

# 2021 Rule of Law Report - targeted stakeholder consultation

Fields marked with \* are mandatory.

## Introduction

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The first annual Rule of Law Report was published on 30 September 2020. It is the core of the new European rule of law mechanism, which acts as a preventive tool, deepening multilateral dialogue and joint awareness of rule of law issues.

In the preparation of the first annual Rule of Law Report, the Commission relied on a diversity of relevant sources, including from Member States, country visits, and stakeholders' contributions collected through a targeted stakeholder consultation[1]. The information provided has informed the Member State-specific assessments of the Commission in preparing the Report. Building on the positive experience from the first Rule of Law Report, the Commission is inviting stakeholders to provide written contributions for the preparation of the 2021 Rule of Law Report through this targeted consultation.

The contributions should cover in particular (1) feedback and developments with regard to the points raised in the country chapters of the 2020 Rule of Law Report and (2) any other significant developments since January 2020[2] falling under the 'type of information' outlined in next section. This would also include significant rule of law developments in relation to the COVID-19 pandemic falling under the scope of the four pillars covered by the report.

The input should be short and concise, if possible in English, and summarise information related to one or more of the areas referred to in the template. You are invited to focus on the areas that relate to the scope of work and expertise of your organisation. Existing reports, statements, legislation or other documents may be referenced with a link (no need to provide the full text). Stakeholders are encouraged to make references to any contributions already provided in a different context or to Reports and documents already published.

Contributions should focus on significant developments both as regards the legal framework and its implementation in practice.

Please provide your contribution by 8 March. Should you have any requests for clarifications, you can contact the Commission at the following email address: [rule-of-law-network@ec.europa.eu](mailto:rule-of-law-network@ec.europa.eu).

**If you encounter persisting difficulties in submitting your contribution, please submit it directly by email to [rule-of-law-network@ec.europa.eu](mailto:rule-of-law-network@ec.europa.eu)**

[1] [https://ec.europa.eu/info/publications/2020-rule-law-report-targeted-stakeholder-consultation\\_en](https://ec.europa.eu/info/publications/2020-rule-law-report-targeted-stakeholder-consultation_en)

[2] Unless the information was already submitted in the consultation for the 2020 Rule of Law Report.

## Type of information

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The topics are structured according to four pillars: I. Justice system; II. Anti-corruption framework; III. Media pluralism; and IV. Other institutional issues related to checks and balances. The replies could include aspects set out below under each pillar. This can include challenges, current work streams, positive developments and best practices:

### Legislative developments

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

### 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

### 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 and nominations for high-level positions (e.g. Supreme Court, Constitutional Court, Council for the Judiciary, heads of independent authorities included in the scope of the request for input[1])

### Any other relevant developments

- National authorities are free to add any further information, which they deem relevant; however, this should be short and to the point.

Please include, where relevant, information related to measures taken in the context of the COVID-19 pandemic under the relevant topics.

If there are no changes, it is sufficient to indicate this and the information covered in the 2020 Rule of Law Report should not be repeated.

[1] Such as: media regulatory authorities and bodies, national human rights institutions, equality bodies, ombudsman institutions and supreme audit institutions.

## About you

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\* I am giving my contribution as

Other

If "Other", please specify

Individual citizen of Slovak Republic

\* Organisation name

*250 character(s) maximum*

Radovan Slabon

\* Main Areas of Work

- ☒ Justice System
- ☐ Anti-corruption
- ☐ Media Pluralism
- ☐ Other

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

*500 character(s) maximum*

I am an upset citizen of Slovak Republic

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

Please add the country of origin of your organisation

Slovakia

\* First Name

Radovan

\* Surname

Slabon

\* Email Address of the organisation (this information will not be published)

slabon@protonmail.com

\* 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](#).

## Questions on horizontal developments

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In this section, you are invited to provide information on general horizontal developments or trends, both positive and negative, covering all or several Member States. In particular, you could mention issues that are common to several Member States, as well as best practices identified in one Member State that could be replicated. Moreover, you could refer to your activities in the area of the four pillars and sub-topics (an overview of all sub-topics can be found below), and, if you represent a Network of national organisations, to the support you might have provided to one of your national members.

Overview topics for contribution

[overview\\_topics\\_for\\_contribution.pdf](#)

Please provide any relevant information on horizontal developments here

*5000 character(s) maximum*

Igor Matovic as current Prime Minister, with Jaroslav Nad (Minister of Defence), Marek Krajci (Minister of health), Pavol Jarcuska (head infectologist) and Jan Mikas (head of the hygiene office of SR) are taking decisions which have no support in relevant laws, thus forcing Slovak nation to suffer the weekly AG testing, limiting out human liberties by not allowing people to travel without having a certificate of being negative according to the antigenic tests, as well as pushing police to request citizens to act/behave/follow requirements which are not in line with laws. I feel powerless in any actions towards this mad government, led by a psychopathic narcissist with histrionic disorder. People are pushed to all these limitations by the threat of being fined and obeying limitations not based on the law. The law system in Slovakia is not in favor of citizens, but for the repressions of few, who come up with illegal requirements every week.

## Questions on developments in Member States

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The following four pillars are sub-divided into topics and sub-topics. You are invited to provide concrete information on significant developments, focusing primarily on developments since January 2020, for each of the sub-topics which are relevant for your work. Please feel free to provide a link to and reference relevant legislation/documents. Significant developments can include challenges, positive developments and best practices, covering both legislative developments or implementation and practices (as outlined under “type of information”).

If there are developments you consider relevant under each of the four pillars that are not mentioned in the sub-topics, please add them under the section "other - please specify". Only significant developments should be covered.

Please note that, due to the size of the questionnaire, certain elements may be slow to load, especially if selecting many Member States at once. In such cases, it is recommended to wait a few minutes to let the page load correctly.

### Member States covered in contribution [several choices possible]

Please select all Member States for which you wish to contribute information. For each Member State, a separate template for providing information will open. This may take several minutes to fully load.

- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☐ France
- ☐ Germany
- ☐ Greece
- ☐ Hungary
- ☐ Ireland
- ☐ Italy
- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Netherlands
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☒ Slovak Republic
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden

# Justice System - Slovak Republic

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## Independence

### Appointment and selection of judges, prosecutors and court presidents

*(The reference to 'judges' concerns judges at all level and types of courts as well as judges at constitutional courts)*

*3000 character(s) maximum*

current government appointed prosecutors and enabled forces to hunt criminals from only previous regime.  
special prosecutor appointed by current government was involved in several illegal activities in his past...

### Irremovability of judges; including transfers, dismissal and retirement regime of judges, court presidents and prosecutors

*3000 character(s) maximum*

cant comment

### Promotion of judges and prosecutors

*3000 character(s) maximum*

cant comment

### Allocation of cases in courts

*3000 character(s) maximum*

slow, or even very slow. some judges are corrupt to the bone. hard to replace them based on the legal mechanisms set by constitution and code of law

### Independence (including composition and nomination of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e.g. Council for the Judiciary)

*3000 character(s) maximum*

not clearly independent

### Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal liability of judges

*3000 character(s) maximum*

this is a false, not a clear relevant and functional system

### Remuneration/bonuses for judges and prosecutors

*3000 character(s) maximum*

cant comment

## Independence/autonomy of the prosecution service

*3000 character(s) maximum*

several are appointed by government - therefore serving specific political needs

## Independence of the Bar (chamber/association of lawyers) and of lawyers

*3000 character(s) maximum*

cant comment

## Significant developments capable of affecting the perception that the general public has of the independence of the judiciary

*3000 character(s) maximum*

massive PR/marketing on how great the current government lead by Igor Matovis - PM - is hunting the criminals from the previous government. it is all only a cover-up, a very selective investigation + 2 key accused persons died. one in the custody within the prison, other one after being release shot himself...

## Quality of justice

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined under "type of information".)

## Accessibility of courts (e.g. court fees, legal aid, language)

*3000 character(s) maximum*

kinda accessible

## Resources of the judiciary (human/financial/material)

Material resources refer e.g. to court buildings and other facilities.

*3000 character(s) maximum*

staff shortage -> long trials and especially waiting time to get the case into the process

## Training of justice professionals (including judges, prosecutors, lawyers, court staff)

*3000 character(s) maximum*

cant comment

## Digitalisation (e.g. use of digital technology, particularly electronic communication tools, within the justice system and with court users, including resilience of justice systems in COVID-19 pandemic)

(Factual information presented in Commission Staff Working Document of 2 December 2020, SWD(2020) 540 final, does not need to be repeated)

*3000 character(s) maximum*

partially sufficient

Use of assessment tools and standards (e.g. ICT systems for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals)

*3000 character(s) maximum*

cant comment

Geographical distribution and number of courts/jurisdictions ("judicial map") and their specialization

*3000 character(s) maximum*

cant comment

## Efficiency of the justice system

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined under "type of information".)

Length of proceedings

*3000 character(s) maximum*

sometime too long. cases get delayed, sometimes even years pass till the verdict

Other - please specify

*3000 character(s) maximum*

## Anti-Corruption Framework - Slovak Republic

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### The institutional framework capacity to fight against corruption (prevention and investigation / prosecution)

List of relevant authorities (e.g. national agencies, bodies) in charge of prevention detection, investigation and prosecution of corruption. Please indicate the resources allocated to these (the human, financial, legal, and practical resources as relevant).

*3000 character(s) maximum*

it is all manipulated by the government at each time. Police is not independent. prosecutors are percieved the same

## Prevention

Integrity framework including incompatibility rules (e.g.: revolving doors)

*3000 character(s) maximum*

cant comment



General transparency of public decision-making (including public access to information such as lobbying, asset disclosure rules and transparency of political party financing)

*3000 character(s) maximum*

this is not completely transparent

Rules on preventing conflict of interests in the public sector.

*3000 character(s) maximum*

i perceive them to be completely absent. clearly visible in current situation - very effective treatment of COVID19 was developed by an expert doctor and as he developed a protocol with ivermectine. this is not aligned with ideas of the head infectologist (Pavol Jarcuska) and ministry of health, who are pushing remdesivir although it is not recommended by WHO...

Measures in place to ensure whistleblower protection and encourage reporting of corruption.

*3000 character(s) maximum*

no use - even main stream is holding the side of current government

List the sectors with high-risks of corruption in your Member State and relevant measures taken/envisaged for preventing corruption and conflict of interest in these sectors. (e.g. public procurement, healthcare, other).

*3000 character(s) maximum*

Healthcare, police, justice, regional development + EU fund management

Measures taken to address corruption risks in the context of the COVID-19 pandemic

*3000 character(s) maximum*

all suppressed. not a single charge ever reached to be a case at court

Any other relevant measures to prevent corruption in public and private sector.

*3000 character(s) maximum*

all are ridiculous

## Repressive measures

Criminalisation of corruption and related offences.

*3000 character(s) maximum*

cant comment, as not much happened in the past...

Data on investigation and application of sanctions for corruption offences (including for legal persons and high level and complex corruption cases) and their transparency, including as regards the implementation of EU funds

3000 character(s) maximum

Potential obstacles to investigation and prosecution of high-level and complex corruption cases(e.g. political immunity regulation).

3000 character(s) maximum

Other – please specify

3000 character(s) maximum

## Media Pluralism - Slovak Republic

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### Media authorities and bodies

(Cf. Article 30 of Directive 2018/1808)

Independence, enforcement powers and adequacy of resources of media regulatory authorities and bodies.

3000 character(s) maximum

all main stream media are pushing the governmental line...

Conditions and procedures for the appointment and dismissal of the head / members of the collegiate body of media regulatory authorities and bodies

3000 character(s) maximum

Existence and functions of media councils or other self-regulatory bodies

3000 character(s) maximum

### Transparency of media ownership and government interference

The transparent allocation of state advertising (including any rules regulating the matter); other safeguards against state / political interference

3000 character(s) maximum

purely oligarchical structure

Rules governing transparency of media ownership and public availability of media ownership information

3000 character(s) maximum

i don't see any relevant ones preventing current status quo

## Framework for journalists' protection

Rules and practices guaranteeing journalist's independence and safety

3000 character(s) maximum

Law enforcement capacity to ensure journalists' safety and to investigate attacks on journalists

3000 character(s) maximum

Access to information and public documents

3000 character(s) maximum

Lawsuits and convictions against journalists (incl. defamation cases) and safeguards against abuse

3000 character(s) maximum

Other - please specify

3000 character(s) maximum

## Other institutional issues related to checks and balances - Slovak Republic

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### The process for preparing and enacting laws

Framework, policy and use of impact assessments, stakeholders'/public consultations (particularly consultation of judiciary on judicial reforms) and transparency and quality of the legislative process

3000 character(s) maximum

Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency/urgent procedure compared to the total number of adopted decisions)

3000 character(s) maximum

Regime for constitutional review of laws.

*3000 character(s) maximum*

COVID-19: provide update on significant developments with regard to emergency regimes in the context of the COVID-19 pandemic

- judicial review (including constitutional review) of emergency regimes and measures in the context of COVID-19 pandemic
- oversight by Parliament of emergency regimes and measures in the context of COVID-19 pandemic
- measures taken to ensure the continued activity of Parliament (including possible best practices)

*3000 character(s) maximum*

## Independent authorities

Independence, capacity and powers of national human rights institutions ('NHRIs'), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions

Cf. the website of the European Court of Auditors:<https://www.eca.europa.eu/en/Pages/SupremeAuditInstitutions.aspx#>

*3000 character(s) maximum*

## Accessibility and judicial review of administrative decisions

Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data) and judicial review (incl. scope, suspensive effect)

*3000 character(s) maximum*

Implementation by the public administration and State institutions of final court decisions

*3000 character(s) maximum*

## The enabling framework for civil society

Measures regarding the framework for civil society organisations (e.g. access to funding, registration rules, measures capable of affecting the public perception of civil society organisations, etc.)

*3000 character(s) maximum*

## Initiatives to foster a rule of law culture

Measures to foster a rule of law culture (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, etc.)

*3000 character(s) maximum*

Other – please specify

*3000 character(s) maximum*

## Contact

[rule-of-law-network@ec.europa.eu](mailto:rule-of-law-network@ec.europa.eu)