

2025 Rule of Law Report - additional consultation on single market dimension

Fields marked with * are mandatory.

Introduction

The annual Rule of Law Report lies at the centre of the Annual Rule of Law Cycle, which acts as a preventive tool, deepening multilateral dialogue and joint awareness of rule of law issues. So far, five editions of the Rule of Law Report have been published since 2020.

As announced in the Political Guidelines for the 2024-2029 Commission, a Single Market dimension will be added to the Rule of Law Report to report to address rule of law issues affecting companies, especially SMEs, operating across borders.

Therefore, in addition to the regular stakeholder consultation for the 2025 Rule of Law report which was launched on 29 November 2024 (available [here](#)), **the Commission is now launching an additional targeted stakeholder consultation on the single market dimension of the rule of law**. This short questionnaire covers additional topics that are not yet included in the Report's scope which the Commission considers of particular relevance under this angle. The questionnaire is in particular directed to business stakeholders, but all interested parties are invited to contribute. The deadline for contributions is on 24 January (midnight Brussels time).

Under the questions below, you are invited to provide information both on the **relevant legal framework** as well as information on any relevant developments since January 2024. Under each question, the following types of information may be relevant:

A) Legislative developments

- Newly adopted legislation
- legislative drafts currently discussed in Parliament
- legislative plans envisaged by the Government

B) Policy developments

- Implementation of legislation
- evaluations, impact assessment, surveys
- white papers/strategies/actions plans/consultation processes
- follow-up to reports/recommendations of Council of Europe bodies or other international organisations
- important administrative measures

- generalised practices

C) Developments related to the judiciary / independent authorities

- important case law by national courts
- important decision/opinions from independent bodies/authorities
- state of play on terms, nominations and expired mandates for high-level positions (e.g. Supreme Court, Constitutional Court, Council for the Judiciary, Prosecutor General, heads of independent authorities included in the scope of the questionnaire)

D) Any other relevant developments

About you

* I am giving my contribution as

Business association

* Organisation name

250 character(s) maximum

Please insert an URL towards your organisation's main online presence or describe your organisation briefly:

500 character(s) maximum

Transparency Register Number

Check if your organisation is in the transparency register. It's a voluntary database for organisations seeking to influence EU decision-making

* Country of origin

Czechia

First Name

Surname

* Email Address of the organisation

* Publication of your contribution and privacy settings

You can choose whether you wish for your contribution to be published and whether you wish your details to be made public or to remain anonymous.

- ☒ Anonymous - Only your type of respondent, country of origin and contribution will be published. Organisation name, URL, transparency register number, first name and surname given above will not be published. **To maintain anonymity, please refrain from mentioning the name of your organisation and any details from which your organisation can be identified in the rest of your contribution.**
- ☐ Public - Your personal details (name, organisation name, transparency register number, country of origin) will be published with your contribution).
- ☐ No publication - Your contribution will not be published. Elements of your contribution may be referred to anonymously in documents produced by the Commission based on this consultation.

☒ I agree with the personal data protection provisions.

[Specific privacy statement targeted stakeholder consultation 2025 rule of law report.pdf](#)

Topics for input on the single market dimension of the Rule of Law Report

* Country covered in your contribution [only one choice possible]

If you wish to submit information concerning several countries, please fill in the questionnaire separately for each country. There is no limit to the number of contributions submitted by a single participant.

Czechia

Specialisation (of judges/specific courts/chambers within courts) and training for the judiciary to deal with commercial cases.

This question complements the questions in the original questionnaire related to quality and efficiency of justice

5000 character(s) maximum

We support the specialisation of judges and the establishment of specific courts or chambers within courts to deal with commercial cases. Specialisation ensures that judges have the expertise to address complex commercial matters efficiently and with a high degree of competence. Furthermore, judicial training programs on commercial law are essential for improving the quality and efficiency of justice in these matters.

Alternative dispute resolution and mediation

This question complements the questions in the original questionnaire on quality and efficiency of justice

5000 character(s) maximum

Alternative dispute resolution (ADR) and mediation in the Czech Republic have been in operation since 1 February 2016 on the basis of Act No. 378/2015 Coll., which created a system for out-of-court settlement of consumer disputes. This system uses specialized bodies, such as the Financial Arbitrator, the Energy Regulatory Office (ERO) and the Czech Telecommunications Office (CTO). The Czech Trade Inspection Authority (CTIA) is competent for other areas, while authorized non-profit organizations or professional chambers may also operate.

The dispute resolution procedure combines different approaches - some entities (e.g. CTO, ERO) can issue binding decisions, while others (CTIA) strive for an amicable solution. However, this diversity sometimes causes uncertainty among consumers about the powers of individual entities. The main advantage of ADR is less formality and speed compared to court proceedings, but the complexity of the processes and the lack of uniformity of approach can discourage consumers. The emphasis is on supporting amicable dispute resolution, which leads to cost reduction and increased efficiency.

At the same time, legal certainty regarding the substantive competence of individual entities needs to be improved, e.g. the ERO only resolves disputes arising from contracts, while the CTIA also resolves issues of unjust enrichment. To ensure the efficiency of the system, proposals for initiating proceedings should be as simple as possible, accessible both online and offline, and ADR entities should provide clear information to consumers about their jurisdiction. The ADR system should also publish analyses of disputes, educate the public and recommend legislative changes based on the identified problems.

Measures for the prevention of corruption in relation to the issuing of official permits (e.g. related to environment, energy and various types of construction)

This question complements the questions in the original questionnaire on the prevention of corruption

5000 character(s) maximum

We stress the importance of transparency and accountability in the process of issuing official permits related to sectors like the environment, energy, and construction. Strong regulatory frameworks, independent oversight, and the use of digital tools to track permit issuance can significantly reduce opportunities for corruption.

Reporting on the use of digital technologies to enhance transparency and oversight in public procurement

This question complements the questions in the original questionnaire on the prevention of corruption

5000 character(s) maximum

The use of digital technologies in public procurement is vital to increase transparency and prevent corruption. We encourage the implementation of electronic procurement systems that ensure transparency in bidding processes and the monitoring of contract execution, thus promoting accountability in the use of public funds.

Safeguards to ensure legal certainty, the stability of the legal framework and non-discrimination.

This question complements the question in the original questionnaire on rules and use of fast-track and emergency procedures, linked to the overall process for preparing and enacting laws

5000 character(s) maximum

To ensure a predictable legal environment for businesses, it is crucial that laws are stable and changes are made with sufficient notice. Clear rules for fast-track and emergency procedures should be balanced with safeguards to prevent arbitrary decision-making, ensuring legal certainty and non-discrimination in the legislative process. We suggest the following:

- Simplify, reduce and improve the quality of legislation in order to support business in Europe and improve the competitive position of our entrepreneurs in the world. This presupposes an in-depth analysis of national and European legislation.
- Each legislative proposal must be accompanied by an informative overview of the public law obligations arising from the given legislative proposal. The overviews of obligations drawn up will in practice represent an authorized translation of the law by the drafter of the law for all its addressees, so that they can better understand it, but they will also serve legislators. It is precisely a clear overview that allows legislators to avoid overlaps, conflicting obligations, as well as the accumulation of administrative burdens, thereby contributing to better regulation and thus to the creation of an environment favorable to business and life in general.

We want to go even further and has initiated a public discussion on the fact that it should be inadmissible to issue a new legal act imposing public obligations in cases where the goal pursued by such a new legal act and which it wants to achieve by imposing a regulatory burden could be achieved to a comparable extent in another way with a lower degree of restriction of the obliged entities, by the free decision-making of the entities themselves, by the free agreement of the entities or by other mechanisms without direct or indirect intervention by a legal regulation or public authorities. We propose that public authorities annually evaluate the implementation of public interventions in the business environment (number of inspections, number of violations, imposed sanctions), and if such an inventory shows that a specific obligation constitutes a burden, the government will be obliged to initiate a change in the relevant regulation. Other principle elements of the proposal are the obligation for the government to process an ex post impact assessment and a mechanism for initiating any change in the relevant regulation from below, i.e. by entrepreneurs and other obliged entities.

Safeguards to ensure the effective independence of supervisory and regulatory authorities with a direct impact on economic operators

This question complements the questions in the original questionnaire on the independence, resources and powers of national human rights institutions, ombudspersons, equality bodies and supreme audit institutions

5000 character(s) maximum

It is essential that supervisory and regulatory authorities impacting economic operators remain independent, properly resourced, and equipped with the necessary powers. This ensures that decisions are made based on clear and objective criteria, fostering a level playing field for all businesses and enhancing trust in the regulatory system.

Respect of the good administration principle (including the obligation of the administration to give reasons for decisions)

This question complements the question in the original questionnaire on transparency of administrative decisions

The principle of good administration should be adhered to by all public authorities. This includes an obligation for authorities to provide clear reasons for their decisions, ensuring that economic operators understand the basis of decisions that affect their operations.

Safeguards (other than judicial review) regarding decisions or inaction of administrative authorities, including remedies

This question complements the question in the original questionnaire on judicial review of administrative decisions

5000 character(s) maximum

In addition to judicial review, businesses must have access to other safeguards such as independent administrative bodies to oversee decisions or inaction of administrative authorities. Remedies should be available to challenge decisions and ensure that the rights of economic operators are protected. We refer to the above comments, stating that if the legislator sets regulatory obligations, he must be responsible for a clear and understandable interpretation in the form of tables of obligations. And he must not sanction entities if they comply with the interpretation of the obligations in the table.

Any other points you would like to raise related to the single market dimension in the context of the Rule of Law Report

5000 character(s) maximum

If you would like to upload any supplementary document(s), please do so here

Contact

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