**SLOVAKIA**[[1]](#footnote-1)

**CSO SUSTAINABILITY: 2.9**

Corruption, a long-standing problem in Slovakia, was once again a major issue in 2017. Throughout 2017, much attention was focused on overpriced public procurements by the Ministry of Foreign and European Affairs during the Slovak presidency of the Council of the European Union. A former ministry employee, now an employee of Transparency International Slovakia, accused the ministry of organizing overpriced cultural events linked to the Slovak presidency. She further claimed that a contract to organize the logo presentation event was awarded to a firm selected in advance without a tender. In November, the whistleblower was given the White Crow award by VIA IURIS and Fair Play Alliance; White Crow is given annually to whistleblowers who challenge unethical or corrupt behavior at great personal risk, or to those who perform courageous civic deeds that benefit the public.

Thousands of Slovaks took to the streets during three big anticorruption marches to protest against corruption, including the non-transparent relationships between the government and business sector. The idea to protest came about spontaneously during a phone conversation between two secondary school students, and was inspired by a wave of massive anti-corruption protests in Romania earlier in the year. The protests’ objectives included instigating investigations into specific cases, dismissal of the Minister of Interior and Special Prosecutor, and abolition of amnesties issued by Vladimír Mečiar.

In response to these protests and strong public pressure, Slovak members of parliament (MPs) cancelled the amnesties issued by Mečiar and the presidential pardon of former Slovak head of state Michal Kováč. The Minister of Education resigned after a scandal involving the distribution of EU funds for research projects. In addition, the former Ministers of Construction and Regional Development were convicted of acting contrary to the principles of transparency and public procurement, the first convictions at such a high level in Slovakia.

Overall CSO sustainability did not change in 2017. Positive developments were noted in financial viability, as the number of funding sources increased, while the public image of CSOs deteriorated as a result of continuous polarization in society. No significant changes were noted in the other dimensions of sustainability.

According to records of the Ministry of Interior of the Slovak Republic, there were 50,734 registered CSOs in Slovakia in 2017. This number includes: 46,053 civic associations; 606 non-investment funds; 3,209 non-profit organizations providing public benefit services; 141 entities with international element; and 725 foundations.

**LEGAL ENVIRONMENT: 3.0**

CSOs can be established under a number of different legal forms, each of which have their own registration process. Civic associations register at the Ministry of Interior, which then requests the Statistical Office to issue them identification numbers. A foundation can be established by a natural or juridical person or persons after a foundation agreement is signed and verified. Non-investment funds and organizations providing public benefit services are established through a contract or memorandum filed with the corresponding regional authority seat. The registration process for all legal forms can usually be completed in a month.

In 2017, the Office of the Plenipotentiary of the Government for the Development of Civil Society continued to work on a draft law focused on establishing a single, reliable, and up-to-date register of non-governmental, non-profit organizations. The consultation process for the proposed law was planned for the beginning of 2018.

Since January 1, 2017, as part of the ongoing process of establishing eGovernment in Slovakia, every legal person listed in the Business Register has been required to communicate with the authorities through an electronic mailbox, which requires subjects to have a new ID with an electronic chip, as well as a personal security code. CSOs fear that this will complicate many routine processes. For example, they will have to give power of attorney to their employees to read the organizational mailbox. In 2016, civic associations, foundations, and other forms of CSOs were granted an extension through mid-2018 to meet this requirement. Following additional negotiations in 2017, MPs agreed that CSOs could have until 2019 to activate their mailboxes.

At the beginning of 2017, there were efforts by opposition MPs to amend the Freedom of Information Act to include civic associations, foundations, and non-profit organizations that manage more than €100,000 per year as obliged parties. This would have caused excessive administrative burdens on CSOs and significantly complicated operational processes. However, the amendment was not adopted.

The European Parliament and the Council of the EU adopted the Data Protection Package in May 2016. This package contained the General Data Protection Regulation (GDPR) on the protection of natural persons with regard to the processing of personal data and the free movement of such data. It applies to all entities that collect personal data on EU citizens and therefore is also binding for Slovak non-profit organizations that handle such data. EU member states should start to observe the regulation in May 2018. In 2017, CSO representatives met with the responsible officials to search for solutions that would not threaten projects promoting transparency and public scrutiny.

An amendment to the Law on Income Tax adopted in December 2017 establishes the concept of “charity advertising.” This provision will exempt civic associations, foundations, non-investment funds, and non-profit organizations providing public benefit services from taxes on up to €20,000 of income originating from “advertising for charity purposes.”

CSOs continue to function without any threats from the government. CSO representatives participated in protests throughout the year, but generally did so as individuals and not as representatives of their organizations. In contrast to 2016, there were no reported incidents of government hostility towards CSOs.

According to the Income Tax Law, if during the year a company donates funds amounting to 0.5 percent of its paid taxes, it can assign 2 percent of its tax obligation to CSOs. If it donates less than 0.5 percent of paid taxes, it can still assign 1 percent of its tax obligations. CSOs do not benefit from any other tax incentives or deductions.

CSOs can engage in fundraising campaigns and receive foreign donations. Although CSOs are classified as “organizations not based or not established on entrepreneurial purposes,” some of them can, under circumstances agreed in advance, engage in entrepreneurial activities. Earnings must be reinvested in their activites.

The Pro Bono Attorneys program, managed by the Pontis Foundation, provides CSOs and their clients with free legal assistance. Legal services are coordinated mostly from Bratislava, but are available in the regions as well. From the program’s launch in 2011 to the end of 2016, a total of eighty attorneys have provided free help to more than eighty-five CSOs with almost 130 legal tasks. Currently, fourteen law firms and five individual attorneys participate in the program. In addition, many CSOs rely on the First Slovak Non-Profit Service Center (1.SNSC) for legal assistance. 1.SNSC operates an online platform that includes information about all legislative changes and proposals affecting the non-profit sector, in addition to other resources. However, users must pay an annual subscription fee to access the service, which can be a burden for some organizations.

**ORGANIZATIONAL CAPACITY: 3.1**

CSOs build relationships with individuals or groups affected by or interested in their issues through the use of social networks, newsletters, and fundraising campaigns. Some CSOs present their activities at weekend events, such as comunity markets. For example, Vagus, a CSO focused on homeless people, sells Thai food at such events to raise its public profile and to raise funds for organizational activities.

The majority of CSOs have clear mission and vision statements, although smaller organizations may only define their missions and visions in their articles of incorporation rather than elaborating on them in other strategic documents. Larger organizations generally consider strategic planning to be a vital part of their work, using these plans to guide their work. CSOs increasingly professionalize their management and strategic planning functions.

Larger CSOs tend to define responsibilities among boards of directors and employees more clearly than smaller organizations. However, members of the boards of directors in small organizations often do not understand the importance of their positions; some act as pro forma members in several organizations, rather than being truly active and involved in a single organization. Another problem is that of the so-called “migrating professors” – people who hold leadership and other positions in various CSOs.

The majority of people engaged in the sector work as freelancers, while only a small number have permanent contracts or work on a part-time basis. However, an increasing number of people joining the sector expect contractual employment relationships. Most organizations are not able to respond to such requests due to financial constraints; instead they may define individual staff competencies more precisely in order to prevent staff from being overloaded with responsibilities. CSOs also face difficulties employing staff because of increases in the minimum wage. The low salaries that CSOs offer make it very difficult for them to maintain qualified staff; this is particularly a problem for organizations providing social services. In 2017, a number of people from the third sector became involved in politics in advance of the 2018 elections. Organizations seek professional services from accountants, IT administrators, and graphic designers, but the pressure to keep costs low limits CSOs’ ability to pay for such services. According to research published by the Institute for Public Affairs, Center for Philanthropy, and Partners for Democratic Change Slovakia (PDCS) in December 2016, since 2003, the percentage of people volunteering has fallen from 39 percent to 32 percent. According to the 2017 World Giving Index, 16 percent of respondents in Slovakia reported that they participated in voluntary action in 2016, a 5 percent increase from the previous year.

Organizations still have the opportunity to acquire cheap software licenses through the Techsoup Slovakia program. This program, which is managed by the Pontis Foundation, is part of the Techsoup Global Network and offers reduced cost software from Microsoft, Adobe, GiftWorks, and O&O Software to participating non-profit organizations. In addition, CSOs can sometimes purchase used hardware from other companies. Despite the fact that CSOs have little support for their technical development, they increasingly use modern ICT, including social media, to facilitate their operations.

**FINANCIAL VIABILITY: 3.6**

The financial viability of CSOs improved in 2017, as CSOs had access to an increasing number of funding sources.

CSOs strive to diversify their funding sources. However, most CSO funding is project-based, and CSOs therefore do not have sufficient resources to ensure their long-term sustainability. According to the December 2016 study *State of Affairs, Trends, Needs and Possibilities for Development of Civil Society in Slovakia*, conducted by the Institute for Public Affairs, Center for Philanthropy, and PDCS, funding for the non-profit sector comes more or less equally from public resources, private resources, and revenue from CSOs’ own activities, including earned income and membership fees.

During the year, a consortium of three foundations—Nadácia Ekopolis, Nadácia otvorenej spoločnosti, and Karpatská Nadácia—was selected to administer the Active Citizens Fund, a grant program financed through the EEA/Norway Financial Mechanism.No calls for proposals were issued in 2017, but this program is expected to allocate €9 million in support for civil society and non-governmental organizations by 2021.

There was a significant increase in funding available to CSOs through the EU Structural Funds in 2017. A series of six calls for proposals were issued in May as part of the EU-funded Effective Public Administration program. These were the first EU-funded calls for proposals in Slovakia in which CSOs were the only eligible applicants. Through these calls for proposals, CSOs were able to apply for a total of €15 million for projects focused on improving public policy, civic awareness and participation, the fight against corruption, and transparency in public administration. Although the closing date for all the calls was in August, the results had not yet been announced by the end of the year. CSOs were also able to apply for several other EU-funded calls for proposals focused on issues such as the environment or marginalized Roma communities during the year, but the huge administrative burden deters many from doing so.

According to the December 2016 study referenced above, CSOs receive funding from public sources in several cathegories. Direct support from the state in the form of central budget subsidies have been a growing trend in recent years. Local government support for CSO actvities is also thought to have increased during recent years, although there is no data available to support this assumption.

Companies, especially multinational corporations, continue to distribute funds to CSOs through their tax assignations, which reached a record sum in 2017. According to the Ministry of Finance, tax assignations reached €63 million in 2017, up from €59.4 million in 2016, €56.9 million in 2015, and €52.2 million in 2014. Companies also continue to provide direct support to local projects. The number of small and medium enterprises supporting community projects is also rising. For example, the company Impact Futuristic supports the Adopt your Beehive Project, which promotes beekeeping around the country. However, some CSOs face problems managing the growing expectations of their coporate partners for public relations in exchange for their donations, which may be considered a violation of the law on tax assignations. There is also growing interest in volunteering by companies. In 2017, more than 10,000 corporate volunteers were engaged in Our City, the country’s biggest corporate volunteering event through which volunteers participate in a number of different projects around the country to beautify their cities.

There was also an increase in individual donations during the year, from both in-person fundraising and online collections. Crowdfunding platforms, such as Dobrakrajina.sk, Dakujeme.sk, Ludialudom.sk, startlab.sk (for public utility projects), and marmelada.sk (for creative activities), continue to be effective fundraising tools. According to the 2017 Annual Report of the Center for Philanthropy, in 2017, there were 97 campaigns on startlab.sk that received 11,979 individual donations valued at €351,000, compared to 33 campaigns that received 2,108 individual donations valued at €94,800 in 2016. However, crowdfunding is not effective for initiatives involving complicated or controversial topics, such as legislative amendments, lesbian, gay, bisexual, transgender, and intersex (LGBTI) projects, or Roma community projects. According to the 2017 World Giving Index, 30 percent of respondents in Slovakia reported donating to charities in 2016, a significant increase from 23 percent in the previous year.

In addition, in 2017 some organizations, including the Pontis Foundation, began to cooperate successfully with major individual donors—wealthy people interested in addressing particular problems and willing to provide significant funding for long-term partnerships and support.

According to *State of Affairs, Trends, Needs and Possibilities for Development of Civil Society in Slovakia*, the most common form of self-financing is membership fees, which 61 percent of CSOs collect; however, no statistics are available on the amounts collected through membership fees. The study also notes that revenue from selling products and services has been declining over the past five years, both in absolute amounts, as well as in the share of CSOs’ incomes. Only a few CSOs have established social enterprises. On rare occasions, government bodies and local businesses contract with CSOs for services. CSOs are generally eligible to apply for such contracts, but rarely do as their applications are seldom successful.

The Office of the Plenipotentiary of the Government for the Development of Civil Society organized a roadshow throughout the country in 2017 consisting of a series of workshops for CSOs focused on the means of funding non-profit organizations and projects of public interest. This, however, did not attract significant attention.

Well-developed CSOs have financial management systems. Foundations, non-investment funds, and non-profit organizations that render public utility services are required to submit annual reports to the government. In addition, ministries can send auditors to monitor the use of funds received through tax assignations or other public resources.

**ADVOCACY: 2.6**

Advocacy did not change significantly in 2017. CSOs engaged in a wide range of successful advocacy campaigns during the year and continue to have access to a variety of mechanisms to cooperate with the government, although this cooperation is often more formal than genuine.

Since 2005, Slovak legislation has enshrined the rights of the public (and CSOs) to participate in the law-making process. According to the act on the law-making process, draft laws must be published for public comment. Comments made by at least 500 individuals must be addressed; if not, there is a dispute procedure that can be followed.

TheOffice of the Plenipotentiary of the Government for the Development of Civil Society acts in an advisory role to the state in order to promote active citizen participation; CSOs that represent citizens; and government bodies that are responsive to active citizens. As part of its tasks, the Office is responsible for coordinating the process of preparing strategies and action plans for the development of civil society. In 2017, the Office of the Plenipotentiary of the Government for the Development of Civil Society initiated two new projects to increase cooperation between the state and civil society. The first—Partnership: Pilot Cooperation Project of the State and Experts in Civil Society related to EU Funds—is aimed at facilitating cooperation between CSO experts and the state in the field of managing and monitoring EU funds. The second—the three-year Supporting Partnership and Dialogue in Participatory Public Policy Creation project—supports a pilot scheme of participatory public policy creation and implementation by twenty-five public institutions and CSOs.

The Minister of Interior convened two plenary sessions of the Council of the Government for CSOs in 2017. In general, such sessions are ideal platforms for CSOs to communicate their interests and concerns to the government, although there continues to be concerns within the sector about the Council’s effectiveness.

Platforms or umbrella organizations either do not function at all or only function on a formal basis. This is apparent in the number of situations when a relatively quick response and decision about cooperation were needed, but did not materialize. For example, after an investigation into child abuse allegations in the Čistý Deň resocialization center was reinitiated in 2017, CSOs dealing with child protection were unable to unite or communicate in a unified manner.

Ministries increasingly invite CSO experts to participate in working groups. For example, in 2017, the Ministry of Labor, Social Affairs, and Family invited CSOs to participate in a working group on the topic of early childhood development. The sector, however, lacks the capacity to ensure the necessary participation.

In March 2017, VIA IURIS started to collect signatures for a call to cancel the amnesty issued by former Prime Minister Mečiar in relation to the kidnapping of a former president’s son, in which the Slovak Intelligence Service was thought to have played a role. The online petition at [www.somza.to](http://www.somza.to) was first signed by a number of prominent individuals—including a group of former constitutional court judges, representatives of Slovak law and advocacy organizations, and 250 prominent representatives of cultural and social life—and was then opened to the public. Within twenty-four hours of publishing the petition, over 66,000 individuls had signed it, and by the end of the twenty-two day initiative, 84,127 signatures had been collected. The authors took the petition to the Slovak Parliament and negotiations in April 2017 resulted in 129 out of 144 MPs present voting in favor of the resolution to cancel the amnesties. The Constitutional Court confirmed this decision in May.

In 2017, a student movement inspired by events in Romania organized three large anti-corruption protests. Thousands of people took part in the protests, and students started a petition with specific demands—investigation of specific cases, dismissal of the Interior Minister and Special Prosecutor, and the abolition of amnesty. The movement aimed to collect 100,000 signatures, at which point parliament must consider the petition; around 70,000 signatures had been collected by the end of 2017.

Another successful civic initiative during the year was We are the Forest (My sme les), which opposes the destruction of national parks and forests threatened by massive logging. Almost 65,000 citizens signed an online petition supporting this initiative, thereby creating strong public pressure to adopt legislation that protects forests. Negotiations between government and civil society representatives were ongoing at the end of the year.

CSOs are getting more comfortable with the concept of lobbying, although the country still lacks a law regulating lobbying.

**SERVICE PROVISION: 2.6**

CSOs provide services in a variety of fields, including basic social services in fields such as health and education, and services to the elderly and disabled people. Despite strong engagement of CSOs in these areas, with CSO services sometimes replacing or complementing state-provided care, demand still sometimes exceeds supply. CSOs are not able to compete with private providers, and there is also a lack of market-oriented projects such as social enterprises.

CSOs often provide pro bono services that benefit the state, for example, creating public policies and legislative acts, which perpetuates the government’s practice of not remunerating them for their participation in working groups.TheOffice of the Plenipotentiary of the Government for the Development of Civil Society stated that due to the complicated rules of public procurement, it is easier to cooperate with individuals (experts) than with organizations.

CSOs provide education and consulting services to other CSOs, as well as government offices and companies. For example, the Slovak Governance Institute provides seminars to MPs about building a professional civil service and for local authorities about transparent city companies, and VIA IURIS provides legal consultations to other CSOs.

CSOs increasingly charge fees for their workshops, conferences, and seminars. However, the fees charged do not fully cover the costs of offering these services, and additional funding is therefore still required.

While CSOs can receive grants from the state, funding decisions are often made on a political basis. In addition, the state exhibits increasing tendencies of control, wanting to know exactly how organizations spend government money. In the majority of cases, public finances are allocated to public social services providers. As CSOs are categorized as private providers, citizens have to pay higher fees for their services and therefore generally prefer the cheaper, public alternatives.

**SECTORAL INFRASTRUCTURE: 2.9**

The infrastructure supporting CSOs in Slovakia did not change significantly in 2017. In contrast to other countries in the region, Slovakia still lacks dedicated support and information centers for CSOs, although there are strong grant-making and training organizations.

A number of foundations provide grants to CSOs mainly with funding from domestic sources, including tax assignations. Local community foundations provide grants funded both through locally raised funds and international donor resources.

Several CSOs—including Pontis Foundation, Voices, Slovenské centrum fundraisingu, and getADVANTAGE—provide trainings to CSOs, some on a pro bono basis. Training topics in 2017 included marketing, non-violent communication, the EU’s General Data Protection Regulation (GDPR), facilitation, and conflict resolution. A program called Butterfly Effect, implemented jointly by Edufactory by Pixel Federation, Sygic, Leaf, and hubhub.com, provides practical education to encourage the growth of digital business in Slovakia. However, more expensive services such as legal or marketing assistance remain out of reach for most CSOs.

CSOs—primarily civic associations and foundations—create ad hoc initiatives and networks, but these lack sufficient financial resources and therefore do not last over the long term. CSOs are willing to share information within their working groups on different topics or work together towards common aims.

Intersectoral partnerships are also common. For example, the Human Rights League disseminates content on the Euractiv portal and blogs run by the daily newspaper SME.

**PUBLIC IMAGE: 2.8**

The public image of CSOs deteriorated in 2017 as a result of continuous polarization in society marked by increasing tensions, hate speech, and the rise of populism and disinformation. In addition, there is a fear that Slovakia will follow the path of Poland and Hungary, where the state is increasingly attacking the sector and eroding the legislation protecting civic space. For example, “anti-Soros” rhetoric, which is prevalent in Hungary and Poland, is being increasingly emulated in Slovakia.

Alternative and conspiratorial media continue to wage a discriminatory campaign against CSOs. This rhetoric primarily focuses on CSOs’ foreign sources of funding (including funding from the Soros Foundation), accusing them of disrupting the democratic system and collaborating with President Kiska, a political rival of the Fico government. Associations focused on issues such as human rights and watchdog functions, as well as foundations, are the primary targets of these accusations. Several politicians have also begun to repeat these conspiracy theories, and extremist language has become a normal part of the debate.

While this rhetoric and the negative campaigns have not had the same impact as they have had in neighboring countries, Slovakia’s Civil Society rating in Freedom House’s Nations in Transit report fell in 2017 due to the increased organization and mobilization by extremist political groups—which have drawn particular support from young people—and the growing risk this poses to liberal values and civil rights. According to the Freedom House report, news sites promoting conspiracy theories are more common than they were in the past, and experts increasingly connect such sites with Russian-backed propaganda efforts.[[2]](#footnote-2) A recent study by the Center for Strategic and International Studies (CSIS) argued that sites spreading pro-Russian propaganda are a key part of the Russian strategy to influence Slovak politics, likely with an eye on the country’s strategic position along European energy networks and as a transit country for Russian natural gas.[[3]](#footnote-3)

There were positive developments during the year as well. Three civic campaigns—for the abolition of Mečiar’s amnesties, the anti-corruption marches, and We are the Forest—received massive public support. In regional elections, a pro-democratic candidate in the Banskobystrický region defeated the sitting regional administrator, a right-wing extremist, as a result of the mobilization of the public and civil society at the local level.

Although no recent public polling has been done on the perception of CSOs, the media provides positive coverage of certain third sector “flagships”—including Good Angel, League against Cancer, and Plamienok; as a result, the public perceives them in a very positive light. In general, charities are perceived by the public much better than organizations focused on advocacy. Human rights associations struggle to communicate the value of their work to the public, which may make the public more susceptible to the conspiracy theories being promoted.

The government’s perception of CSOs is reflected in the Government Program Statement from 2016. A key provision of this program establishes a framework for co-operation with CSOs, including “tools and platforms that will increase the involvement of the public and civil society in creation of public policies.” Acccording to research conducted in 2016, younger activists working in the public sphere consider local government to be a key player. However, they feel that local governments do not always respond positively to their activities. Local governments benefit from CSOs, for example through volunteer work provided by organizations or services delivered under a contractual agreement (e.g. social care).

The central as well as local governments rely on CSOs as community resources and a source of expertise and credible information. However, the government often takes advantage of CSOs’ expertise, for example by expecting experts in working groups to provide their services free of charge or for very minimal fees.

The business sector has a positive perception of both advocacy and service provision CSOs. They also rely on CSOs as a source of expertise and credible information. Some businesses support CSO activities through partnership initiatives. For example, the Pontis Foundation manages the Fund for Transparent Slovakia, which is jointly funded by companies concerned with the weak law enforcement in Slovakia. The Fund provides systematic support of watchdog and analytical organizations to promote transparency and a favorable business environment in the country.

Major organizations have invested in public relations by engaging communications specialists, either strategically or on a case-by-case basis. CSOs use social media to varying extents. While large organizations use all kinds of social media for public outreach, smaller associations that deal with specific topics and do not pursue public money often do not see the need to use social media.

The law does not require CSOs to adopt codes of ethics. Only foundations are required to publish their annual reports, although other CSOs also demonstrate their transparency by preparing such reports.

1. This report focuses on events in 2017 and does not reflect the dramatic events took place in the country at the beginning of 2018, which will be covered in the 2018 CSO Sustainability Index. In February 2018, Ján Kuciak, a Slovak investigative journalist, and his fiancée, Martina Kušnírová, were shot dead in their home. Kuciak, who worked as a reporter for the news website Aktuality.sk, focused mainly on investigating tax fraud by several businessmen with connections to top-level Slovak politicians. Kuciak was the first journalist ever to be murdered in independent Slovakia. The murders, in addition to causing widespread shock and disbelief throughout the country, plunged the country into a political crisis pitting the government of Prime Minister Robert Fico against President Andrej Kiska and the political opposition. Following massive demonstrations, the crisis culminated on March 15th with the resignation of Prime Minister Fico and his entire cabinet. As of May 2018, nobody had been charged with the murders, and no clear motive had been established. [↑](#footnote-ref-1)
2. <https://freedomhouse.org/sites/default/files/NiT2017_Slovakia.pdf> [↑](#footnote-ref-2)
3. <https://freedomhouse.org/sites/default/files/NiT2017_Slovakia.pdf> [↑](#footnote-ref-3)