



Office for Democratic Institutions and Human Rights

SLOVAK REPUBLIC

EARLY PARLIAMENTARY ELECTIONS

30 September 2023

ODIHR NEEDS ASSESSMENT MISSION REPORT

20-22 June 2023



Warsaw
18 July 2023

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I. INTRODUCTION

In accordance with its mandate and in anticipation of an official invitation to observe the 30 September 2023 early parliamentary elections, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) undertook a Needs Assessment Mission (NAM) from 20 to 22 June. The NAM comprised Ana Rusu, ODIHR Senior Election Adviser, and Goran Petrov, ODIHR Election Adviser.¹

The purpose of the mission was to assess the pre-election environment and the preparations for the early parliamentary elections. Based on this assessment, the NAM should recommend whether to deploy an ODIHR election-related activity for the forthcoming elections and, if so, what type of activity best meets the identified needs. Meetings were held with officials from state institutions, the election administration, and representatives of political parties, media, and civil society. A list of meetings is annexed to this report.

ODIHR would like to thank the Ministry of Foreign and European Affairs for their assistance and co-operation in organising the visit. ODIHR would also like to thank all its interlocutors for taking the time to meet with the mission and share their views.

II. EXECUTIVE SUMMARY

The National Council (parliament) is elected for four years and has 150 members. In line with the law and the political agreement to have early parliamentary elections, on 9 June, the Speaker of Parliament formally set the election day for 30 September. Although the president is a woman, in general women are underrepresented in political life, with only 21 per cent of MPs in the outgoing parliament and only three out of sixteen cabinet ministers in the last politically appointed government.

Since the 2020 parliamentary elections, some changes proposed by the government in 2021 and 2022 were introduced to the Elections Act and the Act on Campaigning, addressing a number of prior ODIHR recommendations, including those on online registration and simplified procedures for postal voting, regulation of opinion and exit polls and electronic processing of election results. Several priority ODIHR recommendations, however, are yet to be implemented, including facilitating voting for persons with disabilities, decriminalizing defamation, increasing capacity and resources for campaign finance oversight, removing restrictions on the right to stand based on a criminal conviction, and ensuring access of election observers to all stages of the process.

The elections are organized by three levels of election commissions headed by the State Commission for Elections and Control of Financing of Political Parties (SEC). The Ministry of Interior and the Statistical Office provide considerable support to the election commission at all levels.

¹ On 26 June 2023, following the 9 June announcement of the elections by the Speaker, the Ministry of Foreign and European Affairs of the Slovak Republic invited ODIHR to observe the 30 September early parliamentary elections.

Most ODIHR NAM interlocutors expressed confidence in the election administration work and its impartiality, given that its composition is based on equal political party representation among contestants. However, while the newly introduced rule on publishing election results by the municipal authorities is seen as a measure to increase transparency, some political party representatives claimed to the ODIHR NAM that certain aspects of the election process are under threat of falsification, specifically through the use of proprietary results tabulation software that may be compromised.

Voter registration is passive and decentralized, with the voter register maintained by municipal administrations based on the permanent residence register. The ODIHR NAM stakeholders expressed no specific concerns regarding the accuracy and inclusiveness of voter lists. All voters permanently or temporarily residing abroad may vote via a postal ballot, and for the first time, voters can apply online and print ballot papers by themselves.

Parties and coalitions had until 2 July to submit the candidate lists and pay the registration deposit; 24 parties and one coalition applied by the deadline. By law, the SEC must finalize the candidate registration process by 22 July. Individual candidates cannot stand in parliamentary elections, contrary to OSCE commitments and a prior recommendation. The ODIHR NAM interlocutors did not raise any specific issues related to the process of candidate registration and generally regarded the process as transparent and inclusive.

The campaign officially started from the election announcement on 9 June and will last until the campaign silence period 48 hours before election day. During the official campaign period, campaigning by entities other than parties, movements and coalitions contesting the elections is not permitted. No specific issues were raised regarding the ability of contestants to campaign freely. Many ODIHR NAM interlocutors were concerned about some political actors' use of intolerant and discriminatory language. They also noted a high volume of targeted insults and threats from anonymous sources online against public figures and journalists. Concerns were also raised about the campaign strategy of some political party representatives aimed at creating a perception of elections being falsified without providing any evidence. Several ODIHR NAM interlocutors highlighted that this had already resulted in the distrust of a significant number of voters in the results of elections.

Campaigns may be financed from public and private funds. The law sets limits for campaign donations and expenditures and provides disclosure requirements. The law imposes a campaign expenditure limit of EUR 3,000,000, which extends retroactively to 180 days before the calling of elections, to prevent political parties from easily circumventing the limit. All contestants are required to open dedicated campaign accounts with all transactions disclosed in real-time on a dedicated website, but ODIHR NAM interlocutors described ways by which the contestants can reduce the transparency of this measure, including by bulk purchases of advertisements and services. According to some ODIHR NAM interlocutors, the amount of money spent online far exceeds the reported amounts.

The media environment is pluralistic and diverse, with various broadcasters and online and print media. Freedom of expression is generally protected, but high damages in civil defamation cases and the criminalization of defamation remain unaddressed. Some ODIHR NAM interlocutors expressed concerns about the safe environment for journalists' work due to threats of violence coming, among others, from politicians. Television remains the most popular source of political information, followed by radio and online media portals and social networks. The regulatory framework was significantly updated in 2022 to strengthen the protection of journalists, increase transparency to media ownership and funding, and envisage the application of self-regulatory mechanisms, among other changes.

There are no specific deadlines for campaign-related complaints, and they are reviewed by the SEC and the Ministry of Interior only after the elections. The Constitutional Court examines the constitutionality and legality of election results after the announcement of election results, with the right to challenge them granted only to political parties contesting the elections, at odds with international commitments and good practice. None of the ODIHR NAM interlocutors expressed concerns about the resolution of election disputes.

Most interlocutors welcomed a potential ODIHR observation activity, emphasizing the benefits of an external review of some aspects of the electoral process, although most interlocutors believed that deploying a large number of observers would be of limited benefit. Among the areas that would benefit from an ODIHR assessment are recent amendments pertaining to the processing and publication of election results, administration of elections, particularly in respect of the participation of voters with disabilities, campaign environment and the possible use of intolerant and discriminatory language as well as the media environment, particularly with regards to the implementation of the new media regulatory framework. On this basis, the ODIHR NAM recommends, subject to the availability of resources, the deployment of an Election Assessment Mission for the 30 September 2023 early parliamentary elections.

III. FINDINGS

A. BACKGROUND

The National Council (parliament) is elected for four years and consists of 150 members. The head of state is the president, who is directly elected for five years. Most executive powers lie with the prime minister appointed by the president with the majority support in the parliament.

Following the 2020 parliamentary elections, the Ordinary People and Independent Personalities (OLaNO) won the most seats (53), followed by Direction – Social Democrats (SMER-SD, 38 seats), We are Family (17 seats), People's Party Our Slovakia (LSNS, 17 seats), Freedom and Solidarity (SaS, 13 seats) and For the People (12 seats). Subsequently, OLaNO formed the government with the support of We are Family, SaS and For the People. Following the government reshuffle in March 2021 and disagreements within the ruling coalition in September 2022 that led to a loss of majority support, the government received a vote of no confidence in December 2022 and continued to function with a limited mandate.

On 7 May 2023, the prime minister resigned, and the government was dissolved after the president refused to accept new cabinet proposals. In accordance with the law, the President appointed on 15 May a caretaker government, which later on received a vote of no confidence in the parliament. On 9 June, the Speaker of Parliament formally announced the election date for 30 September.

Women are underrepresented in political life, with only 32 women MPs (21 per cent) serving in the outgoing parliament and only three out of sixteen cabinet ministers in the last politically appointed government.

ODIHR has deployed five Election Assessment Missions (EAMs) since 2004 and, before that, three Election Observation Missions (EOMs) since 1998.² Most recently, ODIHR deployed an Election Assessment Mission to assess the 29 February 2020 parliamentary elections. The final report issued

² See previous ODIHR [election-related reports on Slovakia](#).

in May 2020 contains 21 recommendations, including 7 priority ones, for the authorities to improve the electoral process and bring it closer in line with OSCE commitments.³

B. LEGAL FRAMEWORK AND ELECTORAL SYSTEM

Parliamentary elections are primarily governed by the 1992 Constitution, the 2014 Act on Conditions for the Exercise of the Right to Vote and on the Amendments to Certain Acts (Elections Act), the 2014 Act on Campaigning and the 2005 Law on Political Parties and Political Movements (Political Parties Act).⁴

With a view of having early elections, in late January 2023, the parliament adopted a constitutional amendment allowing itself to call early elections and, on 1 February, passed a law to hold early elections on 30 September 2023.

Since the 2020 parliamentary elections, several changes proposed by the government in 2021 and 2022 were introduced to the Elections Act and the Act on Campaigning, including simplifying the process of registration for postal voting, formation of lower-level commissions for counting of postal ballots, introducing an electronic transfer of results from polling stations, regulating exit polls, allowing opinion polls to run until two days before elections and mandating shared responsibility of the party and the candidate in case a candidate breaches campaign silence.

On 18 May 2023, based on a proposal from an MP, the parliament introduced an obligation for municipal administrations to scan and publish on their websites the results and minutes of all Precinct Election Commissions (PECs) in the given municipality. While this amendment received substantial support as it aims to increase the transparency of election results and dispel doubts about the integrity of election results, some ODIHR NAM interlocutors considered that it was introduced hastily based on an erroneous position that the election results are not transparent, and in a largely redundant form.

ODIHR has previously assessed that the legal framework is conducive to holding democratic elections. While a number of ODIHR recommendations were addressed, several priority recommendations are yet to be implemented, including greater efforts to facilitate voting by persons with disabilities, decriminalise defamation, increase the capacity and resources of the campaign finance oversight body, remove restrictions on the right to stand based on a criminal conviction, and introducing legal provisions to ensure access of election observers to all stages of the process.

The parliament is elected under a proportional system in a single nationwide constituency. Voters choose a party or coalition's list of candidates. Voters may express preferential vote for up to four candidates on the chosen list. Parties receiving more than five per cent of valid votes participate in the distribution of seats. The threshold for coalitions of two or three parties is seven per cent, and ten per cent for coalitions of four or more parties.

The seats are allocated proportionally to parties or coalitions that pass the threshold by dividing the number of votes cast for a list by the value of the electoral quota.⁵ Any unallocated seats are distributed using the largest remainders. Candidates that receive more than three per cent of preferential votes get preference in the allocation of seats. The remaining seats won by the list are allocated to candidates according to the initial list order.

³ In paragraph 25 of the [1999 OSCE Istanbul Document](#), OSCE participating States committed themselves "to follow up promptly the ODIHR's election assessment and recommendations."

⁴ The legal framework for elections includes several other laws, including the 1967 Administrative Procedure Code, the 1964 Civil Code, and the 2005 Criminal Code.

⁵ The electoral quota is the sum of all valid votes of parties participating in the distribution, divided by 151.

C. ELECTION ADMINISTRATION

The elections are organized by three levels of election commissions. The election administration is headed by the State Commission for Elections and Control of Financing of Political Parties (State Election Commission - SEC) and includes 50 District Election Commissions (DECs) and some 6,000 PECs.⁶ The Ministry of Interior (MoI) and the Statistical Office provide considerable support to the election commission at all levels.

The SEC is a permanent and independent body comprising 14 members, appointed after every parliamentary election. Parliamentary parties delegate ten members in proportion to their representation in the parliament, but equally with five members from the governing and five from the opposition parties and four remaining members are nominated by four different state institutions.⁷ Currently, four SEC members are women. The SEC and MoI do not collect gender-disaggregated data on the lower-level election commissions.

The SEC is hosted and assisted by the MoI with a small secretariat. The MoI is in charge of technical preparations for elections and provides methodological support to the election administration. DECs and PECs are formed before each election to manage voting, counting and results tabulation, and each should have at least five members nominated by election contestants.⁸ Some ODIHR NAM interlocutors were concerned about parties and municipalities identifying a sufficient number of PEC members due to low compensation but said that this problem persists mostly in Bratislava.

Most of the ODIHR NAM interlocutors expressed confidence in the work of election administration and its impartiality, given that its composition is based on political party representation, equally distributed among contestants. However, some political party representatives claimed that the election process is under threat of falsification, specifically through the use of proprietary results tabulation software that may be compromised. A number of ODIHR NAM interlocutors described an increasing level of distrust among some voters in the integrity of the process owing to such claims.⁹

The Statistical Office administers the tabulation of results by setting up units in all DECs and at the SEC and installs a system for the electronic processing of election results.¹⁰ The PECs submit the results to the DEC in electronic form, and once the DEC accepts the results, the results protocols are printed at both the PEC and DEC levels. This process removes the need for PECs to go physically to the DECs on election night. The Statistical Office is also tasked to provide training for all DEC members and PEC chairpersons, and deputy chairpersons, including on the use of the results management system and on the election-day rules and procedures.

According to a number of ODIHR NAM interlocutors, polling premises are inaccessible for independent access of persons with physical disabilities in some 60 per cent of cases.¹¹

⁶ These include one special DEC for postal voting, and several PECs for counting postal ballots, each responsible for counting 4,000 postal ballots.

⁷ By the presidents of the Constitutional Court, Supreme Court, Supreme Audit Office, and the Attorney General.

⁸ The deadline for nomination of DEC and PEC members is 21 August.

⁹ According to recent research by IPSOS, 53 per cent of citizens believe in the possibility of rigged elections.

¹⁰ While the electronic processing in the last parliamentary elections was optional, the law now mandates all PECs to use the results management system.

¹¹ Persons with disabilities can request with the relevant DEC to vote at their place of residence through the use of a mobile ballot box.

At the beginning of June, the SEC and MoI initiated a voter information programme by providing election-related information on their website and some social networks; however, some ODIHR NAM interlocutors opined that their efforts could be more robust. The MoI provides some election-related information, including on voters' rights in some minority languages.¹² Voter information for persons with disabilities, including those with visual and intellectual impairments, is unavailable. For these elections, a coalition of civil society organizations (CSOs) plans to engage in voter information campaign for young voters to boost low participation rates by organizing public debates and an online campaign.

D. VOTER REGISTRATION

All citizens over 18 years of age have the right to vote, except those ordered under quarantine to protect public health in case of a pandemic.

Voter registration is passive and decentralized, with the voter register maintained by municipal administrations based on the permanent residence register. Voter lists are updated continuously based on municipal records and input from state institutions or municipalities. Voters may verify and request corrections to their records and appeal the decisions of municipal administrations to the administrative court.¹³ On election day, a voter can be added to the list upon presenting their ID proving residency in the given precinct or based on a court decision. If not at their permanent residence on election day, voters can request an absentee voting certificate (AVC) to vote in any other polling station.¹⁴ As registration is decentralized, no institution is required or has the practice to provide summary information on the number of registered voters ahead of elections.¹⁵ The ODIHR NAM stakeholders expressed no specific concerns regarding the accuracy and inclusiveness of voter lists.

All voters permanently or temporarily residing abroad may vote via a postal ballot provided they apply to the MoI before 9 August.¹⁶ For the first time, voters can apply online and print the ballot papers set once the candidate registration is finalized.¹⁷ The MoI will send out the return envelopes and instructions on how to vote by 21 August. The MoI must receive the postal ballots by noon on 29 September. Voters temporarily residing abroad who requested but did not vote by post will still be able to vote at their polling stations of permanent residence on election day.

E. CANDIDATE REGISTRATION

All voters at least 21 years of age and with permanent residence in Slovakia have the right to stand as candidates. Contrary to international standards, persons who lost legal capacity through a court decision and those who have served a prison sentence for committing an intentional crime, regardless of the gravity of the crime, are not eligible to be elected if the sentence has not been expunged.

Registered political parties and movements can nominate candidate lists for parliamentary elections, and they may also form coalitions to submit joint lists. Individual candidates cannot stand in parliamentary elections, contrary to OSCE commitments and a long-standing ODIHR recommendation. Each list may include a maximum of 150 candidates. Each list submitter must pay

¹² In Hungarian, Ukrainian, Ruthenian, Romani and German.

¹³ There are four administrative courts in Slovakia.

¹⁴ Voters are stricken out from the voter list of their polling station and vote by depositing the AVC of a polling station of their choice. Voters who requested to vote by post will not be allowed to request an AVC.

¹⁵ The total number of voters in the 2020 parliamentary elections was 4,432,419.

¹⁶ The MoI must create a special voter list for voting by post on 10 August. The MoI reported that 11,820 voters registered to vote by post as of 30 June.

¹⁷ Registration for postal voting is also possible by sending a physical letter to the MoI.

an electoral deposit of EUR 17,000, which is returned only if the list received at least 2 per cent of valid votes or if the list was rejected by the SEC.

The law does not prescribe any form of gender quota to increase women's participation on the candidate lists. The vast majority of political parties, including all parties elected to parliament in 2020, do not have any internal quotas or policies for promoting women on candidate lists.

Parties and coalitions had until 2 July to submit the candidate lists and pay the deposit, and by this deadline, the MoI received candidates lists from 24 parties and one coalition. The lists are checked by the MoI on behalf of the SEC, and in case of any identified deficiencies, such as missing candidates' declarations or a candidate standing on more than one list, the contestants are invited to remove deficiencies within a time limit set by MoI.

By law, the SEC must finalize the candidate registration process by 22 July, after which it determines by drawing lots the ordinal numbers of candidate lists. The SEC may decide to exclude individual candidate entries but register the list or deny the registration. The contestants are informed within 24 hours of the SEC decision on registration of the list, which they may contest to the Supreme Administrative Court (SAC) within three days. The SAC has five days to decide, and the SEC must implement its decisions within 24 hours. The ODIHR NAM interlocutors did not raise any specific issues related to the process of candidate registration and generally regarded the process as transparent and inclusive.

F. ELECTION CAMPAIGN

The campaign officially started from the announcement of the election on 9 June and will last until the campaign silence period 48 hours before election day. Many campaign billboards have already been placed at the start of the campaign period, mostly featuring party leaders. During the official campaign period, campaigning by entities other than parties, movements and coalitions contesting the elections is not permitted. According to some ODIHR NAM interlocutors, this measure seeks to prevent misuse of campaign funds through third-party campaigning, but it also prevents other subjects, such as civil society organizations, from campaigning against what they perceive as problematic campaign messaging of some contestants. The law allows the broadcasting of paid political advertisements from 21 days before election day until the campaign silence period. Following the amendments to the Elections Act in 2021, the conduct and publication of the results of opinion polls are permissible until the campaign silence period.

Campaign topics expected to feature prominently in the campaign include state policies related to the war caused by the Russian Federation's invasion of Ukraine, relations with the EU and NATO, immigration, good governance, and the fight against corruption. Many ODIHR NAM interlocutors raised concerns about campaign strategy of some political party representatives aimed at creating a perception of elections being falsified, without providing any evidence, and warned that this has already resulted in the distrust of a significant number of voters in the results of elections.

Many ODIHR NAM interlocutors voiced concerns about the use of intolerant and discriminatory language by some political actors, most notably on social networks. They also noted a high volume of targeted insults and threats from anonymous sources online against officials and civil society representatives, including women politicians and their families and described limited efforts by the relevant authorities to tackle this issue. In an effort to mitigate such risks, the Government Council for Human Rights, Minorities and Gender Equality issued a resolution calling on all political parties to refrain from direct or indirect attacks on fundamental human rights and freedoms during election campaign.

G. CAMPAIGN FINANCE

Parties that won at least three per cent of valid votes in parliamentary elections receive public subsidies, including a one-time payment for votes won (currently EUR 13 per vote) and subsidies for party activities paid in monthly portions based on the number of votes won. Parliamentary parties receive annual subsidies per mandate.¹⁸ Parties may also receive donations, in-kind contributions, membership fees, loans or revenues from assets.¹⁹ Anonymous and foreign donations, donations from state institutions and cash donations are prohibited.

All contestants must open dedicated campaign accounts with all transactions transparently disclosed in real-time on a dedicated website. While most ODIHR NAM interlocutors regarded this as a transparency measure, some argued that the details are easily obscured by contestants making bulk purchases from advertising agencies. In addition, parties may decide to finance the campaigns by transferring large sums from the party account to the dedicated campaign accounts, which allows the possibility to conceal the original donor.

The law imposes a campaign expenditure limit of EUR 3,000,000. The period in which this limit applies extends retroactively to 180 days before the calling of elections and lasts until the campaign silence period as a measure to prevent political parties from circumventing the limit. However, some ODIHR NAM interlocutors noted a possibility for individual candidates to spend their money before calling the elections, potentially circumventing the campaign financing rules. Parties must keep records of different types of expenses defined by the law and submit all relevant documentation to the MoI upon request within ten days. According to ODIHR NAM interlocutors, in practice, the MoI does not investigate potential violations of campaign rules and apply sanctions ahead of the elections. By law, advertisements purchased on social networks by the candidates or parties must be reported as expenditures. However, according to some ODIHR NAM interlocutors, the amount of money spent online far exceeds the reported amounts, and the MoI and the SEC do not have sufficiently developed mechanisms to capture the underreporting.

The SEC performs oversight of political and election campaign financing. Parties must publish annual reports verified by the SEC with the support of specialized auditors selected by lottery. Political parties are required to submit to the MoI a final report on campaign expenditures within 30 days after the elections. The MoI may impose fines for campaign finance violations, while the SEC may apply sanctions for breaking the campaign silence period. ODIHR has previously criticized the extensive involvement of the MoI in campaign finance oversight, as it is not an independent body.

H. MEDIA

The media environment is pluralistic and diverse, with a wide variety of broadcasters and online and print media. Freedom of expression is generally protected, but high damages in civil defamation cases and the criminalization of defamation persist, at odds with international obligations and standards and previous ODIHR recommendations.²⁰ Some journalists, especially investigative journalists and some moderators of current affairs programmes, face harsh criticism by some politicians for the alleged

¹⁸ Currently, up to EUR 39,000 per mandate.

¹⁹ A yearly limit of EUR 10,000 for membership fees per member is in place, while a donor, both individual and legal entity, may direct up to EUR 300,000 in financial or in-kind contributions.

²⁰ The Criminal Code carries a maximum prison sentence of eight years for defamation. The planned amendments to the Criminal Code to remove imprisonment are yet to be implemented.

lack of impartiality in reporting. Some ODIHR NAM interlocutors expressed concerns about the safe environment for journalists' work due to threats of violence, mainly from online sources.²¹

The media regulatory framework was significantly updated in 2022. Along with the Act on Campaigning, the campaign in the media is regulated by the newly introduced 2022 Act on Media Services, which replaced the 2000 Act on Broadcasting and Retransmission and some other media regulations. Also, in August 2022, the parliament adopted the new Act on Publications, which replaced the outdated Press Act. The new laws aim to strengthen the protection of journalists, increase transparency of media ownership and funding, and envisage the application of self-regulatory mechanisms. According to some ODIHR NAM interlocutors, self-regulation is yet to be implemented by most media.²²

Television remains the most popular source of political information, followed by radio and online media portals. Social networks also play an important role as a source of political information. The public broadcaster comprises, *Radio and Television Slovakia (RTVS)* has two main channels, one news and one sports channel and nine radio channels. The *RTVS* plans to conduct a series of debates on TV and radio and allocate a total of ten hours for presenting the electoral contestants, in line with the law. The law provides that public and private broadcasters must ensure equal prices and access for all contestants for paid advertising. By law, the broadcast media must ensure the plurality of views and objectivity and impartiality of news and current affairs programmes.

The newly created Council for Media Services, which inherited the previous Council for Broadcasting and Retransmission, oversees some aspects of the work of broadcasters. The Council issues bylaws to supplement the Act on Media Services and monitors and evaluates the state of the media environment, especially with regard to the spread of hate speech and disinformation, and co-operates with online platforms related to sharing content.

I. ELECTION DISPUTE RESOLUTION

Campaign-related complaints are lodged with the MoI. The SEC acts as an appellate body against the decisions of the MoI related to campaign finance. The SEC reviews complaints related to the breaking of the campaign silence period by candidates or parties. There are no specific deadlines for campaign-related complaints, and the MoI and the SEC typically review campaign-related complaints after the elections and may apply sanctions. According to the ODIHR NAM interlocutors, this approach cannot prevent violations but may discourage them due to possibly significant financial penalties. Voters can file a complaint with the administrative court related to their registration. Complaints against the decision of the SEC on candidate registration are filed with the Supreme Administrative Court as the final instance.

The Constitutional Court examines the constitutionality and legality of election results based on petitions that may be submitted after the announcement of election results. The right to challenge election results is granted only to political parties contesting the elections, without the possibility of appeals by citizen observers or voters, at odds with international commitments and good practice. The Court may examine election materials and decide to cancel the election results partially or in full. It has 90 days to decide on a petition. In case the parliament is already in session by the time the court decides to cancel the election results, by law, the Speaker must call new elections within 30 days.

²¹ According to the [research published](#) in February 2023 by The Ján Kuciak Investigative Center (ICJK), more than two-thirds of journalists experienced a threat or attack in the last twelve months.

²² The Council for Media Services who registers the self-regulatory bodies of media has not yet received any requests for registration.

None of the ODIHR NAM interlocutors expressed concerns about the resolution of election disputes in general, but some stated that lengthy deadlines to hear the complaints might not provide a timely remedy for addressing possible campaign violations.

J. CITIZEN AND INTERNATIONAL OBSERVERS

The Elections Act explicitly allows international observers to be present at the polling stations and permits any other persons to observe voting and counting in case there is sufficient room in the polling station. There is no accreditation process in place.²³ The law does not regulate the observation of the work of election commissions and other election administration bodies, such as results DEC level tallying expert groups by the Statistical Office and the MoI during candidate registration. The SEC explained to the ODIHR NAM that it has a routine practice of permitting citizens and international observers to observe their sessions.

IV. CONCLUSIONS AND RECOMMENDATIONS

Most interlocutors welcomed a potential ODIHR observation activity, emphasizing the benefits of an external review of some aspects of the electoral process, but most interlocutors believed that deploying a large number of observers would be of limited benefit. Among the areas that would benefit from an ODIHR assessment are recent amendments pertaining to the processing and publication of election results, administration of elections, particularly in respect of the participation of voters with disabilities, campaign environment and the possible use of intolerant and discriminatory language as well as the media environment, particularly with regards to the implementation of the new media regulatory framework.

On this basis, the ODIHR NAM recommends, subject to the availability of resources, the deployment of an Election Assessment Mission for the 30 September 2023 early parliamentary elections.

²³ During the 2020 parliamentary elections, the MoI instructed PECs to allow access to observers.

ANNEX: LIST OF MEETINGS

Officials and Institutions

Ministry of Foreign and European Affairs

Juraj Podhorský, Director General for International Organizations and Human Rights
Michal Vančo, Department for Disarmament and Counter-terrorism

Constitutional Court

Ľuboš Sziget, Vice-president

Supreme Court

Ján Šikuta, President

Supreme Administrative Court

Pavol Naď, President of the Court
Juraj Vačok, Judge and President of the Panel
Daniel Staruch, Advisor to the President

State Commission for Elections and Control of Financing of Political Parties

Ladislav Orosz, President of the Commission
Miloš Mrvň, Secretary of the Commission
Matej Čapkovič, Office of the Commission

Ministry of Interior

Eva Chmelová, Director, Department for Election, Referendum and Political Parties

Statistical Office of the Slovak Republic

Peter Peťko, President of the Statistical Office
Jozef Brinda, Head of Elections Department

National Centre for Human Rights

Silvia Porubánová, Executive Director
Zuzana Pavlíčková, Head of Policy and International Affairs
Edina Némethová, Lawyer
Radka Vicenová, Researcher

Council for Media Services

Martin Dorociak, Director
Peter Wilfling, Lawyer, Regulatory Department
Ján Hurtík, Researcher, Analytical department

Public Defender of Rights

Róbert Dobrovodský, Public Defender
Tomáš Čitbaj, Director, Section for the Protection of Fundamental Rights and Freedoms
Roman Lysina, Head of Legal Section

Commissioner for Persons with Disabilities

Ľuba Reháňková, Head of Office
Lenka Bodnárová, Lawyer

Political Party Representatives

Magdaléna Sulanová, People's Party Our Slovakia (ĽSNS)
Tomáš Šudík, MP, Ordinary People and Independent Personalities (OĽaNO)
Milan Potocký, MP, OĽaNO
Dominik Drdul, MP, OĽaNO
Peter Osuský, Freedom and Solidarity (SaS)
Ján Podmanický, Direction – Slovak Social Democracy (SMER-SD)
Boris Susko, SMER-SD
Miloš Svrček, MP, We Are Family
Ľudovít Goga, MP, We Are Family

Media Representatives

Radio and Television of Slovakia

Miroslav Frindt, TV News presenter
Juraj Mikula, News Editor on Radio Slovensko
Matúš Havlík, Foreign Affairs Editor

Denník N Newspaper and News Website

Matúš Kostolný, Editor-in-Chief
Daniel Kerekes, Data Analyst

Civil Society Representatives

Rasťo Kužel, Executive Director, MEMO98
Ivan Godársky, Media and Legal Expert, MEMO98
Michal Pisko, Director, Transparency International
Ľuboš Kostelanský, Project Co-ordinator, Transparency International

International Community²⁴

Representatives of diplomatic missions of Germany, Ireland, Italy, Lithuania, Luxembourg, Portugal, Switzerland and Türkiye.

²⁴ The ODIHR NAM extended an invitation to representations of all OSCE participating States resident in Slovakia.