1995, they sold their shares to its present owners, a group of investors known as Harvard investment funds (a set of privatisation funds).

The journalists of the formerly communist youth paper, *Smena*, failed to emulate *Pravda*'s example. When political pressures on the paper increased at the onset of the Vladimír Mečiar's government (in its second term), the journalists left the paper to establish a new one, *SME*. It was supported and owned by another privatisation fund, PSIS. *SME*, as a main opposition daily, survived consequent attacks on its owner, PSIS, as well as the politically-motivated loss of a contract with its then printing house. Only after the German Verlagsgruppe Passau (Passauer Neue Presse) merged with *SME*'s publisher, VMV, in 2000, was the paper assured of long-term stability.

Poštová novinová služba (PNS), the former monopolist in the press distribution field, was privatised in February 1998 (half a year before the parliamentary elections), into the hands of Danubiaprint (itself privatised in December 1996), the biggest printing house owned by people close to the ruling HZDS party. Although the Antimonopoly Office declared the transaction invalid in late 1998, the purchase created immense pressure on publishers in the meantime – while PNS's late payments multiplied, Danubiaprint insisted on payment deadlines for its printing services.<sup>9</sup> On top of this, PNS has apparently been stripped of its assets by its managers in the meantime and went bankrupt in 1999.<sup>10</sup> It was

later bought back by the state-owned Slovak Post, which is currently negotiating its sale, possibly to a consortium of publishers.

During its troubled times PNS sold over four fifths of its newsstand outlets to a company personally connected to its only competitor, Mediaprint Kapa Pressegrasso owned by the tycoon, Ivan Kmotrík. He took over the by then bankrupt printing house, Danubiaprint, and renamed it Versus; it remains the largest printing house in Slovakia.

Only one nationwide TV channel (the one with the smallest signal coverage of the three state-owned channels at the time) has so far been privatised in Slovakia, since the rest of the former state-owned radio and TV channels were declared public, and the numerous present-day private stations were issued new licenses. This so-called third TV channel was awarded in August 1995 to Markíza-Slovakia in a public tender. *TV Markíza* grabbed 50 percent viewership within four months of its existence, while continuously expanding its coverage.<sup>11</sup>

#### 4 MEDIA OWNERSHIP STRUCTURE

The *Pravda* daily remains the only one among the top three newspapers without a foreign partner. Up to now it has been able to finance its re-branding and heavy promotion campaigns thanks to the investments of its own publisher, Perex, a company belonging to one of the largest privatisation funds established in the 1990s. The ownership of Perex is murky (*Pravda* has not responded to inquiries about Perex), with the company having little interest in transparency – not even its phone number appears in the daily's masthead. The top Slovak daily, the tabloid *Nový Čas*, is fully owned by the Swiss media company Ringier. One in four Slovaks reads it on a daily basis. Both *Pravda* and *SME* reach about 9 percent of the population, according to the spring-summer poll by Median Sk agency. Half of those polled claimed to read newspapers.<sup>12</sup>

Table 1 OWNERSHIP OF MAIN PRINT MEDIA

DAILY NEWSPAPER	CIRCULATION*	PUBLISHER	OWNER
NOVÝ ČAS	157,957	VYDAVATEĽSTVO ČASOPISOV A NOVÍN, LTD.	RINGIER 100% (AS OF 01/01/04)
SME	76,049	PETIT PRESS, JSC.	PSIS (PETER VAJDA) 50%, VERLAGSGRUPPE PASSAU 50%
PRAVDA	72,841	PEREX, JSC.	HARVARDSKÉ INVESTIČNÉ FONDY (JURAJ ŠIROKÝ)
WEEKLY			
PLUS 7 DNÍ	217,415	SPOLOČNOSŤ 7 PLUS, LTD.	JOZEF DUKES, KAROL BUSTIN, ŠTEFAN ŠIMÁK (EACH A THIRD)
FORMÁT	10,000 -20,000****	ECOPRESS, JSC.	ECONOMIA, JSC.(HOLTZBRINCK +DOW JONES INVESTMENTS 77.5%)

Table 2 OWNERSHIP OF MAIN BROADCAST MEDIA

TV CHANNEL	AUDIENCE**/ SIGNAL COVERAGE***	BROADCASTER	OWNER
MARKÍZA	67/86%	MARKÍZA- SLOVAKIA, LTD.	CME MEDIA ENTERPRISES, NETHERLANDS, 34% A.R.J., JSC. 50% (MILAN FILO 51%, FRANTIŠEK VIZVÁRY 34%, JÁN KOVÁČIK 15%), MEDIA INVEST, LTD. 16% (JÁN KOVÁČIK)
STV 1	28/96%	PUBLIC TV	-
JOJ	20/82%	MAC TV, LTD.	GRAFOBAL GROUP, J.S.C. (IVAN KMOTRÍK) 50%, ČESKÁ PRODUKČNÍ INVEST, J.S.C., PRAGUE (PPF) 47.5%, VLADIMÍR KOMÁR 2.5%
STV 2	6/89%	PUBLIC TV	-
TA3	4/CABLE+DIGITAL SIGNAL	C.E.N., LTD.	J&T 90%
RADIO CHANNELS			
SLOVENSKO	27/100%	PUBLIC RADIO	-
EXPRES	13/62%	D.EXPRES., JSC.	EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT 26%, VÁCLAV MIKA 8%, DUŠAN BUDZÁK 5%, ROBERT BARTOŠ 5%, EFM, LTD. (CYPRUS), FRAMLINGTON (JERSEY)
ROCK FM	10/92%	PUBLIC RADIO	-
OKEY	9/34%	OKEY RÁDIO, JSC.	MICHAL ARPÁŠ, LUBOMÍR MESSINGER, DRUKOS, JSC., MARIÁN PAKSI
FUN	9/57%	RADIO, JSC.	PATROL LTD. (ŠTEFAN GVOTH), BRATISLAVA, SOCIETE D'EXPLOITATION RADIO CHIC, FRANCE

Sources: SME daily, Broadcasting Council, company registers and j&t.

Notes: \*Circulation average in third quarter 2003, sold copies, based on Audit Bureau of Circulation (ABC SR)<sup>13</sup>

\*\*Median Sk poll, May-August 2003; audience describes people who watched or listened to the program yesterday

\*\*\*Signal coverage of population as of 2002, unless otherwise noted

\*\*\*\*Formát does not release its circulation data, yet it claims to have a readership of around 40,000<sup>14</sup> – hence the author's estimate.

Slightly fewer than two-thirds of Slovaks read weeklies. A large majority of these are life-style weeklies. The most popular news weekly (as well as the top weekly on the market) is the locally-owned *Plus 7 dní*, with a 20 percent share of readership. The other general news weekly is a young upstart, *Formát*, with up to 2 percent audience. Its majority owner is the Dow Jones-Handelsblatt group, which also has a majority stake in *Hospodárske noviny*.

TV *Markíza* has been a dominant media player since its successful launch in 1996. It continues to attract the largest and overall the most lucrative audience. It reached a 67 percent TV audience share in the mid-2003 year poll by Median Sk agency, trailed by *STV 1* with a 28 percent and *Joj* with a 20 percent audience share.

*Markíza* is owned by three local businessmen and the CME media company (Central European Media Enterprise), well-known for its TV holdings across Central and Eastern Europe.

*Joj* is half-owned by the owner of *Nova*, the dominant private TV channel in the neighbouring Czech Republic. The other half of *Joj* belongs to the company of Ivan Kmotrik, a big media player in Slovakia.

The all-news channel, *TA3*, belongs to J&T, an investment and financial group with the reputation of a ruthless investor in Slovakia operating on the edge of the law and exploiting opportunities with little regard for ethics.

Public radio channels dominate the radio market. Its flagship outlet, *Radio Slovensko*, grabbed a 27 percent market share in the above-mentioned Median Sk poll, and one of its channels, *Rock FM*, claimed a further 10 percent.

The top private radio, *Expres*, has a 13 percent share. It is owned by several institutional investors, together with the European Bank for Reconstruction and Development, the investment vehicle of the rich EU countries meant to support development in the market economies of Eastern Europe. The other two important players, *Okey* and *Fun*, keep a 9 percent share of the audience each. While the first one is owned by local entrepreneurs, the other is co-owned by a French media group.

## 5 MEDIA CONCENTRATION

### 5.1 MARKÍZA MEDIA GROUP

Media ownership in Slovakia is practically in several pairs of hands. The dominant media group revolves around Pavol Rusko, the former co-founder, co-owner and manager of by far the most influential and powerful Slovak medium, TV *Markíza*. Rusko is currently the Minister of Economy in the centre-right government. *Markíza* pulls in about 80 per-

cent of TV advertising revenues or over a third of the total advertising market in the Slovak media (author's estimates based on 2002 Broadcasting Council data).<sup>15</sup>

On entering politics last year, Rusko sold his stake in *Markíza* to a friend, František Vizváry, who has since become his advisor at the Ministry.<sup>16</sup> Vizváry, with two other Slovak businesspeople (Ján Kováčik, Milan Fiľo) and with American CME, controls *Markíza* at the moment – although CME is looking to acquire complete control of the TV station.<sup>17</sup> The group as a whole, and taking into account its indirect personal and capital ties, is cited to include *TV Markíza* (no. 1 TV with half of the total TV audience share), the lifestyle weekly, *Markíza* (no. 2 weekly), the *Národná obroda* daily (no. 4 broadsheet) and *Radio Okey* (no. 4 or 5 radio channel; survey data vary).<sup>18</sup> While this concentration would officially be in breach of the anti-concentration clauses of the Broadcasting Law, there are no direct ties that could be a subject of the Broadcasting Council's investigation.<sup>19</sup>

As the company register indicates, the group gathered around *Markíza* is also tied through Ján Kováčik to a popular theatre, Štúdio L+S, as well as to the Forza agency, whose activities include modelling (the Miss Slovakia contest) and music production. Milan Fiľo is a co-owner of Neusiedler SCP, a leading paper and pulp manufacturer.

This group has been criticised time and again for skewing their reporting towards the interests of Pavol Rusko (also referred to as the Slovak Berlusconi) and his political party ANO (claiming liberal orientation), a part of the government coalition. The Broadcasting Council itself issued several fines to *Markíza* during the election year 2002, mostly for undue preference for Mr Rusko and his party in news reporting. Similarly, the independent media watchdog, MEMO 98, has pointed out bias in *Markíza's* news reporting on several occasions in 2003.<sup>20</sup>

## 5.2 IVAN KMOTRIK MEDIA GROUP

The second most important media owner is Ivan Kmotrík. His empire stretches through Grafobal Group from *TV Joj* (50 percent ownership share, no. 3 channel) to Mediaprint-Kapa Pressegrossso, JSC. (the largest newspaper distributor and retailer), four big printing houses (Versus, Bratislavské tlačiarne, Polygraf print, Svornosť), a book publisher, SPN-Mladé letá, and the largest Slovak advertising agency, EURO RSCG Artmedia.

Kmotrík himself has wielded muscle in the past. His printing house, Versus, asked Perex, the publisher of the *Pravda* daily, to sign an unacceptable contract for 2001 at the last moment, shortly before the end of the year 2000. Perex was forced to use several smaller printing houses but at journalists' expense, because they had to work against tighter deadlines as the printing process now took longer.<sup>21</sup> Perex has since acquired its own printing capacities.

### 5.3 PETIT PRESS MEDIA GROUP

Petit Press has become another important media player thanks to an investment by the German Verlagsgruppe Passau. This publisher produces the no. 2 (3) daily, *SME*, the no. 5 daily in Hungarian, *Új Szó*, the English-language weekly, *The Slovak Spectator*, the *Rolnícke noviny* weekly, as well as 27 local dailies and weeklies all over Slovakia. Petit Press owns the only more or less complete network of regional newspapers in Slovakia.

### 5.3 RINGIER MEDIA GROUP

Since Ringier bought from its partner Gruner+Jahr stakes in several publications, it is expected to become another strong player by the end of 2003. It now owns the top daily tabloid *Nový Čas*, and several lifestyle periodicals, including weekly *Život* and monthly *Eva*.

### 5.4 STATE (PUBLIC) MEDIA

State-owned (public service) media remain significant as well. Two state TV channels are watched by a third of the population, with one of these channels (*STV 1*) being second in terms of viewership to the leader *Markíza*. Similarly, radio stations no. 1, 3 and 7 on the market are also state-owned, as is one of the two press agencies, *TASR*, which depends on government subsidies for its operations. Public radio and television are financed through license fees (every owner of a TV set or a radio is required to pay EUR 2.5 and EUR 1 per month, respectively) as well as advertising. Annual subsidies to operations or programming have been a common feature in financing public services, although there have been attempts by the Government to cut off these subsidies.

With such substantial holdings, the ruling government can influence media competition through media legislation – or by threatening to privatise them and thus create stronger competition for advertising revenues. While the pressure on public media has substantially weakened since 1998, it is unlikely to be completely eliminated.<sup>22</sup>

The public has partial access to media ownership information in Slovakia. All electronic media need to include data about their owners in their license application to the Broadcasting Council, and they also need to declare any subsequent changes. The Council publishes this information on its website. However, there is no such system established for print media. Publishers are generally chary of publishing such information (it is rarely published on their websites or inside newspapers), including their financial results.

At the end of 1999, most of the big publishers, together with the associations of advertising agencies and brandname retailers, set up an Audit Bureau of Circulation (ABC SR), an official body tracking the circulation of newspapers and periodicals on a monthly average basis.<sup>23</sup>

## 6 MEDIA PLURALISM

After ten years of independence, Slovakia's media began to offer a respectable level of pluralism unseen for most of the country's independent history. As of 2003, there have not been pro-government papers or TV programs. Other than support for specific issue in the media (such as the European Union accession information campaign), there is no official government funding of the private news media. Even the public TV or radio stations are far from toeing the Government line. This situation is in stark contrast to the polarised mid-1990s media scene, characterised by several, mostly state-financed pro-governmental media contested by private outlets that made the ouster of the then Vladimir Mečiar's government their main goal.

By the admission of the Mečiar's party top official in late 1995, about a third of the local and regional newspapers in Slovakia were open to the party's meddling with their news and opinion pages.<sup>24</sup>

Nominally, public Slovak TV as well as the state news agency, *TASR*, were openly used as tools by the Government (*TASR* started publishing a pro-government daily, *Slovenská republika*, in 1993, and later sold *Salus LTD.* with Mečiar's party as one of its owners). In 1996, at a cost of 50 million Slovakian koronas (about EUR 1.25 million at the time), the Government helped launch and subsidise the *Nová Smena mladých* daily, but it flopped and folded the same year.

The Government also exerted influence through the state-owned companies on which many newspapers depended for their advertising revenue. The most notorious was *vsž*, a large steel mill in eastern Slovakia, which in this way held at bay several regional dailies at the time, among them *Lúč*, *Košický Večer* and *Nové Korzo*.<sup>25</sup> Mečiar's government even handed out direct subsidies to *Slovenská republika* and the like, by allocating funds notionally reserved for minority projects, even though the winners had little experience and even fewer minority readers.<sup>26</sup>

Even after the Mečiar's government lost the 1998 election, many journalists kept their instinctive sympathies in their news reporting for one or the other political orientation. In the last few years, however, the Slovak media have become increasingly weary of political affiliation. They have started paying much more attention to the pros and cons of particular policies regardless of their political background. Consequently, even the media most supportive of the current government's policies have kept their critical distance and have served as genuine government watchdogs.

The regime change in 1989 has produced a print media boom. There were two sources of the boom, both temporary (see Table 3). The opening up of media market opportunities by pulling down political restrictions was used by entrepreneurs for business purpos-

es (return on investment), and for political purposes (buying influence with voters or decision-makers). Both were also supported by the huge wave of privatisation in the 1990s, creating a class of wealthy businessmen able to create media empires, which is a situation not unlike that in many other East European countries, of which the most notable example is Russia. In addition, the governments themselves felt obliged to provide direct or indirect (advertising orders) support to selected media outlets. The ebbing of the main privatisation wave, together with the departure of Mečiar's government led to a decline in artificially supported publications. One such daily, *Slovenská republika*, folded in 2000. *Práca*, a daily traditionally owned by, and associated with, labour unions, went out of business in 2002 (it was taken over by a bigger daily, *SME*).

Table 3 CHANGING NUMBER OF NATIONAL DAILY NEWSPAPERS AND TV CHANNELS SINCE 1989

	1989	1995	2002
DAILIES: ALL / NATIONWIDE	12 / 7	19 / 10	16 / 9
TV CHANNELS	2	2	5*

Sources: Gindl<sup>27</sup> and Ministry of Culture<sup>28</sup>.

Note: \*One of them, the all-news channel TA3, is transmitted by cable and digital satellite signals.

Many analysts expect a further consolidation of the daily newspaper market, owing to business constraints.<sup>29</sup> According to their forecasts, only three national newspapers will remain on the market in a few years: the politically middle-of-the-road *Nový Čas* tabloid, the leftist *Pravda* and the centre-right *SME*. The latter two are already heavyweights in newsmaking and analysis or commentary. The centrist *Národná obroda* as well as *Nový deň*, which is in essence a party paper of the former Prime Minister Vladimír Mečiar, are expected to stay in the business as long as their owners continue covering their losses in exchange for political influence. With their readership on the wane, this may not last long.

Alongside the general broadsheets, there are several dailies with a specific focus, such as *Hospodárske noviny* (business), *Šport* (sports) and *Rolnícke noviny* (agriculture – in 2003 turned into a weekly). Even here consolidation has occurred. *Hospodársky denník*, another business daily, has capitulated in its battle with *Hospodárske noviny*, and turned itself into a business news website in November 2003.

There has been no single attempt to launch a broadsheet national daily since 1996. Even the last, 1996 adventure was a government financed scheme to break into the ranks of private dailies hostile to the policies of the then Mečiar's government. The project of launching *Nová Smena mladých*, however, folded the same year.

Several publishers have tried their luck in pushing a new daily tabloid on the market, in an attempt to imitate the hugely successful market leader, *Nový Čas*. None of them has succeeded, though. *Nonstop* lasted a year (1996–97) and *Trhák* almost three (1997–2000). In 2003, Ringier launched its successful Hungarian tabloid, *Blikk*, in southern Slovakia for the local, half a million-strong Hungarian minority (the local version of *Blikk* includes a few pages of local news as well).

The public TV channel, *STV1*, offers a typical menu of programs provided by other public broadcasters in western Europe: a strong news, analysis and debating focus mixed with entertainment (movies, talk shows, quiz shows). The other public TV channel, *STV2*, gives much more space to sports, documentaries and other minority programs such as classical music concerts, language courses or broadcasts for various ethnic and religious groups.

The market leader, *TV Markíza*, combines heavyweight entertainment (including Hollywood blockbusters, telenovellas, teenage movies and music shows, as well as adult movies) with tabloid news as well as often surprisingly serious debating shows.

*TV Joj* is in many ways similar to *Markíza*. However, it tries to undercut *Markíza* with yet more tabloid-format news and more Hollywood movies and shows.

Finally, *TA3* is a 17-hour news channel seasoned with the occasional talk show and news documentary. Its programming is heavily focused on local politics, even more so than the likes of *CNN* or *BBC*.

Like the present-day public TV and *Joj* news programs, the matter-of-fact *TA3* has had no obvious political affiliation or sympathies. The big political player remains *Markíza*, whose former boss heads the ANO coalition party as well as the Ministry of Economy (see the section on media owners above).

According to Valéria Agócs, head of the Council of Broadcasting and Retransmission, there is no nation-wide frequency or set of frequencies available for a new TV network to set up shop in Slovakia. More competition may be provided by digital broadcasting, which is planned to be tested in several cities in the course of 2004. However, it may take a decade before it is accessible to most of the Slovak population.<sup>30</sup>

## 7 MEDIA INDEPENDENCE

The main journalists' association, The Slovak Trade Union of Journalists (SSN), produced a code of ethics in 1990, which includes a few clauses (article IV) aiming to support journalists' independence from publishers: the right to legal protection, the right to refuse to write a PR piece, consultations and reasonable pay rights.<sup>31</sup> The code, however, along with the SSN itself, remains little respected throughout the local media scene.

Given the ever-present double pressure on the media in the 1990s (quick money, quickly-achieved political influence), journalists' work as well as their working conditions suffered.<sup>32</sup> The publishers' upper hand has shown in low quality journalism, even at the most serious media outlets. The poor critical reading skills of much of the audience have further weakened the demand for high-quality work as well as for deeply researched investigative pieces.<sup>33</sup>

Little help has been provided to journalists by the Press Council, which was established in spring 2002 by the SSN, together with the print publishers' association. The Council deals with ethical breaches in the Slovak press – although its rulings are not published or discussed publicly by local media. Moreover, it does not even deal explicitly with journalists' independence from publishers *per se*.<sup>34</sup> From April 2002 to the end of 2003, it published thirty adjudications, of which one-third referred to complaints dismissed as unrelated to the work of the Council. It confirmed one case of plagiarism and a few breaches of privacy. In several cases the newspapers in question did not reply to the Council's queries.

This silence of the Council is all the more curious because the visible result of publishers' pressure on journalists, the so-called PR articles, are far from being unknown in Slovak media, as claimed by insiders themselves.<sup>35</sup> *The Slovak Press Watch*, a weblog monitoring the main Slovak press media (edited by the author of this report), has highlighted a number of instances when an article resembled all too closely a classic PR piece.<sup>36</sup>

## 8 CONCLUSIONS

Slovakia's media market is a fairly-concentrated one, yet it has become less so in the last few years. The dominant media player, *TV Markíza*, is starting to feel the challenge of *Joj*. *Expres* has managed to become the top private radio station in less than three years. No big player has arrived on the print market, yet the competition for the top spots has become intense, as witnessed by the *SME*'s challenge to the once unbeatable serious paper, *Pravda*.

None of this competition is driven by anti-concentration regulation, however. The issuing of broadcasting licenses appears to play a much bigger role. This points to the very important role played by the Broadcasting Council. Nevertheless, the state could help competition by relaxing its ownership of some radio and TV channels, such as *Rock FM* or *STV 2*. This would, in the author's view, boost competition on Slovakia's media market and limit, most effectively at the moment, the potential negative impact of unclear ownership ties.

## NOTES

- 1 Law 468/1991 on Radio and TV Broadcasting, JASPI-WEB, 3 October 1991, Art. 3, para. 5, section 10.
- 2 Law 308/2000 on Broadcasting and Retransmission, JASPI-WEB (Ministry of Justice official legislation database, <<http://jaspi.justice.gov.sk>>), 14 September 2000, Art. 1 para. 42-44, section 10.
- 3 Ibid, para. 46-47.
- 4 J. Füle, Z. Mistríková, E. Gindl, *Médiá* ("Media") in Kollár, M., Mesežnikov, G. (eds.), Slovensko 2001 – Súhrnná správa o stave spoločnosti ("Slovakia 2001 – A Global Report on the State of Society"), Inštitút pre verejné otázky, Bratislava 2001, pp. 589–614.
- 5 Phone interviews with Valéria Agócs, Chairwoman of the Council of Broadcasting and Retransmission, and with Lucia Maxonová, Head of the Licencing Department at the Council's Office, 30 January 2004.
- 6 Law 81/1966 on periodical press and other mass media outlets, JASPI-WEB, 25 October 1966 (including eight amendments), Art. 2, para. 5,6 and 9.
- 7 The Slovak Ministry of Culture data.
- 8 Z. Mistríková, A. Zmeček (eds.), *Mediálna ročenka – Slovensko 1990–2000*, (Annual Report on Media – Slovakia 1990–2000), Mediálny Inštitút, September 2001, p. 120.
- 9 *Mediálna ročenka*, p. 136.
- 10 Ibid. pp. 136–138.
- 11 *Mediálna ročenka*, p. 76.
- 12 *Slováci najviac čítajú Nový Čas* ("Nový Čas daily most widely read by Slovaks"), TASR, Stratégie Online, 7 October 2003.
- 13 See <<http://www.sme.sk/abc/abc.asp>>.
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