

## **General Assembly Resolution 72/175 on the safety of journalists and the issue of impunity**

### **Activities resulting from the UN Plan of Action on the Safety of Journalists and the Issue of Impunity**

The topic of protection of journalists represents a challenge for many states throughout Europe and the Slovak Republic is not an exception. In the light of recent events in connection with the increased threat and attacks against journalists and media players in Europe, it is essential to ensure elimination of these undesirable consequences that disrupt the functioning of democratic society and the free exercise of journalism.

The Slovak republic fully respects the fundamental rights and freedoms related to the freedom of media, resulting from the internal legal order as well as from European and international documents. Likewise, the Constitution of the Slovak Republic guarantees everyone freedom of speech, the right to information, the right to express their opinions in words, print, image or otherwise, as well as freely search, receive and disseminate ideas and information irrespective of the state's borders. Censorship is forbidden. A legal limitation of this freedom can only be made if the measures are necessary in a democratic society to protect the rights and freedoms of others, state security, public order, protection of public health and morality.

Furthermore, legal provisions which fall within the competence of the Ministry of Culture of the Slovak Republic ensure media independence, including the independence of the public broadcaster and performance of the journalistic profession without the need for a formal recognition by the state authorities, in accordance with European standards, and also guarantee the protection of the source and content of the information.

With a view to strengthening the protection of journalists and to preparing a proposal to address the special standing of journalists in terms of the protection of a source, as well as the protection of journalists themselves from, for instance, an unjustified prosecution for defamation or civil actions for protecting a personality in connection with the performance of their work, the Ministry of Culture of the Slovak Republic has set up a Temporary Working Group for Legal Protection of Journalists. The Slovak republic is making every effort to prevent from any acts of violence on journalists in the future and to create a free and safe environment for journalists and media workers, as described in mentioned plan of action.

From the aspect of the activity of the police, protection can be provided to journalists and other media actors on the basis of the two institutes i.e. witness protection or interim protection, if the person qualifies for such protection. Within these institutes, the issue of providing protection to persons included in specific groups such as journalists or other media actors is not addressed separately.

In terms of effective protection of journalists the emergency line of the integrated emergency system is available in the Slovak Republic, which brings together all emergency services, including the police. Apart from this, the 158 emergency line of the police is in place for receiving reports made by the public in the event of an emergency in which life, health, property or the environment is at immediate risk.

In connection with the protection of female journalists, police officers are regularly retrained in relevant legislation on the protection of fundamental human rights and freedoms, including the issue of gender-based violence, or violence against women. These topics are implemented also in the framework of the education of police officers at secondary vocational schools of the Police Force, as well as in the framework of university study at the Police Academy.

The communication between the journalist community and the Police Force in Slovakia takes place through the Police Force Department of Communications & Prevention. This communication takes place in a standard manner, both in noteworthy cases, as well as in ordinary communication by means of the usual channels, i.e. telephone calls, e-mail communication, press releases sent to the media, articles on the Police Force website and on Facebook, and by means of briefings and press conferences. Communication for the Police Force Presidium is conducted by spokespersons of the Police Force Presidium, for cases in the competence of regional Police Force Directorates, by spokespersons of the regional Police Force Directorates. As regards noteworthy cases, which so require from the communication aspect, such information is provided by the heads of organizational units, or experts on the given issue that is the subject-matter of communication with the public via the media.

Pursuant to the applicable legislation on criminal proceedings in the Code of Criminal Procedure, criminal investigations (including attacks against journalists) are exclusively in the competence of law enforcement agencies (a police officer and prosecutor) and the imposition of measures in criminal proceedings falls within the competence of courts in Slovak republic.

The legal system of the Slovak Republic also recognizes the institute of a public defender of rights, which is codified directly in the Constitution of the Slovak Republic. The public defender of rights is an independent body of the Slovak Republic which in the extent and manner provided for by law protects fundamental rights and freedoms of natural persons and legal persons in proceedings before general government authorities and other public authorities, if their conduct, decision-making or inaction is in contravention of law. The public defender of rights, as an independent body, is involved in the protection of fundamental rights and freedoms of natural persons and legal persons. The public defender of rights cannot cancel or change the decision of any authority. It may alert the respective body to the fact that its decision or action is incorrect or inactive.

With a view to the transposition of the revised Audiovisual Media Services Directive to the Slovak legislation, during the upcoming legislation process there might be opportunity for further improvement of the position of journalists and other media workers to ensure their protection and effective investigation and prosecution of crimes against them.