

2021 Rule of Law Report - targeted stakeholder consultation

Fields marked with * are mandatory.

Introduction

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.

[1] 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

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

* I am giving my contribution as

Judicial association or network

* Organisation name

250 character(s) maximum

[REDACTED]

* 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

[REDACTED]

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

[REDACTED]

* Country of origin

Please add the country of origin of your organisation

Slovakia

* First Name

[REDACTED]

* Surname

[REDACTED]

* Email Address of the organisation (this information will not be published)



* 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

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

We consider it necessary to duly inform you about fundamental legislative changes in the field of justice effective from 1.1.2021 / Constitutional Act no. 422/2020 Coll., Act no. 423/2020 in connection with the reform of the judiciary /, which in some parts meet the criteria of non-respect of the basic constitutional right of a citizen to judicial protection only by an independent and impartial court / irrevocable and non-expiring right of a citizen / independence of the judiciary and judges. A fundamental intervention in the principle of separation of powers and independence of the judiciary is the restriction of the Constitutional Court's authority in ensuring its essential function of universal protection of constitutionality by enshrining the inadmissibility of assessing possible unconstitutionality of constitutional law with the Constitution / Art. 125 par. 4 constitutions / i.e. with the principles of a democratic and rule of law as well as the fundamental rights and freedoms of citizens / so-called material core of the constitution - eternity clause. The above-mentioned amendment to the Constitution was not proposed in a regular comment procedure, but was only approved / supplemented / by the government after its completion, thus precluding any transparent discussion on the part of the professional and civil public.

At the same time, a significant reduction in the functional immunity of judges of general courts was enshrined / Art. 148 par. 4 of the Constitution / also the abolition of the power of the Constitutional Court to give its consent to the prosecution of a judge of the General Court / deletion of Art. 136 par. 3 constitutions / in contrast to equivalent constitutional officials in the rule of law / members of the National Council and judges of the Constitutional Court / which really allows the creation of space for mobbing of uncomfortable judges if they do not decide according to wishes expressed or indicated by executive / political power / i. replacement of an independent legal judge by a judge dependent / influenced / also on the social atmosphere created by politicians and some media. Substantiated reservations on part of the legislative changes are also stated in the opinion of the Bureau of Consultative Council of European Judges of 9.12.2020 / CCJE-BU / 2020/3 /. It unequivocally criticized the interference with the security of the term of office of the members of the Judicial Council of the Slovak Republic / politicization of its activities /, the interference with the security of the term and non-translation of a judge without his consent to change the court system and limiting the functional immunity of judges, as this leads to greater political pressure on judges. Based on the initiative of the Association of Judges of Slovakia, part of the opposition deputies of the National Council / Smer – SD party, Hlas-SD party / submitted proposals to the Constitutional Court to declare the discrepancy of part of the constitutional changes and amendments to the Judicial Reform Act on 18.12.2020 and 25.2.2021. Currently in the legislative process is a proposal for the so-called change of the judicial map / draft law on the seats and districts of the courts of the Slovak Republic /.

We fundamentally disagree with the proposed solution to the changes of the judicial map due to its significant shortcomings, and the judiciary does not reject the need to improve the efficiency of the judiciary, which must only be done through extensive expert discussion otherwise it will not realistically improve the level of law enforcement for citizens and businesses. The legislative documents of the draft law on the judicial map state that this issue of the organization of the judiciary is a sovereign internal matter, which is not regulated in European Union law, which is not contained in the case law of the EU Court of Justice, contrary to the legal opinion C-192/18, C-585/18, C-624/18, C-624/18, C-619/18, C-64/16 /, which also follows the case law of the European Court of Human Rights / ECtHR /. The Court has held that, although the organization of the judiciary in the Member States falls within the competence of those States, it is still the case that, in exercising that competence, the Member States are required to comply with their obligations under European Union law, Article 19 (1), second subparagraph, of the Treaty on European Union.

Questions on developments in Member States

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

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

Parliament established a new model (different criteria and different procedural procedure) in the transitional period until 30.6.2021 (after the establishment of the Supreme Administrative Court) for the selection of candidates for judges of this new court of the general judiciary.

The selection procedure consists only of a public hearing in the Judicial Council, which is carried out according to the rules of public hearing of candidates for a judge of the Constitutional Court, where the preconditions for judicial competence are verified (see the explanatory memorandum).

The precondition for judicial competence is the moral standard and integrity of the judge for the proper and responsible performance of his function (§ 5 para. 6 of the Judicial Act). Significantly more extensive conditions are laid down by law for the establishment of the function of a judge of the general judiciary in all other courts (district, regional, supreme court) (Section 5 (1) (a) to (i), Section 5 (6) of the said Act).

The selection procedure verifies the decisive facts (8 criteria), which are expertise, a general overview that must be required taking into account the level of court, ability to think creatively, speed to think, ability to make decisions, verbal expression, personal prerequisites, health status and knowledge of foreign language. The selection procedure consists of a total of six stages (test, case study, drafting of court decisions, translation from a foreign language, psychological assessment and oral part, which is public and recorded on a sound recording), which is carried out by a five-member selection committee and lasts for at least three days.

The Constitutional Court underlined the fundamental importance of the fundamental right under Art. 30 par. 4 of the Constitution, as this fundamental right is a key political right related to the character of the Slovak Republic as a democratic and legal state, while the criteria of the article are universal (therefore they can not be restricted by law) and are an obstacle to creating any benefits, respectively. restrictions on access to elected and other public functions (I.ÚS 397/2014, IV.ÚS 92/2012, PL.ÚS 19/98). Applicants for the position of a judge of the Supreme Administrative Court are undoubtedly favored (smaller range of criteria, significantly simplified procedural procedure) and other candidates for other courts of general justice (district, regional and supreme court) are exemplary discriminated against (disadvantaged) by more demanding criteria and more demanding procedural procedure.

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

3000 character(s) maximum

amendment of Art. 148 par. 1, second sentence of the Constitution on not requiring the consent of a judge when transferring to another court when changing the system of courts, if this is necessary to ensure the proper performance of justice.

One of the so-called personal guarantees of the independence of the judge is the principle of non-translatability without his consent, except for disciplinary action (PL.ÚS 52/99).

Violation of the principle of non-translatability means violation of the fundamental right of a citizen to judicial protection by an independent and impartial court and of a legal judge.

However, the proposed text really allows for the transfer of a judge not only in the context of a change of territorial jurisdiction (to a court of the same instance), but also the transfer of a higher instance judge to a lower court (change of jurisdiction).

Such a procedure meets the criteria for breach of the principle of legal certainty, interference with the public subjective rights of constitutional officials, because the principle of legal certainty is closely linked to the requirement to preserve legally acquired rights, which means that no one can be deprived of his or her properly acquired rights under a later law. (eg PL.ÚS 16/95, PL.ÚS 35/97, PL.ÚS 6/04).

Promotion of judges and prosecutors

3000 character(s) maximum

Deletion of § 78a and new regulation of § 93 par. 3 in the Judges Act concerns the abolition of the institute of optional remuneration of judges and the adjustment of the supplement to the compensation of income and sickness benefit for a limited period of up to 60 days (compared to the current regulation).

The same applies to the abolition and adjustment of the same claims for prosecutors (§ 8 para. 3, § 93 para. 1, § 103 para. 5, § 115, § 131 of Act No. 154/2001 Coll.).

The above provisions of the draft law on judges abolish (liquidate) some of the material guarantees of the judge's independence (the original regulation of the payment of sickness benefits up to the amount of functional salary during the entire period of incapacity for work and payment of remuneration as an optional benefit). personal guarantees of the independence of the judge (PL.ÚS 52/99).

Extensive case law has addressed in a binding manner the issue of admissibility (constitutionality) of the legislator's intervention in the material security of judges and thus also the form of pressure on judges' decisions (PL.ÚS 52/99, PL.ÚS 12/05, PL.ÚS 99/2011, PL.ÚS 27 / 2015).

Legal guarantees of judicial and judicial independence therefore also include the remuneration and economic security of judges commensurate with the nature and importance of their activities, while the independence of judges in a broader sense must also be understood as their material independence.

The obligation of the state to ensure the independence of judges and the judiciary enshrined in Art. 141 par. 1, Art. 144 par. 1 of the Constitution is reflected in the legal regulation of the text of § 4 par. 2 of the Judges Act, which concretizes the principle of independence in such a way that "the state ensures the independence of judges also by their material security" (i.e. not only by salary ratios).

The law in question addresses the complex position of judges, within which it also regulates salaries and social security, so that these issues can be considered from a broader perspective as additional conditions for the performance of the function.

Salary conditions together with social security thus form an inseparable part of their material (material) security.

Interventions of the legislator in the area of material security of judges, i. not only in terms of salaries, but also in other parts of it, undermine the legal certainty of judges as constitutional actors, to whom the Constitution, unlike the representatives of the executive and legislative power, guarantees independence (Article 144 para. 1 of the Constitution).

Therefore, the same applies to interventions in the social security of judges (i.e. also sickness benefits) as in the case of salary conditions, that it should also be a stable and non-manipulable quantity and should not be a factor with which it can calculate the current government group.

Allocation of cases in courts

3000 character(s) maximum

Currently in the legislative process is a proposal for the so-called change of the judicial map / draft law on the seats and districts of the courts of the Slovak Republic /.

We fundamentally disagree with the proposed solution to the changes of the judicial map due to its significant shortcomings, and the judiciary does not reject the need to improve the efficiency of the judiciary, which must only be done through extensive expert discussion otherwise it will not realistically improve the level of law enforcement for citizens and businesses.

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

Amendment of Art. 141a par. 5 third sentence on the establishment of the power to dismiss the President, Vice-President and members of the Judicial Council at any time before the expiry of their term of office. It follows from the case-law that the Constitution provides that citizens have access to public office only under the same conditions, and that this right includes the right to perform elected and other public functions without interruption, including the right to protection against unlawful removal from office.

The purpose of this provision (Article 30 (4)) is to enable citizens to manage public affairs, so a body performing a public function (including a member of a judicial council) must be provided with protection against the will of the state, which could prevent it from exercising that constitutional function. Thus, if a member of the Judicial Council is arbitrarily deprived of this function by a state body, there is a violation of the right to undisturbed performance of the function pursuant to Art. 30 par. 1, 4 of the Constitution (III.ÚS 62 /2011, PLz.ÚS 2/2018, II.ÚS 53/04 - ÚS ČR).

Jurisdiction of the Judicial Council to the judiciary (Title VII of the Constitution) includes both institutional and individual independence, so that in the right of political authorities to dismiss its appointed member at any time it not only violates individual independence but J. Drgonec - Constitution of the Slovak Republic, Beck, 2015, pp. 1058-1510).3. Enshrining the constitutional definition in Art. 141a par. 1 of the Constitution on the status of the Judicial Council (constitutional body of judicial legitimacy) only as an autonomous and not an independent constitutional body (in the sense of the explanatory memorandum), because it is to fulfill the judicial policy of the government and parliament. This means clearly subordinating the activities of the Judicial Council (a body placed under the judiciary) to the political ideas (intentions) of the current political majority (governmental and parliamentary). Addition to Art. 141a par. 3 second sentence, which excludes the president, government and parliament to appoint a judge as a member of the Judicial Council of the Slovak Republic (they can only appoint a person who is not a judge).

This text destroys the fundamental right of every citizen guaranteed by Art. 30 par. 4 of the Constitution, which according to Art. 12 par. 1, the second sentence of the Constitution is an inalienable and irrevocable right and belongs to the basic constitutional principles of the substantive rule of law (PL.ÚS 7/2017).

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

3000 character(s) maximum

Amendment of Art. 148 par. 1, second sentence of the Constitution on not requiring the consent of a judge when transferring to another court when changing the system of courts, if this is necessary to ensure the proper performance of justice.

One of the so-called personal guarantees of the independence of the judge is the principle of non-translatability without his consent, except for disciplinary action (PL.ÚS 52/99).

Violation of the principle of non-translatability means violation of the fundamental right of a citizen to judicial protection by an independent and impartial court and of a legal judge.

However, the proposed text really allows for the transfer of a judge not only in the context of a change of territorial jurisdiction (to a court of the same instance), but also the transfer of a higher instance judge to a lower court (change of jurisdiction).

Such a procedure meets the criteria for breach of the principle of legal certainty, interference with the public subjective rights of constitutional officials, because the principle of legal certainty is closely linked to the requirement to preserve legally acquired rights, which means that no one can be deprived of his or her properly acquired rights under a later law. (eg PL.ÚS 16/95, PL.ÚS 35/97, PL.ÚS 6/04).7. change of the text of Art. 148 par. 4 of the Constitution, which regulated that a judge may not be prosecuted for decision-making, even after the termination of office by narrowing to the inadmissibility of prosecuting a judge only for the legal opinion expressed during the decision-making is unacceptable.

The original text of Art. 148 par. 4 of the Constitution corresponded (was identical) to the constitutional concept of parliamentary immunity (Article 78 para. 1, 2) and the immunity of a judge of the Constitutional Court (Article 136 para. 1 of the Constitution), who is also a representative of the judiciary. From the point of view of the constitutional regulation of the equivalence of these constitutional factors, different treatment of judges of the general judiciary is not admissible, i. their disadvantage, as there is no difference between them of a kind and seriousness that would justify unequal treatment, so that there is unacceptable discrimination (PL.ÚS 36/11, PL.ÚS 12/2014).

Judge's immunity is a special right considered to be one of the basic guarantees of judicial independence, which is fully in line with the division of state power into legislative, executive and judicial, it is one of the so-called personal guarantees of the independence of a judge, the violation of which also means a violation of the independence of the judiciary according to the binding case law of the ECtHR in the interpretation of the binding art. 6 par. 1 of the Convention (PL.ÚS 52/99, II.ÚS 23/03).

Remuneration/bonuses for judges and prosecutors

3000 character(s) maximum

Deletion of § 78a and new regulation of § 93 par. 3 in the Judges Act concerns the abolition of the institute of optional remuneration of judges and the adjustment of the supplement to the compensation of income and sickness benefit for a limited period of up to 60 days (compared to the current regulation).

The same applies to the abolition and adjustment of the same claims for prosecutors (§ 8 para. 3, § 93 para. 1, § 103 para. 5, § 115, § 131 of Act No. 154/2001 Coll.).

The above provisions of the draft law on judges abolish (liquidate) some of the material guarantees of the judge's independence (the original regulation of the payment of sickness benefits up to the amount of functional salary during the entire period of incapacity for work and payment of remuneration as an optional benefit). personal guarantees of the independence of the judge (PL.ÚS 52/99).

Salary conditions together with social security thus form an inseparable part of their material (material) security.

Interventions of the legislator in the area of material security of judges, i. not only in terms of salaries, but also in other parts of it, undermine the legal certainty of judges as constitutional actors, to whom the Constitution, unlike the representatives of the executive and legislative power, guarantees independence (Article 144 para. 1 of the Constitution).

Therefore, the same applies to interventions in the social security of judges (i.e. also sickness benefits) as in the case of salary conditions, that it should also be a stable and non-manipulable quantity and should not be a factor with which it can calculate the current government group.

This also clearly follows from international documents, which have an adequate degree of legal guarantee (effectiveness) in the sense of Art. 1 par. 2 of the Constitution, which enshrines the constitutional obligation of the Slovak Republic.

Independence/autonomy of the prosecution service

3000 character(s) maximum

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

3000 character(s) maximum

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

3000 character(s) maximum

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

Resources of the judiciary (human/financial/material)

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

3000 character(s) maximum

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

3000 character(s) maximum

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

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

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

3000 character(s) maximum

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

Other - please specify

3000 character(s) maximum

Anti-Corruption Framework - Slovak Republic

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

Prevention

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

3000 character(s) maximum

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

Rules on preventing conflict of interests in the public sector.

3000 character(s) maximum

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

3000 character(s) maximum

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

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

3000 character(s) maximum

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

3000 character(s) maximum

Repressive measures

Criminalisation of corruption and related offences.

3000 character(s) maximum

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

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

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

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

3000 character(s) maximum

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

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

We added this contribution by direct email contact, providing you all relevant information

Contact

rule-of-law-network@ec.europa.eu

