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ARTICLE 19

PRESS RELEASE

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Analysis of Draft Slovak Press Act

ARTICLE 19, in cooperation with the OSCE Representative on Freedom of the Media, has prepared an in-depth analysis of the draft Slovak Act on Periodic Press and Agency News Service and the Amendment and Supplementing of Certain Acts (the Press Act). Although the draft does include some positive provisions, it imposes repressive content restrictions for periodicals and establishes a seriously overbroad regime for the rights of correction and reply.

The draft Act was recently approved by Cabinet and is currently before the Parliament. It includes a small number of protections for freedom of expression – such as a right to access information and protection against liability for the publication of certain statements made by others – but it is mostly concerned with regulating periodicals.

ARTICLE 19's has two key concerns with the draft Act. The first is its overbroad restrictions on the content of what may be published, which include describing war, cruel or inhuman acts or narcotic substances “in a manner that trivialises them, justifies them or indicates approval of them”, as well as incitement to hatred, including on the basis of ‘political or other thinking’. These prohibitions could potentially cover a wide range of perfectly legitimate, indeed public interest, speech. This problem is very significantly exacerbated due to the fact that the draft Act would give the Minister the power to impose penalties for breach of these provisions, rather than their being applied by the courts.

ARTICLE 19 also has serious concerns with the proposed rights of correction, reply and supplementary information. The first allows anyone to insert a correction whenever a false fact identifies them, whether or not they have any legitimate interest in the correction. The second provides for a reply in response to any factual statement impinging on a person's honour, dignity or privacy, whether or not a correction has already been provided and whether or not the statement is true or in the public interest. The right to ‘supplementary information’ allows individuals to comment on the final outcome of cases involving them which a periodical has previously covered. ARTICLE 19 calls for a right of correction/reply to be available only where the publication of false facts has breached a legal right of the claimant.

ARTICLE 19 urges the Slovak authorities to remove the content restrictions and substantially revise the system of corrections/replies to bring it into line with international standards.

NOTES TO EDITORS

- The analysis is available in English at: <http://www.article19.org/pdfs/analysis/slovakia-press-leg-st.pdf> and in Slovak at: <http://www.article19.org/pdfs/analysis/slovakia-press-leg-st-slov.pdf>.
- An English translation of the draft Press Act is available at: <http://www.article19.org/pdfs/laws/slovakia-draft-media-bill.pdf>
- For more information, please contact Toby Mendel, Law/Asia Programmes Director, a19law@hfx.eastlink.ca, +1 902 431-3688.
- ARTICLE 19 is an independent human rights organisation that works around the world to protect and promote the right to freedom of expression. It takes its name from Article 19 of the Universal Declaration of Human Rights, which guarantees freedom of expression.