

Assessment of Key Public Institutions in Slovakia

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November 27, 2020

On-line conference in Chisinau,
Moldova

Independence of Key Public Institutions **INEKO**

Helping increase independence of key judiciary, control, regulatory
and watchdog institutions

- Why independence?
 - Public institutions represent democratic tool in power division
 - Political interference and influence lower democracy and competitiveness
 - Autonomous institutions are protected from changing political environment
 - Politically independent institutions gain citizen trust and strengthen democracy

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- Why in Slovakia?

- Severe misuse of power since gaining independence in 1993
- Cool down period in 2000s as we enter EU and NATO
- Past decade serious suspicion of corruption in highest places
- 2020 – suspicions confirmed, with dozens of high ranking officers and judges currently under investigation and many under arrest



Špeciálny prokurátor Dušan Kováčik, ktorého zadržala Národná kriminálna agentúra. (Zdroj: TASR)

Special prosecutor Dušan Kováčik being arrested by the police on several criminal charges including corruption



Source: Plus 7 Dni

Ex-director of Administration of State Material Reserves Kajetan Kicura is currently under arrest for crimes of corruption

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Ex-director of criminal office of Financial Administration Ludovít Mako is currently under investigation on criminal charges including corruption



Ex-director of Agricultural Paying Agency Juraj Kozuch is currently under arrest for crimes of corruption



Bývalý policajný prezident Tibor Gašpar. Zdroj: SITA / Radoslav Matas

Ex-Police president Tibor Gašpar is currently under arrest on several criminal charges including corruption

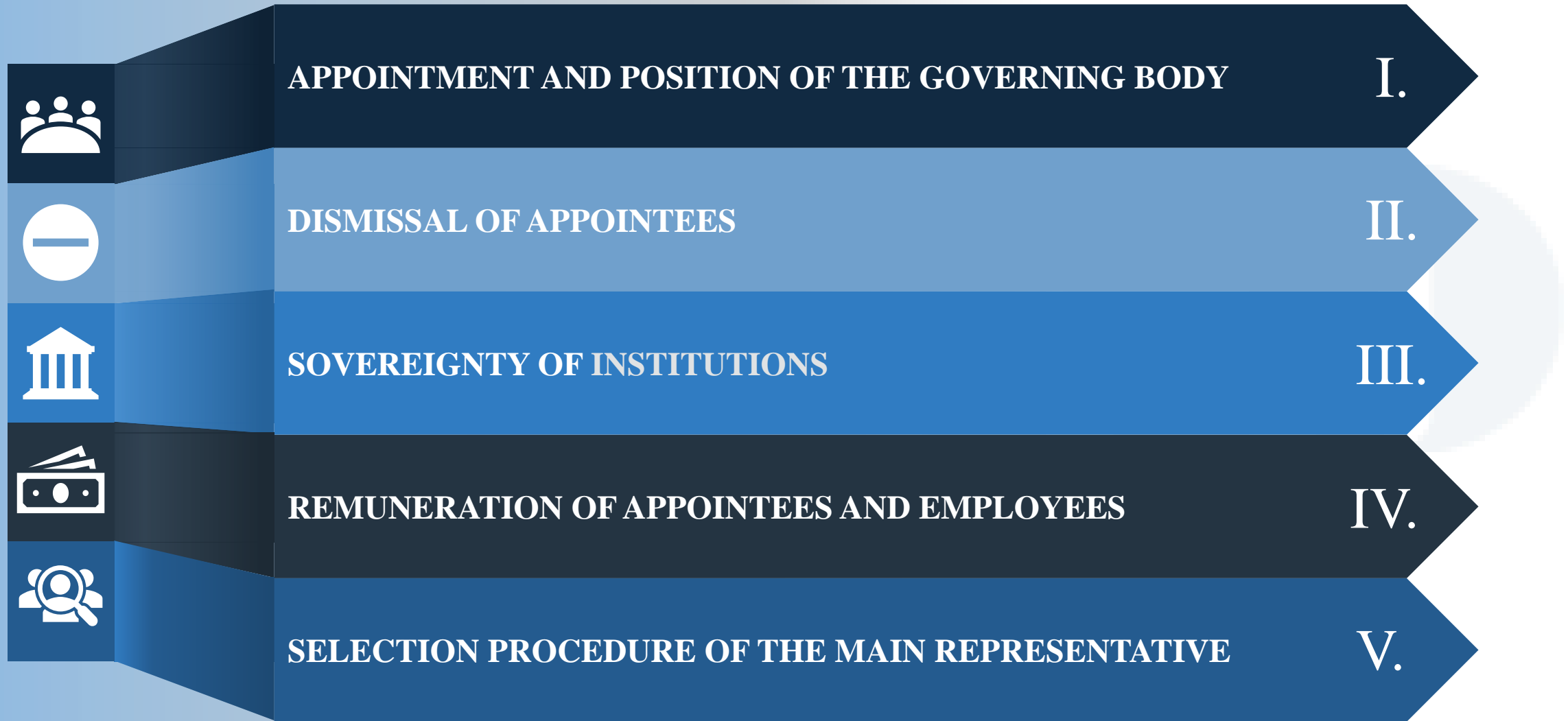


Zdroj: TASR/Ján Krošlák

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- **Evaluating independence of public institutions also helps us examine how easy it is for corrupt individuals to gain control over prominent public offices**





APPOINTMENT AND POSITION OF THE GOVERNING BODY

What authorities appoint representatives, how many times can one person hold the office, how many people share the power within the institution

I.

TOP 3		
1	Council for Budget Responsibility	91%
2	Constitutional Court	91%
3	Office for Public Procurement	83%

- Power division within institution (multiple members of governing body, control board)
- Two or more bodies must agree on a candidate for him to be appointed
- Limited office term (both how long and how many times)

BOTTOM 3		
24	Administration of State Material Reserves	36%
25	Financial Administration	27%
25	Agricultural Paying Agency	27%

- Ministers or government appoint representatives
- There is no division of power within the institutions
- Office term is unlimited



DISMISSAL OF APPOINTEES

Under what circumstances can representatives be dismissed

II.

TOP 3		
1	General Prosecutors Office	80%
1	National Bank of Slovakia	80%
1	Council for Budget Responsibility	80%

- Representatives can only be dismissed only in case of serious misconduct
- Decision to dismiss the representative must be made by multiple bodies

BOTTOM 3		
23	Agricultural Paying Agency	0%
23	Financial Administration	0%
23	Administration of State Material Reserves	0%

- Ministers or government decide to dismiss representatives
- No justification for the decision is necessary



SOVEREIGNTY OF INSTITUTIONS

How independent institutions are from the government, how are they being financed

III.

TOP 3		
1	Supreme Audit Office	80%
1	Constitutional Court	80%
3	Council for Budget Responsibility	78%

BOTTOM 3		
22	Agricultural Paying Agency	22%
25	National Security Authority	11%
25	Office of Inspection Service	11%

- Institutions are legally guaranteed independence
- Government has no right nor means to interfere
- Decisions made by the institutions cannot be overruled by another body

- Government retains control over internal structure and affairs
- Institutions have no financial freedom
- NSA is essentially a subdivision of Ministry of interior



REMUNERATION OF APPOINTEES AND EMPLOYEES

How fair is financial compensation

IV.

GROSS MONTHLY SALARY OF THE HIGHEST-RANKING OFFICER		
1	National Bank of Slovakia	€ 19,786.35
2	Constitutional Court	€ 13,580.56
3	Radio and Television of Slovakia	€ 8,436.50
24	Transport Authority	€ 3,326.08
25	Regulatory Authority for Electronic Communications and Postal Services	€ 2,885.29
26	Slovak Land Fund	€ 2,706.01
Average gross monthly salary of the highest-ranking officers		€ 6,355.40
GROSS MONTHLY SALARY OF EMPLOYEES		
1	General Prosecutors Office	€ 3,445.42
2	Council for Budget Responsibility	€ 3,067.44
3	National Bank of Slovakia	€ 2,563.75
23	Slovak Land Fund	€ 1,471.72
24	Nation's Memory Institute	€ 1,345.49
25	Statistical Office	€ 1,267.33
Average gross monthly salary of employees		€ 1,857.99



SELECTION PROCEDURE OF THE MAIN REPRESENTATIVE

How transparent, competitive and expertise-oriented is the selection process

V.

TOP 3		
1	Council for Budget Responsibility	96%
2	Radio and Television of Slovakia	69%
3	General Prosecutors Office	65%

- Open competition to all qualified candidates
- Public hearing, streamed live
- Expert committee
- Results were presented to the public

The processes allowed for public control

BOTTOM 3		
24	Antimonopoly Office	13%
24	Slovak Information Service	13%
24	Statistical Office	13%

- No official competition
- No criteria for candidates
- No public hearing

All three candidates were chosen behind closed doors.

RESULTS

Final results	I	II	III	IV	V	
Council for Budget Responsibility	91%	100%	78%	74%	96%	87%
General Prosecutors Office	73%	100%	78%	82%	65%	77%
Constitutional Court	91%	50%	80%	80%	60%	77%
National Bank of Slovakia	67%	100%	71%	94%	29%	69%
Radio and Television of Slovakia	69%	56%	78%	62%	69%	69%
Public Defender of Rights	59%	75%	71%	63%	31%	60%
Slovak Police Force	68%	75%	33%	64%	63%	58%
Regulatory Authority for Electronic Communications and Postal Services	59%	100%	44%	41%	65%	58%
Office for Public Procurement	83%	56%	22%	59%	60%	57%
Supreme Audit Office	59%	25%	80%	71%	21%	56%
Health Care Surveillance Authority	61%	25%	78%	60%	25%	55%
Regulatory Office for Network Industries	58%	38%	56%	72%	44%	55%
The Judicial Council	65%	0%	76%	59%	29%	53%
Nation's Memory Institute	68%	50%	49%	46%	25%	51%
Office for Personal Data Protection	59%	50%	56%	50%	25%	50%
Council for Broadcasting and Retransmission	82%	25%	39%	49%	17%	48%
Antimonopoly Office	63%	81%	33%	56%	13%	48%
Statistical Office	59%	100%	33%	49%	13%	48%
Office of Inspection Service	59%	50%	11%	57%	58%	45%
Transport Authority	50%	25%	44%	46%	46%	44%
National Security Authority	59%	75%	11%	63%	17%	42%
Slovak Information Service	45%	25%	56%	26%	13%	37%
Slovak Land Fund	45%	4%	44%	35%	17%	34%
Financial Administration	27%	0%	22%	61%	54%	32%
Administration of State Material Reserves	36%	0%	33%	54%	17%	31%
Agricultural Paying Agency	27%	0%	22%	38%	17%	23%

RESULTS

...in real life

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PRESENTING OUR LEGAL PROPOSAL WITH REPRESENTATIVES OF OFFICE FOR PUBLIC PROCUREMENT TO THE MEDIA



PUBLIC HEARING OF CANDIDATES FOR THE POSITION OF MEMBERS OF THE BOARD OF THE OFFICE FOR PUBLIC PROCUREMENT

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PUBLIC HEARING OF CANDIDATES FOR THE POSITION OF CHAIRMAN OF THE COUNCIL FOR BUDGET RESPONSIBILITY



Predseda Výboru NR SR pre financie a rozpočet Marián Viskupič (SaS) a prvý správa poslanec NR SR Ladislav Kamenický (SMER) počas verejného vypočutia kandidátov na post predsedu Rady pre rozpočtovú zodpovednosť. (Zdroj: TASR)

PUBLIC HEARING OF CANDIDATES FOR THE POSITION OF PRESIDENT OF FINANCIAL ADMINISTRATION



PUBLIC HEARING OF CANDIDATES FOR THE POSITION OF GENERAL PROSECUTOR



Schôdza Ústavnoprávneho výboru NR SR, ktorý vypočúva kandidátov na generálneho prokurátora SR v historickej budove NR SR na Župnom námestí. Zdroj: TASR / Jaroslav Novák

Thank you for your attention

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