



Martinengova 8, 811 02 Bratislava

Tel, fax: +2 6280 1199

E-mail: memo98@memo98.sk

Web: www.memo98.sk

Contact persons: R. Kužel, I. Godársky, M. Mračka

MEMO 98 Asks Prime Minister Fico to Communicate not to Confront

Press release

Bratislava, 9 December 2016 – MEMO 98 regrets the recent verbal attacks on the media by the Slovak Prime Minister Robert Fico and similar statements made by other members of the ruling coalition. We consider them to be a misunderstanding of the real meaning of the freedom of speech and the role of media in the development of a free and healthy democratic society.

It is regrettable that this aggressive and at times even vulgar behavior by the prime minister towards the media, which he has used for a long time, demonstrates his lack of understanding of how important media are. This sets a very negative example for all citizens," said Ivan Godarsky, MEMO 98's media and legal consultant. *"It is particularly regrettable that Mr. Fico does not try to initiate a discussion to improve the current situation but quite the opposite, he makes the situation worse by using such a hostile vocabulary, making unfortunate generalizations or exaggerations, which only serves to deepen various negative stereotypes vis-à-vis the media."*

In the last few months, the prime minister has, on a number of occasions, returned to the previous confrontational and at times even hostile approach towards the media. In contrast with the past, he has also targeted the public service media. This type of communication, which was used by the controversial former Prime Minister Vladimir Meciar at the beginning of the 90s, has been first associated with Mr. Fico during his first government (from 2006 till 2010). Ever since, he has used words such as hyenas, idiots, pigs, prostitutes, liars, toilet spiders or most recently dirty anti-Slovak prostitutes when addressing some journalists and media outlets. Using of such vocabulary is deeply beyond any decent and pragmatic style of communication used by politicians during public discussions, and it would be possible to hear it from a person in a pub rather than from a responsible politician interested in stimulating rational debate on important issues.

This confrontational style of communication coupled with the prime minister's decision not to respond to questions by some media outlets (later followed by other members of his cabinet) has had a direct impact on the ability of the press to function as an important democratic institute controlling the executive power. Moreover, in our opinion, it is in breach of the existing legislation, primarily the Constitution as well as the Press Act (more specifically, Mr. Fico has stopped responding to questions from the dailies *SME* and *Dennik N* respectively since late 2013 and May 2015). In December 2015, the Slovak Press Council criticized the lack of communication by the prime minister with the two dailies and considered it to be a violation of the press freedom due to the restriction on access for journalists to information. Moreover, in August 2016 the European Court of Human Rights (ECHR) in Strasbourg accepted a complaint against the information blockage lodged by *Dennik N*. Before the complaint was submitted to ECHR, the Slovak Constitutional Court refused to hear the case claiming the lack of competencies to deal with it.

It is unfortunate that the activities of Mr. Andrej Danko, the chairman of another ruling party (Slovak National Party – SNS) and the second highest official in Slovakia (Speaker of Parliament), are reminiscent of the period before 1998. During that time, applying pressure on media and attempts by the then ruling power to control them was commonplace. Such methods can be nowadays seen in the countries situated to the east from our border. In the first week of December, the parliamentary speaker initiated an amendment to the Parliament's Rules of Procedure to limit the content and form of speeches by legislators in the Parliament. Furthermore, since the March elections Mr. Danko has repeatedly undermined the credibility of the Slovak public service media, most recently of the Slovak Press Agency (TASR). Also, the SNS keeps boycotting the attempts by the Minister of Culture Marek Maďarič to raise the license fees for public service media using the argument that the Slovak Public TV (RTVS) lacks credibility and professionalism. This argument is used despite the fact that various surveys have indicated that the credibility of RTVS has improved. The monitoring conducted before the March parliamentary elections by the Slovak media monitoring organization MEMO 98 has also confirmed that RTVS's news program have improved the quality of their output.

The media undoubtedly benefit from a regular feedback on the quality of their reporting particularly due to their essential contribution to a healthy development of democracy. This is the reason why a permanent, critical but above all constructive debate on the proper functioning of the media is so important. It has to be mentioned that the media in general often do not provide in-depth analysis of problems and issues they cover, with the context and background to a story being only superficial, too careful and aiming to achieve only a formal balance. There are also questions about close relationships between some journalists and politicians. Not all journalists can keep their relationships with politicians at a professionally accepted level which consequently brings up legitimate questions about their independence. There are nevertheless many good examples when journalists do their work in a professional way and produce good quality content. To find such examples, one can just go through the list of laureates of the Journalist Award which is a competition organized annually by the Open Society Foundation (OSF) to award the best quality journalism. We think that the primary purpose of any criticism should be an attempt to generate a discussion, to improve something, to increase professionalism and not ignorance combined with insults and promises to fight with the media at any price.

The Oxford Dictionaries Word of the Year 2016 is *post-truth* – an adjective defined as 'relating to or denoting circumstances in which objective facts are less influential in shaping public opinion than appeals to emotion and personal belief. The selection is not a big surprise given the fact that this tendency is nowadays increasingly present in the public discourse in many countries and it has also infiltrated narratives of many politicians. We are confident that this is a dangerous tendency and the best way to deal with it is to enhance the existing democratic institutions, including the media, and to provide a wide-ranging support to high quality journalism.

"It is highly irresponsible and very dangerous to purposefully ignore the media and repeatedly publicly undermine their importance and value for the society just because they criticize the government in the period when half-truths, lies, propaganda, and disinformation are successfully used and spread. This is giving rise to extremism" said Rasto Kuzel, the executive director of MEMO 98. "The best response to propaganda and manipulations is good quality journalism which should be supported and not undermined by the government."

In 18 years of its existence, MEMO 98 has conducted media-related projects in more than 50 countries, and its members participated in more than 100 election observation missions, mainly in the framework of OSCE/ODIHR and the European Union, most recently in Russia, the United States,

and Macedonia. It is important to highlight international context and standards that Slovakia ratified and thus voluntarily decided to adhere to. In this respect, the General Comment No. 34 (Article 19: Freedoms of opinion and expression) of the International Covenant on Civil and Political Rights stipulates that "A free, uncensored and unhindered press or other media is essential in any society to ensure freedom of opinion and expression and the enjoyment of other Covenant rights. It constitutes one of the cornerstones of a democratic society. The Covenant embraces a right whereby the media may receive information by which it can carry out its function. The free communication of information and ideas about public and political issues between citizens, candidates, and elected representatives is essential. This fact implies that a free press and other media able to comment on public issues without censorship or restraint and to inform public opinion. The public also has a corresponding right to receive media output.

Furthermore, it is also relevant to mention the decision by the European Court of Human Rights (ECHR) that the freedom of expression constitutes one of the essential foundations of a democratic society, one of the core conditions for its progress and the development of every man. Subject to paragraph 2 of Article 10 of the European Convention on Human Rights, it is applicable also to such information that "offend, shock or disturb the State or any sector of the population. Such are the demands of that pluralism, tolerance, and broadmindedness without which there is no democratic society." It would be good if Prime Minister Robert Fico remembers his speech in front of the private broadcaster TV Markiza back in 1998 when he used very similar words. In his speech, he resolutely declared "democratic politicians understand the freedom of expression not only as disseminating positive and favorable information but also to those that are critical and at times shocking."

We call on the prime minister as well as other members of the Slovak government to respect different opinions regardless of how critical these views are. We also call on them to respect the law, international rules, and democratic traditions. Prime Minister Fico received a mandate in elections to manage public affairs, and this "service" is paid by all citizens, and it does not give him powers to freely decide on the media content or who is entitled to ask questions. What is at stake is Slovakia, and it is in our joint interest to make it a success story. This success story should not be done only for a few "selected ones," but for all citizens, it is about mutual understanding and not condemnation, and it is about an atmosphere of an open society with diversity and not exclusion.