

# European Rule of Law Mechanism: input from Member States 2025 Rule of Law Report<sup>1</sup> - replies of the Slovak Republic

## 1. Introduction

*European Commission: 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 every year, the Commission would like to invite the national contact points to provide contributions to the 2025 Rule of Law Report. On the basis of these contributions, further targeted questions may be shared at a later stage of preparation of the 2025 Rule of Law Report, in particular in the context of country visits, or bilateral contacts, as well as the consultation on the draft country chapters prior to the Report's adoption.*

**Office of the Government of the Slovak Republic:** During last year (2024) there have been meetings between Slovak Republic and representatives of the European Commission ("EC") in connection with the preparation of the Rule of Law Report, following the adopted Government Response to the Rule of Law Report 2024.

**We propose, that at this time of the 2025 Rule of Law Report assessment, in addition to act as a preventive tool, deepening multilateral dialogue and joint awareness of rule of law issues, to also open a discussion on the methodology in the preparation of the Rule of Law Report, especially respect for plurality of sources and balance of information.**

According to the methodology, contributions from stakeholders, which are mainly civil society, academia, judicial networks, and national human rights institutions, are collected on the basis of a targeted consultation, and the collected contributions are to be **carefully assessed** by the Commission **to determine their relevance**.

EC Communication "Strengthening the Rule of Law in the Union, A Concept for Action" (hereafter referred to as the Communication) states that, the EU must **act objectively** and **treat all Member States equally** in fulfilling its Rule of Law role. The methodology for each pillar has listed in the past evaluation a large number of sources on which the European Commission has drawn for its elaboration. It is necessary to be given space or for the report to reflect factual information, credible information and to **deal with information that provides a contrary view on the issues under consideration**. For example, the Office of Government of the Slovak Republic, as one of the contributors to the debate, considers that its contribution has not been sufficiently taken into account in the past, as is specifically defined in the methodology. We consider that the

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<sup>1</sup> The responses of the Slovak Republic are compiled from the inputs to the European Commission's questionnaire on the preparation of the Rule of Law Report 2025, which were provided by the Ministry of Justice of the Slovak Republic, the General Prosecutor's Office of the Slovak Republic, the Ministry of the Interior of the Slovak Republic, the Ministry of Culture of the Slovak Republic and the Office of the Government of the Slovak Republic. Inputs to the questionnaire on the single market dimension of the rule of law were provided by the Ministry of Justice of the Slovak Republic, the Ministry of Finance of the Slovak Republic and the Office of the Government of the Slovak Republic.

mechanical citation of information from the intentionally selected newspaper articles does not bear this kind of assessment. It is important, therefore, that the plurality of sources is respected in the drafting process, but also that **the credibility and degree of objectivity of the information provided is taken into account** and that the **statements made in the report are duly substantiated**.

To support this argument, we indicate how many newspaper articles were cited during individual years in the Report on the Rule of Law (year 2020: 0; year 2021: 1; year 2022: 4; year 2023: 7; year 2024: 52 – see previous Rule of Law Reports). We do not understand the objective reasons why the European Commission increased the emphasis in the 2024 Report on the number of cited media articles that did **not offer legal analysis and in several cases reported unilaterally on open cases without providing objective information**, which could have influenced judges or investigators in "live cases". We draw attention to the

- Opinion of the Venice Commission: "**Unintentional or intentional influencing of the relevant court by other state bodies by making premature judgments about the state of facts must be avoided. The same applies to some private opinion makers, such as media**" (see [CDL-AD\(2016\)007-e](#) Rule of Law Checklist, adopted by the Venice Commission at its 106th Plenary Session (Venice, 11-12 March 2016), and to the
- Opinion of the Human Rights Committee: "**The media should avoid reporting that undermines the presumption of innocence.**" (see the UN Human Rights Committee, Article 14 of General Recommendation No. 32 of 23.08.2007).

Therefore, we express our concern that if such overuse of newspaper articles from only one opinion spectrum during this assessment of the Rule of Law Report (2025) will again have signs of unequal treatment if it is compared to other years. We would like to point out, that such excessive and unjustified referring to media articles and not to the objective information source by the European Commission may be seen as a **purposeful use (exploitation) and does not belong in the report, which is supposed to analyse the Rule of Law**.

*European Commission: The 2025 Rule of Law Report will continue to deepen the assessment under the existing four pillars, and will also follow-up on the implementation of the recommendations to Member States, that were issued as part of the 2024 Rule of Law Report. In line with the Political Guidelines for the 2024-2029 Commission, the 2025 Report will also include a single market dimension. A parallel reflection has been launched with Member States and business stakeholders with a view to collecting views about the scope of the issues to be covered. A further request for contribution will follow specifically on this dimension.*

#### **Nature of the contribution**

*The Commission invites contact points to provide contributions which includes:*

- (1) information on measures taken to implement the recommendations addressed to the Member State in the 2024 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter and*
- (2) any other significant developments since January 2024 and up to the*

**date of submission falling under the ‘type of information’ outlined in section 2.**

*The input should preferably be in English and not exceed 30 pages. Relevant legislation or other documents may be referenced with a link (no need to provide the full text). The contributions will be published on the Commission’s website upon explicit agreement of the Member States. In order to avoid duplication and excessive administrative burden, please include where applicable explicit references to any relevant contribution already provided by your Member State in a different context (including under Council of Europe, OECD, OSCE and UN bodies or procedures as well the input provided for previous editions of the Report) or to the previous Rule of Law Reports. Contributions should focus on significant developments since the last Rule of Law Report both as regards the legal framework and its implementation in practice.*

*Please send us your replies by **24 January 2025** to the following email address: [rule-of-law-network@ec.europa.eu](mailto:rule-of-law-network@ec.europa.eu). In case you would have any questions or requests for clarifications, please do not hesitate to contact the Commission at the same email address.*

## **2. Type of information to be included:**

*Under each of the four pillars, the replies should include references to the following types of information:*

### **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 request for input<sup>2</sup>)

### **D) 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 also indicate whether the developments reported are linked to the implementation of reforms and investments under the RRP, where applicable. To simplify your answers to the questionnaire, **if there are no developments, you can now simply tick the relevant box***

## **3. Questions for contribution**

*Under each pillar, you are invited to provide information on measures taken to implement the recommendations addressed to the Member State in the 2024 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2024 Rule of Law Report and any other significant developments since January 2024 and up to the date of submission<sup>3</sup>. Please always include a link to and reference relevant legislation/documents (in the national language and/or where available, in English). **Significant developments** can include challenges, positive developments and best practices, covering both legislative developments or implementation and practices.*

*Information provided in reply to the first question under each pillar, related to the follow-*

<sup>2</sup> Such as: media regulatory authorities and bodies, national human rights institutions, equality bodies, ombudsman institutions, supreme audit institutions and, where they exist, transparency authorities.

<sup>3</sup> Unless already covered in the input for the previous Rule of Law Reports.

*up to the recommendations, does not need to be repeated in subsequent parts of the questionnaire, but can be cross-referenced in the subsequent questions, where relevant. All other questions are not limited to the recommendations, but as in previous years, cover the entire scope of the Report.*

## I. Justice System

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the justice system (if applicable):

### A. Independence

- No developments
- If there have been developments related to the independence of justice, please specify which, in particular regarding topics listed below: ...

Relevant topics to be covered in your contribution include:

- *Appointment and selection of judges<sup>4</sup>, prosecutors and court presidents (incl. judicial review)*
- *Irremovability of judges; including transfers (incl. as part of judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors (incl. judicial review)*
- *Promotion of judges and prosecutors (incl. judicial review)*
- *Allocation of cases in courts*
- *Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e.g. Council for the Judiciary)*
- *Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (incl. judicial review)*
- *Independence/autonomy of the prosecution service*
- *Independence of the Bar (chamber/association of lawyers) and of lawyers*
- *Significant developments capable of affecting the perception that the general public has of the independence of the judiciary*

### B. Quality of justice<sup>5</sup>

- No developments
- If there have been developments related to the quality of justice, please specify which, regarding in particular topics listed below: ...

Relevant topics to be covered in your contribution include:

- *Accessibility of courts (e.g. court/legal fees, legal aid, language)*

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<sup>4</sup> The reference to 'judges' concerns judges at all level and types of courts as well as judges at constitutional courts.

<sup>5</sup> Under this topic, Member States are not required to give statistical information but should provide input on the type of information outlined under section 2.

- *Resources of the judiciary (human/financial/material<sup>6</sup>), remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year),*
- *Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)*
- *Digitalisation (e.g. use of digital technology, including electronic communication and AI tools, within the justice system and with court users, procedural rules, access to judgments online)<sup>7</sup>*
- *Use of assessment tools and standards (e.g. ICT systems, including AI-based systems, for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals)*
- *Geographical distribution and number of courts/jurisdictions (“judicial map”) and their specialisation, in particular specific courts or chambers within courts to deal with fraud and corruption cases.*

**C. Efficiency of the justice system<sup>8</sup>:**

No developments

If there have been developments related to efforts to improve the efficiency of the justice system (e.g. as regards length of proceedings), please specify: ...

***Other – please specify***

**Ministry of Justice:**

The legal and institutional framework for the independence of the justice system in Slovakia reported in previous editions of the Rule of Law Report is still applicable. This part contains mainly new information which was not reported for the purpose of the 6<sup>th</sup> Edition of the Rule of Law Report, neither for Justice Scoreboard for 2024 or by other occasion (e.g. bilateral consultations with the European Commission).

Any other Act quoted in the text below can be also easily find via the Slov-lex Portal either using the search option (<https://www.slov-lex.sk/vyhľadavanie-pravnych-predpisov>) or simply by using a direct link: [www.slov-lex.sk/pravne-predpisy/SK/ZZ/year/number of the Act](http://www.slov-lex.sk/pravne-predpisy/SK/ZZ/year/number%20of%20the%20Act) (see the links below). Afterward, using a „history “option (on the right) you can choose which time version of the Act you want to see.

**Main reform laws**

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<sup>6</sup> Material resources refer e.g. to court buildings and other facilities. Financial resources include salaries of staff in courts and prosecution offices.

<sup>7</sup> Factual information presented in Commission Staff Working Document of 2 December 2020, SWD(2020) 540 final, accompanying the Communication on Digitalisation of justice in the European Union, COM(2020) 710 final and Figures 40 to 48 of the 2024 EU Justice Scoreboard, does not need to be repeated.

<sup>8</sup> Under this topic, Member States are not required to give statistical information but should provide input on the type of information outlined under section 2.

## **Law adopted by the Parliament:**

- **Act No. 40/2024 Coll. amending Act No. 300/2005 Coll. the Criminal Code and on Amendments and Supplements to Certain Acts**
- **Act No. 47/2024 Coll. amending Act No. 300/2005 Coll. the Criminal Code**
- **Act No. 214/2024 Coll. amending Act No. 300/2005 Coll. the Criminal Code**
- **Act No. 353/2024 Coll. amending certain laws with a view to improving the protection of the European Union's financial interests**
- **Act No. 248/2024 on certain obligations and authorizations in the field of crypto-assets and on amendments and supplements to certain acts**
  
- **All of these acts were already reported to the European Commission**
  
- **Act No. 298/2024 Coll. on amendment to the Act No. 309/2023 on Transformation of Commercial Companies and Cooperatives and on Amendments and Supplements to Certain Acts amended by Act No. 530/2023 Coll. and on Amendments and Supplements to Certain Acts**
  - the deadline for the launch of the new IT system for the bankruptcy register was set on 1 October 2025.
  
- **Act No. 401/2024 Coll. amending Act No. 211/2000 Coll. on free access to information and on Amendments and Additions to Certain Acts**
  - the aim of the act is to introduce a mechanism that will enable obliged persons to manage the process of providing information more efficiently and to ensure that the costs associated with the extensive search and disclosure of information are reimbursed. The proposed amendment introduces the possibility for obliged persons to request reimbursement of the costs associated with particularly extensive searches for information. Obligated persons will be entitled to claim reimbursement of the costs of extraordinarily extensive searches for information which place a significant burden on their administrative capacity.
  
- **Act No. 289/2024 Coll. amending Act No. 633/2007 Coll. on minimal wage and on amendments and additions to the certain acts**
  - adopted act introduces a specific type of proceedings on actions in matters of representativeness of the higher-level collective agreement in the Administrative Procedural Code due to the reintroduction of the legislation on higher-level representative collective agreements.

## **Laws submitted to the Parliament for the approval:**

- Bill amending Act No. 327/2005 Coll. on Legal Aid for persons in material need
- information on the main goals of the amendment were reported during country visit in 2024.
- the bill was discussed in the first reading in the Parliament.

The current stage of legislative process and the draft law you can find at:

<https://www.nrsr.sk/web/Default.aspx?sid=zakony/zakon&MasterID=10055>

### **Legislative plans envisaged by the Government in 2025:**

1. For April 2025, a change to the judges' laws, is scheduled in the legislative planning of the government, which focuses on:
  - the legal regulation of the protection of the life and health of judges in the performance of their duties in such a way as to create the proper legislative prerequisites for the provision of such protection.
  - introducing legislation on the use of a visiting judge not only at the district court but also at the regional court and the administrative court, on the basis of a temporary assignment. This change will ensure the creation of preconditions for dealing with situations caused by the temporary absence of a statutory judge or the temporary congestion of the courts, which negatively affect the functioning of the courts. In this part, the draft law responds to Resolution of the Judicial Council of the Slovak Republic No 473/2023.
  - the requirements of the application practice concerning the legal regulation of the evaluation of judges provided for in § 27a et seq. of the Law (the status of evaluation commissions, their members, their organisation, etc.). In this part, the draft law responds to the Resolution of the Judicial Council of the Slovak Republic No. 60/2024.
  - clarifies the legal regulation on filling vacancies of judges in district courts.
  - unification of the length of legal experience as a condition for the assignment and transfer of a judge to a higher court.
  - it is proposed to dispense with the psychological assessment as a compulsory part of the selection procedure in the context of career development.
  - in the area of social security for judges, it is proposed to introduce the institution of lump-sum allowances and to reintroduce remuneration.
  - in the area of disciplinary proceedings, it is proposed to strengthen the principle of appeal in the sense of allowing an appeal against any decision of the Disciplinary Board. At the same time, it is proposed to adjust the composition of disciplinary panels in order to take account of international recommendations (soft law).

2. In November 2025, the draft law on judicial trainee is expected to be submitted to the government. The aim of the draft law is to restore the institution of judicial trainees.
  
3. Amendment to the Act No. 548/2003 Coll. on Judicial Academy
  - The aim of the draft law is mainly to extend the Board of the Judicial Academy with representatives proposed by law faculties of public universities and professional organisations of lawyers, notaries and bailiffs (Slovak Bar Association, Notary Chamber of the Slovak Republic, Slovak Chamber of Bailiffs). At the same time, it is also proposed to open a selection procedure for the position of Director and Deputy Director of the Judicial Academy also from outside the judiciary and other candidates who are recognised personalities in the field of education, including the creation of a selection committee. It is also proposed to increase the requirements and qualification criteria for the post.
  - In order to strengthen the cooperation between the Judicial Academy and the academic community, the draft law regulates the forms of this cooperation as well as the financial contribution that supports this cooperation.
  - In addition, the draft law clarifies the subject of activity of the Judicial Academy, the targeted groups of training, as well as the procedure for passing the professional judicial examination, in line with the requirements of application practice, thereby also solving some related legal and organisational problems brought about by the current legislation and its application.
  
4. Amendment to the Act No. 7/2005 Coll. on Bankruptcy and Restructuring
  - which aims to implement the Programme Declaration of the Government of the Slovak Republic in order to provide adequate protection to honest creditors and at the same time to ensure the protection of particularly vulnerable debtors.
  
5. Amendment to the Act No. 432/2021 coll. on the Disciplinary Rules of the Supreme Administrative Court of the Slovak Republic
  - which intends to introduce the full appellate principle as well as a related change in the conditions for the creation of disciplinary panels.
  
6. Amendment to the Act No. 314/2018 Coll. on Constitutional Court of the Slovak Republic
  - which aims to address the issue of judicial review in case of violation of the right to judicial proceedings without unnecessary delay, as well as the requirements of application practice.
  
7. Draft law on Business Register

- which aims at a comprehensive reform of the Business Register both in substantive and procedural terms, including the development and launch of a new information system of the Business Register and related electronic services.

#### 8. Amendment to the Act No. 233/1995 Coll. on court bailiffs

- the amendment will focus on regulation of the status matters of bailiffs, the dissolution of the bailiff's office, the general part of the law and the methods of execution, as well as a more thorough legal regulation in the part of disciplinary offences.
- a key aspect of the amendment is also the acute need to increase the enforceability of the law and to regulate the way in which files are allocated to bailiffs, taking into account their inefficiency

#### 9. Amendment to the Act No. 323/1992 Coll. on notaries and notarial activity

- amendment will be done in connection with the Draft Act on Certain Measures in the Field of Regulated Professions within the Jurisdiction of the Ministry of Justice of the Slovak Republic.
- the amendment is necessary to reflect the current state of notarial status and its problems in application practice. The Notarial Code is a law from 1992 and although it has undergone several partial amendments, it does not currently correspond to the current needs in the performance of notarial activities.

#### 10. Draft Bill on Judicial Cooperation in Criminal Matters

- the bill codifies the international judicial cooperation in criminal matters in one piece of legislation.

#### 11. Draft Bill on actions against public participation

- transposition of the Directive of the European Parliament and Council (EÚ) 2024/1069 of 11 April 2024 on protecting persons who engage in public participation from manifestly unfounded claims or abusive court proceedings („Strategic lawsuits against public participation).

#### 12. Amendment to the Act No. 301/2005 on Criminal Procedural Code

- aim of the amendment is modification and streamlining of restorative justice instruments in preparatory proceedings following the proposed amendments to Act No 300/2005 Coll. on the Criminal Code.
- Extension of the possibilities of entering into a conciliation agreement for offenders of crimes.

#### 13. Amendment to the Act No. 528/2005 Coll. on enforcement of the compulsory labour penalty and Amendment to the Act No. 5/2004 Coll. on Employment

## Services and on Amendments and Additions to Certain Acts

- given that the current practice related to the change in the implementation of the elements of the Judicial Map has proved to be ineffective in terms of the speed and expediency of the acts of implementation and ordering of the sentence of compulsory labour, the proposal aims to adapt the process of ordering and implementation of the sentence of compulsory labour to the needs of the practice.

### 14. Amendment to the Act No. 527/2002 Coll. on voluntary auctions

- the aim is streamlining the performance of auctions through the introduction of electronic auctions.

In 2015, amendment to both Civil Procedural Codes and Administrative Procedural Code is also planned, after the evaluation of their application in practice after over 8 years of the recodification of procedural law.

*Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the justice system (if applicable)*

#### **Recommendation No. 1**

***Introduce measures to ensure that the members of the Judicial Council, notably those not elected by judges, are subject to sufficient guarantees of independence as regards their dismissal, taking into account European standards on independence of Judicial Councils.***

A constitutional majority in the Parliament is needed to change the existing legal framework that has adopted during the term of previous government. Nevertheless, we are open to analyse possibilities for changes to address this recommendation (bearing in mind legal limitations stemming from the fact that constitutional majority is needed).

In this context, Slovakia want to make reference to the decisions of the Constitutional Court of the Slovak Republic, already sent to the Commission, which did not found the current legislation on dismissal of the members of the Judicial Council in violation with the Constitution.

#### **Recommendation No. 2**

***Ensure that sufficient safeguards are in place and duly observed when subjecting judges to criminal liability for the crime of “abuse of law” as regards their judicial decisions***

As regards the criminal liability of the judges for the crime of “abuse of law” Slovakia wants to make reference to the information provided on the changes made by the Act No. 40/2024 Coll. to the procedural safeguards of the judges accused of the criminal offence

of the “abuse of law”.

Changes adopted by Act No. 40/2024 Coll. are:

- In addition to the previous legal regulation of disagreement with the prosecution of a judge, the new legal regulation also takes into account a procedural situation that has not been covered so far. This is the situation where a judge is accused of a specific criminal offence which, in the course of the prosecution, is reclassified as a criminal offence of abusing of law. The previous legislation did not expressly allow for the exercise of the right to object to prosecution following the reclassification of an offence. To this end, the previous Section 207a (3) of the Code of Criminal Procedure was amended so that it clearly regulates the moment when the right to file a petition with the Judicial Council arises. A judge has this right from the moment of delivery of the order of indictment or from the moment of delivery of the notification of the change in the legal qualification of the criminal offence.

On the basis of the amended regulation, the Judicial Council expressed its disagreement with the prosecution of the three judges, which led to the discontinuation of the prosecution, and the decisions were adopted unanimously (i.e. the members appointed under the previous government also voted in favour of such a decision), which indicates the neutral focus and effectiveness of this regulation.

The Judicial Council welcomed this adopted changes.

Slovakia wants to stress out that it was prepared for the complete deletion of the merits of abuse of law during the preparatory phase of a major amendment to the criminal law. This intention was supported by the Judicial Council, which explicitly called for the abolition of the crime of abuse of law. However, this was not possible due to the obligations under the Recovery and Resilience Plan.

#### ***Recommendation No. 4***

***Takes measure to improve the coordination among the different law enforcement entities and ensure the objectivity of prosecutorial decisions, including by continuing to advance the legislative amendments to restrict the power of the Prosecutor-General to annul prosecutorial decisions with a view to promoting a robust track record of high-level corruption cases.***

(Changes in this area will be subject of future discussions regarding major reform of criminal policies in the Slovakia, that are expected in 2025 – 2026.)

As regards information on Section 363 of Criminal Procedural Code already published in the Rule of Reports so far, Slovakia would like to make reference to the consultation as well as written statements already sent to the Commission in this regard.

#### ***Recommendation No. 5***

***Advance with the process to establish legislative and other safeguards to improve the physical safety and working environment of journalists, including the reform of defamation law, taking into account European standards on the protection of journalists.***

The work on the transposition of the anti SLAPPs directive is ongoing. The draft law is expected to be submitted to the Government in October 2025.

### **A. Independence**

*Appointment and selection of judges, prosecutors and court presidents (including judicial review)*

- **Constitutional Judges**

No legislative changes.

- **Judges (other than constitutional judges)**

No legislative changes.

- **Court Presidents**

No legislative changes.

**Office of Prosecutor General:** The change occurred in that with effect from 20 March 2024, the entire seventh part of Act No. 154/2001 Coll. dealing with the appointment to office in the Special Prosecutor's Office and the termination of the authorisation to hold a post in the Special Prosecutor's Office, i.e. also the selection procedure for the posts of prosecutors of the Special Prosecutor's Office, including the determination of the conditions for the election of a special prosecutor elected and dismissed by the National Council of the Slovak Republic, was abolished.

*Irremovability of judges; including transfers (including as part of judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors (including judicial review)*

- **Constitutional Judges**

No legislative changes.

- **Judges (other than constitutional judges)**

No legislative changes.

*Promotion of judges and prosecutors (including review)*

- **Judges**

No legislative changes.

*Allocation of cases in courts*

No legislative changes.

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

**Constitution - Act No. 460/1992 Coll. (as amended)**

No legislative changes.

**Act No. 185/2002 Coll. on the Judicial Council (as amended by Act No. 151/2022 Coll.)**

No legislative changes

*Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (including judicial review)*

**The Supreme Administrative Court** of the Slovak Republic (hereafter “Supreme Administrative Court”) has the competence to decide on the **disciplinary liability of judges, prosecutors, notaries and bailiffs**.

For more information on competence of the Supreme Administrative Court see points 51 – 52 of 3<sup>rd</sup> edition of the Rule of Law report.

**Statistics of the Supreme Administrative Court (2024)**

Total numbers of new disciplinary proceedings (judges and prosecutors): **15**

- 10 judges
- 5 prosecutors

Disciplinary measures imposed in 2024: 15

1. Written warnings: 4
2. Temporary suspensions of the function: 1
3. Dismissal from office: 1
4. Temporary reduction of salary: 9

Motions rejected (including motions of temporary suspension of the function)/acquitted:

13

## Judges - disciplinary proceedings in 2024:

Number of proceedings initiated by the Minister of Justice:2

- Written warnings: 0
- Temporary suspensions of the function: 0
- Other disciplinary measures:0

In 2024, the Minister of Justice of the Slovak Republic initiated two disciplinary proceedings against judges, whereby:

- in the first case, the judge was alleged to have committed a disciplinary offence within the meaning of section 116(2)(a), (b) and (f) of the Judges and Adjudicators Act, for which it was proposed to impose a disciplinary measure under section 117(3) of the Judges and Adjudicators Act, a reduction of 70% of the functional salary for a period of 1 year. The disciplinary proceedings in question were suspended by the Supreme Administrative Court of the Slovak Republic pursuant to Section 27(5) of Act No 432/2021 Coll. on the Disciplinary Rules of the Supreme Administrative Court of the Slovak Republic and on Amendments and Supplements to Certain Acts (Disciplinary Court Rules) on the grounds that the judge's office had been terminated by his resignation.
- in the second case, the judge should have committed a disciplinary offence under Section 116(1)(a) and (b), Section 116(2)(a), (b) and Section 116(3)(d) of the Act on Judges incompatible with the office of judge, namely by seriously violating Section 30(1)(a), (b) and (c) of the Act on Judges, by seriously violating Section 116(1)(a) and (b) of the Act on Judges. 1, § 30(2)(e) of Act No 385/2000 Coll. on Judges and Judges Advocates and on Amendments and Additions to Certain Acts, Article III(1), (3), (4), (6) and (8) of the Principles of Judicial Ethics. For the above-mentioned disciplinary offence, it was proposed to impose a disciplinary measure on him pursuant to Section 117(5) of the Judges Act, namely dismissal from his office as a judge. The disciplinary proceedings in question have not yet been definitively terminated.

**Office of the Prosecutor General: Five** disciplinary proceedings against prosecutors were initiated in 2024:

1/ The first for a disciplinary offence under Section 188(1)(a) of the Act No 154/2001 Coll. on prosecutors and legal trainees of the public prosecutor's office, as amended (hereinafter referred to as 'the Act'), for which the complainant proposed to impose a disciplinary measure pursuant to Section 189(1)(a) of the Act - a written reprimand. According to the petition, the prosecutor erred in filing the petition for remanding the accused in custody after the forty-eight-hour time-limit laid down in section 85(4) of the Code of Criminal Procedure had been exceeded. The prosecutor who was disciplined resigned as a prosecutor under Section 16(1)(c) of the Act after filing the disciplinary petition.

2/ Second for serious disciplinary offence under section 188(1)(a), (2) of the Act as well as for disciplinary offence under section 188(1)(a) of the Act for which the complainant proposed to impose disciplinary measure under section 189(2)(a) of the Act - reduction of basic salary by 30% for six months. According to the petition, the disciplined prosecutor had committed a total of 70 acts, mostly unjustified delays in proceedings, inaction and repeated failure to perform his official duties conscientiously. On the basis of this request, the Disciplinary Court **discontinued** the disciplinary proceedings in part, **acquitted** the prosecutor of the disciplinary claim in part and imposed a disciplinary measure - a **written reprimand**.

3/ Third for serious disciplinary offence under Section 188(1)(a), (2) of the Act, as well as for disciplinary offence under Section 188(1)(a) of the Act, for which the complainant proposed to impose a disciplinary measure under Section 189(2)(c) of the Act - transfer to a lower level prosecutor's office. According to the petition, the disciplinary prosecutor acted contrary to the prosecutor's duty to preserve dignity in the performance of his duties as a prosecutor, to protect the dignity of the office he holds and to avoid anything that might bring the prosecutor into disrepute, to observe the rules of prosecutorial ethics in the performance of his duties, and he also failed to perform his official duties objectively and conscientiously. The court hearing the disciplinary case has not yet decided on the matter.

4/ Fourth for disciplinary offence under section 188(1)(a), (b) of the Act, for which the complainant proposed to impose a disciplinary measure under section 189(1)(a) of the Act - a reduction of 15 % of basic salary for three months. According to the petition, the prosecutor culpably violated the duties of a prosecutor imposed by the provisions of Article 26(1)(a), (c) and (n) of the Act and, at the same time, as a prosecutor, behaved in a manner raising justified doubts as to his impartiality in decision-making - having knowledge of the grounds calling into question his impartiality due to his relationship to the subjects concerned, he did not immediately notify this fact to the superior prosecutor authorised to decide on his exclusion from carrying out the acts of the criminal proceedings.

The court hearing the disciplinary case has not yet decided on the matter.

5/ Fifth for the disciplinary offence under section 188(1)(a), (b) of the Act, for which the complainant proposed to impose a disciplinary measure under Section 189(1)(a) of the Act - a 5% reduction in basic salary for three months. According to the petition, the prosecutor culpably violated the duties of a prosecutor imposed by the provisions of Section 26(1)(a), (c) of the Act - the prosecutor in a particular criminal case delayed in filing the indictment without a motion to extend the period of custody within the time limit prescribed by law, as a result of which the accused was immediately released from custody, furthermore, he improperly proceeded in another custodial criminal case, inadequately exercised the prosecutor's supervision, neglected his

administrative duty, and also accepted the illegally imposed sentence. The court hearing the disciplinary case has not yet ruled on it.

In addition to the disciplinary proceedings referred to above, which have not yet come to a final conclusion, there are currently three other disciplinary proceedings pending, initiated on the basis of disciplinary petitions filed earlier in the previous period, in which the original disciplinary commissions set up at the General Prosecutor's Office of the Slovak Republic are acting.

In 2024, three prosecutors were temporarily suspended by decision of the Prosecutor General of the Slovak Republic due to their criminal prosecution for a deliberate criminal offence. Specifically, these were the following criminal offences:

- the crime of abuse of authority of a public official pursuant to Section 326(1)(a), (c), (2)(a), (3)(c) of the Criminal Code with reference to Section 138(j) of the Criminal Code, committed in the form of complicity pursuant to Section 20 of the Criminal Code
- the continuing crime of abuse of authority of a public official pursuant to Section 326(1)(a), (2)(a) of the Criminal Code
- the offence of endangerment under the influence of an addictive substance pursuant to Section 289(1) of the Criminal Code.

Currently, **seven** prosecutors have been temporarily suspended from the office of prosecutor on the basis of criminal prosecution from the previous period which have not been finally terminated.

All prosecutors are temporarily suspended until the criminal prosecution has been legally terminated.

In 2024, the temporary suspension of a prosecutor was terminated in one case on the basis of the commission of a criminal offence of endangering under the influence of an addictive substance due to the fact that the court in charge made a final decision to transfer the criminal matter to the competent district traffic inspectorate for the processing of the offence.

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

No legislative changes.

Slovak Bar Association supports adoption of the draft European Convention on the

Profession of Lawyer, the text of which was disclosed on 5 December 2024.<sup>9</sup>

Since Slovak Bar Association undertook a survey on the attacks lawyers face due to provision of professional services<sup>10</sup>, it has received several requests from members for adoption of legal provision that would protect lawyers, e.g. by adding profession of a lawyer under Section 139 of the Criminal Code that contains reference to protected persons in the performance of their profession, i.a. physicians. This proposal is based on their personal experience, as they encountered verbal and other attacks on their person several times during their provision of legal services.

Slovak Bar Association considers it of crucial importance that all legal professionals are free of attacks, harassment and threats. In the press release of 4 April 2024, the Bar expressed its long-term position:

Slovak Bar Association is consistently critical of a so-called media justice, when the guilt or innocence, or other forms of failures are addressed through press conferences. When a judicial power failure occurs, it can, and it should be followed by legal implications in the form and scope provided by the law. In political struggle, the reflection on these matters can and should be accompanied by substantial criticism, even a harsh one. However, in a democratic society verbal attacks of executive power directed against judicial power should not occur. It is a serious interference to independence of judicial power and impeachment of one of the most important pillars of the rule of law. Therefore, the Bar denounced such acts in the past and we feel the urge to speak again today. We appreciate the reflection of the Minister of Interior, who in the past publicly apologized for similar political statements on judicial power.<sup>11</sup>

In October 2024 the Slovak Bar Association joined other European Bars in celebrating European Lawyers Day that focused on the topic of independence (“Independent lawyers, stronger democracies: understanding why self-regulation matters”): <https://www.ccbe.eu/actions/european-lawyers-day/>. On this occasion the Slovak Bar Association organised a discussion with law students, information on the event is available here: <https://www.sak.sk/web/sk/cms/news/form/list/form/row/2416388/ event>

## **B. Quality of justice**

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

No legislative changes.

Amendment to the Act on legal aid was discussed in the first reading in the Parliament and was referred for the second reading. Draft law will be now discussed in the parliamentary committees and the committee in charge should discuss draft law by February 2<sup>nd</sup> 2025. Information about the content of the amendment was already submitted to the Commission during country visit in 2024.

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<sup>9</sup>[https://search.coe.int/cm#{%22CoEIdentifier%22:\[%220900001680b2b48b%22\],%22sort%22:\[%22CoEValidationDate%20Descending%22\]}](https://search.coe.int/cm#{%22CoEIdentifier%22:[%220900001680b2b48b%22],%22sort%22:[%22CoEValidationDate%20Descending%22]})

<sup>10</sup> Survey conducted in cooperation with the CCBE. The survey was made public in November 2024 and is available here:

[https://www.ccbe.eu/fileadmin/speciality\\_distribution/public/documents/HUMAN\\_RIGHTS/HR\\_Guides\\_\\_\\_recommendations/EN\\_2024\\_CCBE-report-on-threatening-behaviour-and-aggression-towards-lawyers.pdf](https://www.ccbe.eu/fileadmin/speciality_distribution/public/documents/HUMAN_RIGHTS/HR_Guides___recommendations/EN_2024_CCBE-report-on-threatening-behaviour-and-aggression-towards-lawyers.pdf)

<sup>11</sup> Available at: <https://www.sak.sk/web/sk/cms/news/form/list/form/row/2202688/ event>

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

In 2024, no further legislative changes were adopted with an impact on the court budget (excluding expenditure on IT services):

- 2021 = EUR 260,526,278
- 2022 = EUR 265,762,068
- 2023 = EUR 287,832,057 (updated on the data from 2023)
- 2024 = EUR 297,058,917 (data at the moment, until 20 January 2025 there might be change)
  - The salaries and social and health insurances of the judges and employees create a major part of these expenses.
  - Expenditures on court proceedings (EUR 18million), represent approximately half of the expenses on goods and services (including expenses on advocates, experts, notaries, bailiffs, interpreters, translators, witnesses and lay judges).

As regards financial resources including salaries of staff in courts, we would like to make reference to the information provided for the Justice Scoreboard this year.

On 21 august 2024 Government approved the non-legislative material (resolution No. 470/2024 <https://rokovania.gov.sk/RVL/Material/29852/1>) **Ensuring the stabilisation of court staffing**, through which the budget chapter of the Ministry of Justice was supplemented by the salary expenses for court administration. This change will be applicable from 1 January 2025.

<b>Number of Judges (19/12/2024)</b>			
<b>Court</b>	<b>Total number of Judges</b>	<b>Men</b>	<b>Women</b>
Regional Courts and Specialized Criminal Court	399	163	236
District Courts and Municipal Courts	822	296	526
Administrative Courts	75	30	45
<b>Total</b>	<b>1 296</b>	<b>489</b>	<b>807</b>

<b>Number of employees at Regional Courts, District Courts, Municipal Courts, Administrative Courts and Specialised Criminal Court (19/12/2024)</b>		
<b>Function</b>		<b>Number of employees</b>
<b>Performance of</b>	Assistants	1 271
	Judicial Secretary	688

	Higher Court Official	1 163
	Other staff at general judicial department	452
	Judicial treasury	59
	Administration and management staff	954
	<b>Total</b>	<b>4 587</b>

### **Update on the issue of RESOURCES OF THE PROSECUTOR'S OFFICE**

The adjusted budget of the General Prosecutor's Office of the Slovak Republic as of 30.09. 2024 was 152,636,290 euros. For the I. – III. quarters of 2024, the annual expenditure limit was used in the amount of 97,217,967 euros and represents 63.7% of the adjusted limit. The revenue budget was used in the I. – III. quarters of 2024 in the amount of 611,242 euros; the revenue budget was utilized at 174.6%.

The current expenditures disbursed in the I. – III. quarters of 2024 were in the amount of 96,585,242 euros. The most significant share of their use was made up of wages, salaries, employment income and other personnel expenses in the amount of 58,548,005 euros. Of the annual capital expenditure limit of 5,167,958 euros, 632,725 euros was spent in the I. – III. quarters of 2024.

	Year 2021	Year 2022	Year 2023	Year 2024 (by 30.9.2024)	% (2024/2023)
<b>Total Expenses</b>	<b>117 234 224</b>	<b>126 626 518</b>	<b>139 600 248</b>	<b>97 217 967</b>	<b>69,64</b>
<b>A. Regular expenses</b>	<b>111 522 685</b>	<b>121 513 235</b>	<b>133 711 016</b>	<b>96 585 242</b>	<b>72,23</b>
Out of which:					
Wages, salaries, employment income and other personnel expenses	69 335 676	75 057 268	82 808 112	58 548 005	70,70
Insurance contribution	22 745 881	24 582 180	26 935 861	19 626 193	72,86
Goods and services	14 094 333	15 216 658	16 586 454	11 495 869	69,31
Regular Transfers	5 346 795	6 657 129	7 380 589	6 915 175	93,69

<b>B. Capital Expenses</b>	<b>5 711 539</b>	<b>5 113 283</b>	<b>5 889 232</b>	<b>632 725</b>	<b>10,74</b>
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The average salary of a prosecutor in subordinate organizations – was 5,260 euros at the regional prosecutors' offices, and 6,155 euros in the General Prosecutor's Office.

A total of 636,193 euros were paid for overtime pay, 103,490 euros for additional payments for work on Saturdays, Sundays, holidays and at night, and 1,699,366 euros for compensation for prosecutors' on-call duty.

Of the annual limit for capital expenditures in the amount of 5,167,958 euros, 632,725 euros were used in the I.-III. quarters of 2024. Budgetary funds in the amount of 580,501 euros were used for the 06R program, and 52,224 euros were used for the 0EK program.

Capital expenditure disbursements according to economic classification items as of 30.09.2024:

<b>Item</b>	<b>Investment title</b>	<b>Disbursement in Eur</b>
<b>711</b>	Purchase of land, intangible assets	0
<b>712</b>	Purchase of buildings, objects or their parts	0
<b>713</b>	Purchase of machinery, devices, equipment, technology and tools	133 324
<b>714</b>	Purchase of means of transport	382 332
<b>716</b>	Preparatory and project documentation	9 152
<b>717</b>	Implementation of buildings and their technical evaluation	104 558
<b>718</b>	Reconstruction and modernization	3 359
<b>Total Capital Expenses</b>		<b>632 725</b>
Out of which:		
06R		580 501
0EK		52 224

**In connection with the new court map**, funds were used to purchase official motor vehicles for the Regional Prosecutor's Office Trenčín, the District Prosecutor's Office Trenčín, the Regional Prosecutor's Office Trnava, the District Prosecutor's Office Senica, the District Prosecutor's Office Piešťany, the Regional Prosecutor's Office Banská Bystrica, the Regional Prosecutor's Office Žilina, the Regional Prosecutor's Office Prešov, the Regional Prosecutor's Office Košice and the District Prosecutor's Office Bratislava V. Funds were also used for building renovations for the needs of the

archive on Štúrova street. The Regional Prosecutor's Office Banská Bystrica renovated the accommodation units at the Regional Prosecutor's Office, the windows at the District Prosecutor's Office Rožňava were replaced, and reconstruction work on the building of the Educational and Rehabilitation Center of the Krpáčovo Prosecutor's Office continues. Frame detectors were purchased for the needs of the District Prosecutor's Office Nové Zámky and the District Prosecutor's Office Levice. Additional funds were used to purchase safes and an electronic security system for the Regional Prosecutor's Office Košice.

Under the OEK - Information Technologies program financed from the state budget, funds were used to build an IT infrastructure on Špitálska street and purchase a server with licenses.

The largest challenge for the coming years is the purchase of a building for the General Prosecutor's Office of the Slovak Republic, which is necessary to solve spatial issues.

**Human resources:**

<b>Staff of the Prosecutor's Office of the Slovak Republic as of 31 December 2024</b>				
	<b>Prosecutors (men/women)</b>	<b>Prosecutors' Assistants (men/women)</b>	<b>Prosecutor Trainees (men/women)</b>	<b>Employees – all categories (men/women)</b>
<b>District Prosecutor's Office (number)</b>	324/357	0/0	13/15	70/411
<b>Regional Prosecutor's Office (8)</b>	118/105	1/0	0/0	64/188
<b>General Prosecutor's Office (Special Prosecutor's Office included)</b>	66/53	2/1	0/0	44/111
<b>Prosecutor's Office of the Slovak Republic in Total</b>	508/515	3/1	13/15	178/710

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

**Judicial Academy (training of judges and prosecutors)**

Judicial Academy of the Slovak Republic is national organization for the education for judges, prosecutors and court staff since 2003, but does not have an exclusive position in the system of judicial education. The main methodology of trainings of justice professionals had started to focus on the modernization and innovation of judicial education by introducing the so-called specialized trainings in 2017. This form of trainings extends the hitherto applied approaches to the education of the judicial community by dividing the target group into smaller groups according to the judicial agenda with precisely defined specific educational needs, i.e. specialization and applies interactive education in small groups with increased involvement of foreign and domestic professional lecturers.

In 2024, Judicial Academy organized totally 182 trainings in various forms, more than 50 % of trainings were face-to-face activities in premises in Pezinok and in Omšenie. Judicial Academy revived cooperation with Regional court in Košice, so the first five trainings were organised in premises of this court as blended training activities. Next 42 % were online trainings via the ZOOM video conferencing application. The fact the online training is more available to the target group benefitted to higher number of participants. The rest 5 % were hybrid trainings. Actual number of hybrid trainings is lower than previous year, but Judicial Academy expect to higher the number next year due to adapting the topics to such a form.

From the total number of participants for the last year, there is a noticeable increase in the participation of the judges, prosecutors, mostly related to the offered forms of education. Currently, the average participation of the primary target group is at the level of 42% and still growing. Secondary target group, representing employees of courts and prosecutor's offices, or other professions within the justice system is actually at the level 50%. This relates to the real numbers of individual professions and to the scope of workload. According to agreements on cooperation, Judicial Academy also opened some specific trainings to other legal professionals who are not part of judicial employees according to Law on Judicial Academy, but their work have impact on proceedings, hearings and / or making judgements. They represent 8 % of total number of participants this year, which is higher comparing to 2023.

The Judicial Academy has been providing language education in three languages for a long time - English, French and German, as specialized education in a legal terminology in three-day and five-day courses. In 2024, online courses in German legal terminology in the format of one class weekly during 10 weeks were organized. The same type of courses is prepared in other languages for next year, partly following the format of the courses organized in 2020-2022.

Judicial Academy also extended the e-learning to initial trainings to follow the plan of trainings and mandatory education. We provided the audio and video lectures for new trainees in prosecutors' offices and for all candidates who were preparing for the judicial exams. Target group positively appreciated E-learning and because of that, we would like to continue with e-learning in these types of education in the future. E-learning is also supported by the virtual library in which all users of the portal can access selected audio and video recordings from real activities. This video and audio library is aimed to

strengthen using digital tools in learning in Slovakia. The video library contains approximately 408 recordings from thematically different trainings. Statistically, we registered more than 600 viewed / listened recordings during last year.

Currently, interdisciplinary trainings or trainings focusing on improving soft skills have the largest number in the online education. Specialized topics to online form, because of their relevancy across the whole judiciary were also added. The training of professional skills as well as the development of the practical side of performing the duties of a judge or prosecutor continue to be carried out exclusively in person.

Brief assessment of the Professional Training and Education Plan of the Prosecutor's Office of the Slovak Republic for the year 2024.

The draft **Training and Education Plan of the Prosecutor's Office of the Slovak Republic for 2024** (hereinafter referred to as "the Plan") was approved by the Prosecutor General of the Slovak Republic on 22 November 2023. The Plan contains all the working meetings and training events (hereinafter referred to as 'working activities') that will take place in the relevant year. The nationwide working activities are held annually at the Education and Rehabilitation Centre of the Prosecutor's Office of the Slovak Republic in Stará Lesná and Krpáčovo and are hosted by the head prosecutor, prosecutor or senior civil servant of the relevant organisational unit that has included the idea for the working activity in the Plan.

Depending on the content, prosecutors, assistant prosecutors and public employees participate in the work activities. ONLINE seminars are held annually for the legal advisers of the prosecutor's office. In 2024, according to the Training and Education Plan of the Prosecutor's Office of the Slovak Republic for 2024, 20 nationwide working activities were held.

The events were aimed at, among others:

- on juvenile and youth crime, crimes against children and family violence, sexual violence and on current application issues,
- legal relations with foreign countries, international judicial cooperation in criminal matters, the European Investigation Order and legal assistance, with an emphasis on the use of the digital tools eCodex/eEdeS,
- current issues in (investigating) transport crime,
- environmental crimes,
- application problems of property and economic crime, tax offences, drugs, financial investigations, corporate criminal liability and seizure of proceeds of criminal activity,
- cyber-security issues,
- registry management, keeping registers,
- health and safety at work, etc.

**283 prosecutors and 141 civil servants of the prosecutor's office participated . 42 legal trainees participated in 4 ONLINE seminars for legal trainees of the Prosecutor's Office . In addition to the nationwide working activities, the Plan also includes working activities of regional prosecutor's offices, dates of meetings of the**

*Council of Prosecutors of the Slovak Republic, the Ethics Commission of the Prosecutor's Office, dates of preventive rehabilitation in the centres of the Prosecutor's Office, as well as dates of school holidays.*

## **Slovak Bar Association (training of lawyers)**

The Slovak Bar Association provides training to its members on voluntary (qualified lawyers) and mandatory basis (trainee lawyers) – online, hybrid as well as in-person format.

In 2024 the Bar organised more than 90 training events for 4429 participants (excluding the event organised with external and foreign partners).

Slovak Bar Association organises regular hybrid training events for lawyers on Wednesdays, two annual two-day seminars, ad hoc seminars and several seminars initiated by regional representatives.

Trainee lawyers must undertake four mandatory two-day seminars a year – theory and practice, plus mandatory seminar in ethics. Moreover, the mandatory training of trainees has undergone a reform in 2018, already mentioned in previous contribution to the Rule of Law Reports.

Slovak Bar Association has been involved in several training projects with European dimension co-organised by its partners:

- Cooperation with Council of Europe HELP (Human Rights Education for Legal Practitioners) Programme – on top of the following courses - Ethics for judges, prosecutors and lawyers, Procedural safeguards for suspects and accused and victims' rights, Data protection and privacy rights, Combatting trafficking in human beings, Human Rights in Sport, Asylum and Migration e-desk, Access to Justice for Women, Domestic Violence and Violence against Women, Cybersecurity and Electronic Evidence – implementation of the course on AI and Human Rights was agreed on.
- Cooperation with Academy of European Law (ERA) in organising and implementing projects Young European Lawyers Contest (EU law and networking-oriented contest) and Young European Lawyers Academy (intensive training in EU law coordinated by ERA and focusing on trainee lawyers). The Bar hosted one of the YELC semi-finals in Bratislava and nominates participants every year.
- Cooperation with European Lawyers Foundation (ELF) in implementing project on internships of young lawyers - LAWYEREX II - project on a short-term exchange of young lawyers in law offices within the EU countries. Slovak Bar promoted ELF webinars for Slovak lawyers on CJ EU preliminary reference proceeding, the impact of AI on European lawyers' practices, AML for lawyers.
- In cooperation with Council of Bars and Law Societies in Europe (CCBE) the Slovak Bar Association participated in the project BREULAW that enabled the Bar to send its member to study visit in EU institutions and adopt lawyer's training curricula in EU law. Available here: [EN 2024 CCBE-ELF Lawyers-training-curriculum-in-EU-Law.pdf](#).

In relation to the adequate preparation of trainee lawyers for the profession of a licenced lawyer, Slovak Bar Association appealed to the Parliament not to accept the MPs proposal

to recognise the PhD title for lawyer's exam in the presented wording due to being substantively incorrect. The bar exam is an important element of the regulation of the legal profession and one of the components of the system ensuring the level of standards of legal services provided. This is the initial and basic quality guarantee of the legal service provider in relation to clients. Legal profession that meets regulatory requirements contributes to the correct application of the legal system and more effectively ensures independent access to justice. On the contrary, the weakening of the internal standard of the legal profession is not beneficial for the beneficiaries of legal services, whose right to legal aid is guaranteed in Art. 47 par. 2 of the Constitution of the Slovak Republic. At the same time, Slovak Bar Association points out that the submission of such a proposal without a professional and objective discussion is not justified.<sup>12</sup>

*Digitalisation (e.g. use of digital technology, particularly electronic communication tools, within the justice system and with court users, procedural rules, access to judgments)*

Digital tools available for court proceedings and electronic tools of the prosecution service have been recently reported in 2024 Justice Scoreboard. All activities reported last year are still relevant and ongoing.

Public procurement is still ongoing for the new Court Management System.

In 2024, the following was done in the area of digitisation in the field of civil law:

- Creation of user-friendly electronic forms for filing petitions for registration of data in the Business Register, for registration of changes to data entered in the Business Register, as well as electronic forms for deletion of registered persons in the Business Register in the form of a guide that accompanies the petitioner in filling in the standardised fields of the electronic form and which uses the possibility of pre-filling the available data.

The forms in question can be found HERE: <https://sluzby.orser.sk/Sluzby>

- Creation of new electronic services in the field of the commercial register, which can be found HERE: <https://sluzby.orser.sk/Sluzby>
- Creation of a new portal for the electronic services of the commercial register, which can be found HERE: <https://sluzby.orser.sk/>
- Creation of an electronic service for recording changes to the registered data of a limited liability company by an external registrar - a notary public<sup>13</sup>.
- Streamlining of electronic forms for filing petitions with the court in the field of civil and administrative law:
  - Within the eClaims portal, which is designed for filing motions to initiate proceedings (actions) with district and regional courts in civil proceedings (civil, labour, family and commercial matters, except for the commercial register) and in administrative court proceedings, and for filing electronic motions in reminder proceedings with the Banská Bystrica District Court, the forms in the civil proceedings have been streamlined to make them as user-friendly as possible. The forms are

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<sup>12</sup> Detailed public statement is available at:  
[https://www.sak.sk/web/sk/cms/news/form/list/form/row/2397419/\\_event](https://www.sak.sk/web/sk/cms/news/form/list/form/row/2397419/_event)

<sup>13</sup> Deployment in production from January 2025

more automated - fields in some forms are automatically pre-populated so that the user does not have to fill them in again. The forms in question can be found HERE: <https://www.justice.gov.sk/sluzby/podavanie-navrhov-a-suvisiacich-pisomnosti-na-sudne-konanie/>.

- Improvement of the quality of services in the context of the parties' access to the electronic court file: Improvement of the quality of service in the context of the access of parties to the electronic court file and at the same time the creation of an "Administration Module", whereby a logged-in user (usually the IT officer of the regional court) will have access to data based on regional jurisdiction. The administration module is primarily used to control when an authorised employee will have access to the logs of a given file, i.e. to basic information (who, when, what file and what documents were consulted). In terms of user-friendliness, this modification has an impact on a fast and efficient service for litigants who contest the functionality or content of the application. Further information can be obtained HERE: <https://www.justice.gov.sk/sluzby/elektronicky-sudny-spis/>.
- Start of work on the new insolvency register - register of pre-insolvency, liquidation and insolvency proceedings.<sup>14</sup>

Other changes on the field of digitalisation in 2024

- RPVE - Register of Commissions of Execution

The old RPVE was redirected to the new RPVE - the functionalities were not changed, but the design of the register was changed to make it as user-friendly as possible.

- Court Info

The design of the individual services was changed to make them as user-friendly as possible.

- EDZ (Electronic Expert Diary), Registers (Register of Administrators, Register of Judges, Register of PMUs, Register of Executors, Notaries, Register of Disabled Persons, Register of Mediators and Mediation Centres)

The design of the various services and registers has been changed to make them as user-friendly as possible. However, the registers in question fall within the substantive remit of the Supervision Section.

## Digitalisation/IT update

**Office of the Prosecutor General:** During 2022 and 2023, several meetings were held with representatives of the Ministry of the Interior of the Slovak Republic, the General Prosecutor's Office of the Slovak Republic and the Ministry of Justice of the Slovak Republic, with the aim to propose an amendment to Decree No. 618/2005 Coll. on the creation of a file by law enforcement authorities and courts and also to define the procedure in the event of linking IS PATRICIA and IS MVS. The output of the aforementioned meetings was End to end testing of the integration between IS PATRICIA

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<sup>14</sup> A description of the functionalities of this register is already in the report for 2024

and IS MVS, which was successful. The verification of mutual processes was carried out in a test environment between the District Prosecutor's Office of Pezinok and the Police District Directorate in Pezinok. Subsequently, a pilot operation was to be launched between the aforementioned departments, within which electronic documents would be sent (so far only in PDF format, not in structured form), and at the same time documents would continue to be sent in paper form. However, technical and financial complications arose on the part of the Ministry of the Interior of the Slovak Republic, and therefore the launch of the pilot operation is being postponed for the time being. On the part of the Ministry of the Interior of the Slovak Republic, several meetings were canceled due to delayed activities, and the meeting planned for January 2024 was also postponed indefinitely, as no significant progress was made on the part of the Ministry of the Interior of the Slovak Republic.

**The interconnection of information systems between IS PATRICIA - IS MVS - IS Court Management is currently not up to date.**

In 2022, the General Prosecutor's Office of the Slovak Republic ("GP SR") prepared the documents for the inclusion of the Prosecutor's Office of the Slovak Republic in the system for sending European Investigation Orders, requests for legal assistance and electronic evidence via the eCodex system using the e-Edes platform, which serves for the digital exchange of electronic evidence. In this context, representatives of the GP SR participated in a 2-day conference in Vienna, where, as part of informal discussions with representatives of the European Commission, they discussed the possibilities of building and, in particular, refinancing the aforementioned system in the prosecutor's office. Subsequently, an online meeting was held with the participation of representatives of the IS supplier for the GP SR, where the EC presented the system and how its individual components work. At the beginning of 2023, an online meeting was held on the topic of the possibilities of refinancing the construction of the given system by the EC, which published the JUST-2023-JACC-EJUSTICE call allowing for the provision of grants to support cross-border projects in the field of electronic justice, the rights of the victim and procedural rights. One of the conditions was to create a partnership with at least one competent authority of another EU member state. In this context, the GP SR approached the Supreme State Prosecutor's Office in the Czech Republic, receiving a positive response. Subsequently, a grant application was prepared in cooperation with an external supplier, which was submitted within the application deadline. In November 2024, the **Grant Agreement was signed and the project implementation and execution phase will take place during 2025 and 2026.**

**GP SR uses an internal reporting module that provides overviews, reports and statistical information from data available in GP SR information systems.** The basis is the data warehouse database ("DWH"), which contains appropriately transformed data from source systems. The DWH solution, as one of the ISGPSR modules, was deployed as two separate instances, used separately for IS PATRICIA and separately for IS EOO. The DWH includes several aspects, whether it is basic data on the activities and workload of the prosecutor and the method of processing cases in court proceedings, proceedings on extraordinary remedies, supervision in places where detention is carried out, imprisonment, protective and institutional treatment, protective and institutional education,

the state of crime prevention, transfer of criminal proceedings abroad and acceptance of criminal proceedings from abroad (including the transfer and acceptance of criminal complaints abroad and from abroad), international legal cooperation, recognition and extradition proceedings, European Arrest Warrant and international arrest warrant proceedings, overview of the status and methods of processing files according to individual registers etc. At the end of 2024, the DWH was adjusted due to a legislative change (abolition of the Special Prosecutor's Office). Other areas being regulated include expanded reporting by age and gender, the previously unregulated area of legal persons, trial court hours, asset seizure, effective remorse etc.

*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)*

No change

*Geographical distribution and number of courts/jurisdictions ("judicial map") and their specialisation, in particular specific courts or chambers within courts to deal with fraud and corruption cases*

No legislative changes.

- *Independence/autonomy of the prosecution service*

**Office of the Prosecutor General comments on the 2024 RoL report findings, or recommendations related to prosecution service:**

**i. Overview and impact of the measures taken in order to demonstrate the active approach of the prosecution authorities in fulfilling the repeatedly articulated recommendation in the area of coordination between corruption investigators and prosecutors prosecuting corruption.**

In 2024, prosecutors of the Serious Crime Department of the General Prosecutor's Office of the Slovak Republic, as well as prosecutors of the former Special Prosecutor's Office of the General Prosecutor's Office of the Slovak Republic in previous years, did not notice any significant problems in the area of coordination between investigators of corruption and prosecutors prosecuting corruption.

It has long been established practice that the process of clarifying and criminally sanctioning complicated corruption cases is continuously consulted in great detail on

a personal basis between the relevant investigator and the supervising prosecutor, and it is not unusual for such consultations to last an entire working day.

In the above context, it is further desirable to add that between individual prosecutors of regional prosecutors' offices and investigators of the Office for Combating Organized Crime of the Presidium of the Police Force, or the Regional Directorates of the Police Force regularly hold **so-called coordination meetings on a quarterly basis and, in case of urgent need, on an ad hoc basis**. The subject of these meetings is not only **conceptual issues** related primarily to the scope and methodology of evidence collection in the analysed specific segment of criminal activity, but also **the identification of solutions to specific application problems** in corruption investigations.

In the past, such working conferences were organized by the former Special Prosecutor's Office of the General Prosecutor's Office of the Slovak Republic at least once a year, while **the fulfillment of this task is currently fully covered by the Serious Crime Department of the General Prosecutor's Office of the Slovak Republic**, whose prosecutors also actively participate in all interdepartmental professional events related to the fight against corruption.

The assessment of compliance with the recommendations for Slovakia for 2023 states that "*Slovakia has not made any progress in adopting measures to improve coordination between individual law enforcement agencies*". The recommendation itself is drafted even more generally, recommending that Slovakia "*ensure effective and independent investigation and prosecution of cases of major corruption in order to achieve convincing results*". Based on the above, the prosecutors of the Serious Crime Department of the General Prosecutor's Office of the Slovak Republic believe that the aforementioned assessment and **the recommendation itself cannot be understood as directed only specifically at coordination between prosecution authorities and investigators, but also at coordination between investigators and other institutions whose mission is to contribute to the detection of major corruption cases (e.g. the Financial Intelligence Unit, the Slovak Information Service, the Supreme Controlling Office and other institutions that, in the course of fulfilling their lawful tasks, obtain information about possible corrupt behavior).**

ii. Regarding the issue of the **use of CASSATION AUTHORITY OF THE PROSECUTOR GENERAL OF THE SLOVAK REPUBLIC IN PROCEEDINGS PURSUANT TO § 363 PAR. 1 ET SEQ. OF THE CRIMINAL CODE**, due to the detection of a violation of the law

The power of the Prosecutor General of the Slovak Republic to annul, on grounds of illegality, final decisions of the bodies of preliminary proceedings pursuant to Section 363, Subsection 1 et seq. of the Criminal Procedure Code represents an extremely important and essentially the only legal instrument by which the Prosecutor General of the Slovak Republic can express his binding legal opinion in a specific criminal case marked by a violation of the law and re-establish the state of legality in it.

The above is of fundamental importance not only for the subjects of criminal proceedings concerned in terms of respecting their constitutionally guaranteed rights in the area of criminal liability, but also for the procedure and decision-making activities of all subordinate prosecutors, which are thus unified in accordance with the legal obligation of the Prosecutor General of the Slovak Republic to supervise the uniform application of laws and other generally binding legal regulations by subordinate prosecutors, with reference to the provision of Section 40, Subsection 2, letter c) of Act No. 153/2001 Coll. on the Public Prosecutor's Office, as amended.

In proceedings pursuant to Section 363, Subsection 1 et seq. of the Criminal Procedure Code, the Prosecutor General of the Slovak Republic shall thoroughly examine all statutory substantive and procedural prerequisites for the conduct of the said criminal proceedings. When exercising his extraordinary cassation power, he shall be governed by the principle of subsidiarity, within the limits of which this institute shall be used in situations where the correction of an unlawful state of affairs cannot be ensured by other legal means, in particular by the procedural powers of the supervising prosecutor himself.

Deficiencies identified in the extraordinary remedial proceedings in the process and decision-making activities of the bodies of the preliminary proceedings are, based on the decision of the Prosecutor General of the Slovak Republic, communicated and discussed at his working meetings with regional prosecutors, as well as at working meetings of the Director of the Criminal Department of the General Prosecutor's Office of the Slovak Republic with the Deputy Regional Prosecutors for the Criminal Section and the Heads of the Criminal Departments of the Regional Prosecutor's Offices, at which specific targeted measures are taken in order to eliminate the recurrence of similar errors in the future.

**In 2024, a total of 672 motions were submitted to the Prosecutor General of the Slovak Republic by authorized persons and other entities to cancel a final decision in the preliminary proceedings, in accordance with the long-term trend directed mainly against the resolution on the indictment of the commission of a crime.**

Based mainly on submitted motions, and in minority cases also ex officio, **the Prosecutor General of the Slovak Republic exercised his extraordinary cassation power in 2024 with 97 resolutions, of which only less than half of the decisions had a direct impact on the resolution to bring charges.**

The nature of the reasons for which the Prosecutor General of the Slovak Republic, in extraordinary remedial proceedings, adopted a conclusion on a violation of the law in an intensity justifying the annulment of a final decision of a prosecutor or police officer was diverse. The most frequent violation of the law in the application practice of prosecutors has long been identified in connection with their decision-making in appeal proceedings, mainly due to:

- arbitrariness and non-reviewability of the second-instance decision,
- actions and decision-making by the prosecutor as a superior authority despite the failure to meet the legal conditions for the devolution of the case,
- violation of substantive or functional jurisdiction in the appeal proceedings,
- failure to deal with the justification of the proper remedy presented in a separate submission,
- incorrect assessment of the preservation of the appeal period or the status of the accused as an authorized person who is directly affected by the contested resolution.

A long-established category of cassation grounds is represented by deficiencies of a factual nature, which in terms of procedural law were manifested primarily in:

- deficiencies in factual findings (especially as a result of incorrect focus of evidence - outside the mandatory evidentiary framework predicated by the legal features of the objective and subjective aspects of the factual substance of the relevant criminal act, which resulted in the untimeliness of the indictment),
- incorrect (insufficient, vague, confusing, chaotic) formulation of the factual sentence of the resolution on the indictment,
- incorrect (insufficient, incomplete, selective) evaluation of evidence (which includes cases of overlooking factual contradictions, arbitrariness in the evaluation of evidence, omission of the evaluation of material corrective measures pursuant to Section 10, Subsection 2 of the Criminal Code in the case of a misdemeanor, as well as basing the indictment on evidence that is inadmissible at a given stage of criminal proceedings),
- violation of the right to defense (mainly due to the failure to provide the accused with mandatory defense despite the existence of a legal reason for such a procedure under Section 37, Subsection 1, Subsection 2 of the Criminal Procedure Code, the vagueness of the formulation of the factual sentence, due to which it could not be sufficiently clear to the accused what he should defend himself against),
- violation of the legality of the evidence
- (identified mainly in the procedure of a police officer when seizing narcotic and psychotropic substances for the purposes of criminal proceedings, as well as in a situation where an operative officer participating in the processing of a given criminal case acted as a "non-participant" person when reading and signing the protocol of the interview of an important witness),
- violation of the principle of *ne bis in idem* (in the context of bringing charges for an act for which the accused was already legally acquitted by a court in the past, as well as bringing charges for an act linked by unity and identity with another act for which the accused is being prosecuted simultaneously in another criminal case).

From a substantive legal perspective, the type of said error was manifested in **an incorrect legal assessment of the act as a crime** (despite the absence of one or more mandatory features of the objective or subjective side of its factual substance), as well as in **the failure to take into account the negative condition of criminal liability in the form of the statute of limitations for criminal prosecution when bringing charges.**

Many of the shortcomings identified by the Prosecutor General of the Slovak Republic **correspond in their consequences to such substantial procedural defects, the elimination of which is excluded in the further course of criminal proceedings and which thus directly threaten the achievement of its purpose in the form of proper detection of crimes, fair punishment of their perpetrators and seizure of proceeds from crime.** If such defects in the procedural platform created by the cassation decision of the Prosecutor General of the Slovak Republic had not been eliminated during the preliminary proceedings, after the indictment was filed, the court would often have no choice but to reject the indictment, suspend the criminal prosecution or acquit the accused.

On the contrary, **in 2024, without accepting the motion to annul the final decision, the Prosecutor General of the Slovak Republic disposed of more than 500 cases in proceedings pursuant to Section 363, Subsection 1 et seq. of the Criminal Procedure Code,** primarily due to the failure to establish the grounds for annulling the contested final decision, and occasionally also due to the expiry of the statutory deadline or due to the filing of the motion by an unauthorized entity.

**In criminal cases, the subject of which was the investigation of an act legally qualified as one of the corruption crimes,** the Prosecutor General of the Slovak Republic issued, in proceedings pursuant to Section 363, Subsection 1 et seq. of the Criminal Procedure Code in the evaluated period of the calendar year 2024, a **total of 7 annulling resolutions.** In 5 cases, the subject of cassation by the aforementioned decisions was also the resolution on the filing of charges itself, of which in 3 criminal cases exclusively in partial scope, i.e. only for one of several investigated acts, or only in relation to one of several criminally prosecuted natural persons (i.e. the other acts for which the relevant decision of the investigator was filed with charges, or the criminal prosecutions of other accused persons remained unaffected).

The following were dominantly assessed as reasons for concluding that the law had been violated to the extent that it justified the application of extraordinary cassation intervention under the above-mentioned legal provisions:

- deficiencies in the factual definition of the criminally relevant proceedings, in which an elementary level of specification of essential factual circumstances was absent, as well as a verbal expression of several mandatory legal features of the substance of the criminal offence being prosecuted,
- or the criterion of material and temporal immutability of the investigated act was not maintained,

- or deficiencies were detected in the evidence-assessment procedure of the authorities in the preliminary proceedings as a result of overlooking fundamental contradictions in the produced criminally relevant findings,
- or these deficiencies were based on the evidentiary inadmissibility of the supporting witness statements due to non-compliance with the mandatory provisions of the law regulating the manner of conducting the interrogation.

In the above context, we consider it necessary to generally emphasize that **the issuance of a resolution in proceedings pursuant to Section 363, Subsection 1 et seq. of the Criminal Procedure Code within the exercise of this authority by the current Prosecutor General of the Slovak Republic cannot in any case be evaluated as any obstacle to the further conduct of the criminal prosecution in question.**

This fact follows from the very concept of its legal framework legislatively set in the provision of Section 367, Subsection 1, letter b) of the Criminal Procedure Code as follows: "After the annulment of the contested decision or part thereof, the Prosecutor General shall order the body whose decision is usually in question to act and decide on the matter again."

Since the current Prosecutor General of the Slovak Republic took office, he has never used the legal authority pursuant to the provision of Section 367, Subsection 1, letter a) of the Criminal Procedure Code, i.e. that after the annulment of the contested decision or part thereof, he would decide on the matter himself, either by suspending the criminal prosecution or in any other way.

The fundamental premise, according to which *"the decision of the Prosecutor General under the contested provisions (Section 363, Subsection 1 et seq. of the Criminal Procedure Code - note) is of a procedural nature and after the annulment of the contested decision, the procedure is carried out in accordance with Section 367, Subsection 1 of the Criminal Procedure Code, which does not constitute an obstacle to the continuation of criminal proceedings and the filing of an indictment in court by the prosecutor, thereby creating space for the fulfillment of Art. 142, Subsection 1 of the Constitution in the court's decision on guilt and punishment or the filing of a motion for approval of a plea agreement and in the subsequent court decision on its approval"* as it was finally established in its plenary finding, file no. **PL. ÚS 1/2022-270 of 21.06.2023 (point 184.)**, explicitly ruled by the Constitutional Court of the Slovak Republic. Regarding the provisions of Section 363, Subsection 1 et seq. of the Criminal Procedure Code, the national human rights court further added (point 190. of the said plenary finding) that they ***"fulfill the principle of legality of criminal proceedings at the stage of preliminary proceedings, and thus provide protection for the rights and legally protected interests of those against whom criminal proceedings are conducted, the injured party and the person involved, but also of the state in terms of its interest in the proper detection of criminal offences and the fair punishment of their perpetrators according to the law, while respecting the fundamental rights and freedoms of natural persons and legal entities"***.

The above-declared starting points for understanding the institute of annulment of legally valid decisions in preliminary proceedings in the Slovak criminal procedure area are clearly illustrated in **the following cases related**, among other things, to **corruption** (including those that are apparently intended to fulfill the attribute of a non-normative nature such as "high-profile").

1. *Decision of the Prosecutor General of the Slovak Republic in proceedings pursuant to Section 363(1) of the Criminal Procedure Code, by which he annulled in 2024 the resolution of the prosecutor of the former Special Prosecutor's Office of the General Prosecutor's Office of the Slovak Republic on the rejection of the accused party's complaint against the resolution on the accusation for a **corruption crime** committed by complicity on the grounds that, as the superior authority, in the justification of the second-instance decision on the ordinary remedy, it did not deal with the accused party's complaint objections due to the investigator's error consisting in failing to submit a separate justification of the filed complaint to the prosecutor. It was the investigator's duty, after discovering that the justification for the complaint had been additionally delivered to him by the defendant's defense attorney, to submit it to the prosecutor without delay for the purposes of proper remedial proceedings, but the investigator resigned from fulfilling it and the prosecutor thus had only the statement of the complaint available to him when deciding on the filed complaint, without its justification. As a result, the prosecutor issued a resolution rejecting the complaint without providing answers to the complaint arguments put forward by the defendant, which violated the defendant's right to defense in the ongoing criminal proceedings.*

*The said deficiency could not be corrected other than by annulling the prosecutor's final resolution rejecting the complaint in the part concerning the defendant, in accordance with Section 363, Subsection 1 et seq. of the Criminal Procedure Code. If the Prosecutor General of the Slovak Republic had not corrected this error in accordance with the aforementioned legal provisions, the entire proceedings would have been marked by a fundamental procedural defect that could ultimately result in the acquittal of the accused.*

***After the annulment of the second-instance resolution by the Prosecutor General of the Slovak Republic, the prosecutor of the Serious Crime Department of the General Prosecutor's Office of the Slovak Republic, to whom the supervisory authority had been transferred (and the resulting authority to act and decide in the regular remedial proceedings as a superior body), issued a new resolution rejecting the filed complaint, for which he already had its justification at his disposal, which allowed him to decide legally after carefully dealing with all the relevant objections of the accused in the complaint. The said criminal case is currently in the investigation stage, which is aimed at a motion to file an indictment against the accused persons.***

2. *Decision of the Prosecutor General of the Slovak Republic in proceedings*

pursuant to Section 363, Subsection 1 of the Criminal Procedure Code, by which he annulled in 2024 the resolution of the investigator of the Inspection Service Office on the indictment of a natural person (a member of the Police Force) for **the offence of abuse of power of a public official** pursuant to Section 326, Subsection 1, letter a) of the Criminal Code (actually consisting in the processing of written records of the submission of an explanation during the clarification of the offence by persons whom the accused did not actually hear and these persons did not actually sign the said records, despite which the accused subsequently used the records of the submission of an explanation in this manner in the said misdemeanor proceedings), in conjunction with the resolution of the supervising prosecutor, by which the accused party's complaint against the resolution on the indictment was dismissed as unfounded. The conclusion on the violation of the law leading the Prosecutor General of the Slovak Republic to the application of the extraordinary cassation power also in relation to the decision on the indictment itself was based on a review finding, according to which the authorities of the criminal proceedings in the said criminal case did not in any way transfer the specific motive of the accused, established by evidence, into the factual sentence of the decision on the indictment, due to which it did not meet the mandatory requirements for its content, prescribed in the provision of Section 206, Subsection 3 of the Criminal Procedure Code. In other words, the evidence provided established, at the level of reasonable suspicion, the suspect, as well as the content of the unlawful act that he had allegedly committed, including a specific motive, but this was not expressed in the factual sentence of the resolution on the indictment in a manner that would demonstrate the fulfillment of all the legal elements of the criminal act of abuse of power of a public official under Section 326, Subsection 1 of the Criminal Code, as a result of which the conduct described there was not criminally relevant. **Immediately in the calendar month following the annulment of the resolution on the indictment by the Prosecutor General of the Slovak Republic, the acting investigator in the aforementioned criminal case again brought charges against the identical natural person for the same crime, but on a factual basis, in accordance with the results of the evidence obtained, adequately (including a special motive) reflected in the wording of the statement part of the resolution on the indictment, which has not yet entered into force.**

3. *Decision of the Prosecutor General of the Slovak Republic in proceedings pursuant to Section 363, Paragraph 1 of the Criminal Procedure Code, by which he annulled in 2022 the resolution of the special prosecutor of the former Special Prosecutor's Office of the General Prosecutor's Office of the Slovak Republic on the rejection of the complaint against the resolution on the indictment **in criminal proceedings conducted against the former Minister of Finance of the Slovak Republic, currently the Governor of the National Bank of Slovakia, for a corruption offence** (actually consisting in bribing the former President of the Financial Administration of the Slovak Republic with a financial amount of EUR 48,000).*

**After the annulment of the illegal resolution of the special prosecutor of the former Special Prosecutor's Office of the General Prosecutor's Office of the Slovak Republic, the latter reissued a resolution rejecting the complaint of**

***the accused, and after the completion of the investigation, the supervising prosecutor of the former Special Prosecutor's Office of the General Prosecutor's Office of the Slovak Republic filed an indictment against the accused to the Specialized Criminal Court. After the accused was found guilty of committing the charged act in court and was sentenced with a criminal order, against which he filed an objection, the main hearing in the aforementioned criminal case is currently underway at the Specialized Criminal Court***

4. *Decision of the Prosecutor General of the Slovak Republic in proceedings pursuant to Section 363(1) of the Criminal Procedure Code, by which he annulled in 2021 the resolution of the special prosecutor of the former Special Prosecutor's Office of the General Prosecutor's Office of the Slovak Republic on the rejection of the complaint against the resolution on the indictment **in criminal proceedings conducted against the former Minister of Economy of the Slovak Republic for a corruption offence** (actually consisting in bribing the judges of the Senate of the Supreme Court of the Slovak Republic acting in appeal proceedings for a positive decision in the form of the rejection of the appeal in specific criminal proceedings with a financial amount of EUR 100,000). The reason for the cassation of the said second-instance decision was a deficiency in the procedure of the superior prosecutor, who, due to an administrative error, issued a resolution on the rejection of the complaint that did not contain the necessary justification, thereby violating the right of the accused to a fair trial.*

***In this case too, after the annulment of the unlawful resolution of the superior prosecutor, the latter reissued a new resolution rejecting the accused party's complaint, which already implied proper reasoning, following which the investigation continued in the case, leading to a motion to file an indictment against the accused. The resolution of the Prosecutor General of the Slovak Republic pursuant to Section 363, Subsection 1 et seq. of the Criminal Procedure Code, in this case too, as in all other cases of the exercise of his extraordinary cassation power, did not constitute any obstacle to the further conduct of the criminal proceedings in order to achieve their lawful purpose, but on the contrary, guaranteed the restoration of the state of legality in the procedure of the prosecution authorities after the identification of a substantive or procedural error.***

## II. Anti-corruption framework<sup>15</sup>

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the anti-corruption framework (if applicable):

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

No developments

If there have been developments related to the institutional framework capacity to fight corruption, please specify which, in particular regarding topics listed below: ...

Relevant topics to be covered in your contribution include:

- List any **changes** as regards relevant authorities (e.g. national agencies, bodies) in charge of prevention, detection, investigation and prosecution of corruption and the resources allocated to each of these authorities (the human, financial, legal, and technical resources as relevant), including the cooperation among domestic and with foreign authorities. Indicate any relevant measures taken to effectively and timely cooperate with OLAF and EPPO.

**Office of the Government of the Slovak Republic:** There has been a re-organization regarding the institutional basis and competences of the State Security and Corruption Prevention Division (SCCPD) of the Government Office of the Slovak Republic (the "GOSR"). As of May 15, 2024, the corruption prevention agenda was moved to the SSCPD (the agenda moved from the trade union level to the division level, i.e. to a higher organizational level) in accordance with Art. II of Addendum no. 21 to the Organizational Rules in conjunction with Art. I point 45: In Art. 37 paragraph 1.

These organisational changes **have been the subject of an external evaluation** of the anti-corruption standard ISO norm 37001:2016 which has been successfully re-implemented in September 2024 (see <https://www.bojprotikorupcii.gov.sk/urad-vlady-sr-opatovne-obhajil-medzinarodnu-protikorupcnu-normu-iso-37001/?csrt=13026522140374986756> ).

The GOSR, via the SSCPD, **elevated** the importance of the topic onto the highest Division level **and continues** to fulfil tasks of the central authority for coordination in the area of corruption prevention. According to § 24 par. 1 letter b) Act no. 575/2001 Coll. on the organization of government activities and the organization of the central state administration, as amended **The Office of the Government of the Slovak Republic is the central authority** of the state administration for coordination in the field of corruption prevention. The Office of the Government of the Slovak Republic is in accordance with Government Resolution No. 168 of March 9, 2011, a **notified body for the prevention of corruption pursuant to Article 6 of the United Nations Convention against Corruption of October 31, 2003.**

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<sup>15</sup> Where previous specific reports, published in the framework of the review under the UN Convention against Corruption, of GRECO, and of the OECD address the issues below, please make a reference to the points you wish to bring to the Commission's attention in these documents, indicating any relevant updates, changes or measures introduced that have occurred since these documents were published.

In connection with international cooperation in the field of strategic corruption, the Government Office exchanged know-how and best practices with the **Coordinator of the Global Fight against Corruption of the US Department of State**, which was also a **follow-up visit** to the joint participation of the Government Office of the Slovak Republic and the Ministry of Foreign and European Affairs on December 11-15, 2023 at the UNCAC Conference of the Parties in Atlanta, GA, USA.

**Integrity Forum 2024**, which took place in Bratislava in March 2024 opened by **Prime Minister Robert Fico** (see <https://www.bojprotikorupcii.gov.sk/integrity-forum-2024>) was jointly organized by **the Government Office and the OECD** under the auspices of the project Improving the Integrity of Public Administration in the Slovak Republic / IIPA (<https://www.verejnaintegrita.vlada.gov.sk/uvod/o-projekte/?csrt=6182722074170112173>) as a final conference.

The forum reflected on the final outcomes and the most effective measures, as well as a discussion on related topics. OECD representatives and experts played a key role in the upcoming event, which was also declared by the presence of an anti-corruption delegation from the Government Office at the **OECD Global Forum on Combating Corruption and Integrity 2024 in Paris on 25-27 March 2024**.

**Membership of the Government Office of the Slovak Republic in international organizations through the State Security and Prevention of Corruption Section (SSCPD): in the field of corruption prevention :**

## **1. UN**

### **1.1. UNCAC - UN Working Group on the Prevention of Corruption**

By the Resolution of the Government of the Slovak Republic No. 168 of 9 March 2011 on the proposal for notification of a body for the prevention of corruption under Article 6 of the United Nations Convention against Corruption (the Convention) of 31 October 2003, the Government Office of the Slovak Republic was notified as a body for the prevention of corruption under Article 6 of the Convention. SSCPД participates in the assessment of the implementation of the Convention by individual member states within the framework of the Implementation Review Mechanism. It also provides guidelines aimed at the development and implementation of anti-corruption activities.

1.2. UNODC – United Nations Office on Drugs and Crime – deals with drugs, organised crime, corruption and terrorism. Participation of the SSCPД in the meetings of the working group.

## **2. OECD (Organisation for Economic Co-operation and Development)**

Participation in the meetings of OECD working committees

**2.1. SPIO – OECD Working Party of Senior Public Integrity Officials (SPIO)** – aims to support the implementation of anti-corruption and integrity policies to support good public governance, including addressing conflicts of interest, lobbying, influence in decision-making, including mechanisms for integrity and accountability.

**2.1.2 WGB – OECD Working Group on Bribery** - The OECD also plays an important role for us in the fight against corruption and bribery of public officials thanks to the adopted OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions. The purpose of the

Convention is to adopt its individual articles into the legal order of the evaluated states. The monitoring process of the implementation of the individual articles of the Convention is ensured by the OECD Working Group on Bribery (WGB). The SSCPD regularly participates in the meetings of this working group.

### **3. GRECO - Group of States against Corruption**

The aim of GRECO is to improve the capacity of its members in the fight against corruption through a dynamic process of mutual evaluations and creating international pressure for the implementation of the adopted recommendations. GRECO helps to identify shortcomings in national anti-corruption policies, accelerate the necessary legislative process as well as institutional reforms and subsequent changes in application practice. GRECO provides a platform for the exchange of experience in the field of prevention and detection of corruption.

### **4. IACA – International Anti-Corruption Academy**

IACA is an international organization and educational institution based in Laxenburg, Austria. Through education, seminars, research and cooperation, IACA strengthens the position of professionals and provides technical assistance to interested parties seeking to strengthen their anti-corruption regimes. The Slovak Republic has been actively cooperating with the IACA Academy in Laxenburg since 2017, when a joint Memorandum of Understanding was signed. SSCPD participate in educational activities and also cooperate with IACA representatives in the preparation and implementation of educational courses for selected groups of entities, e.g. for employees of the Central Government of the Slovak Republic, anti-corruption coordinators, teachers, etc.

### **5. NCPA - Network of Corruption Prevention Authorities**

SSCPD is a member of the International Network of Bodies and Institutions for the Prevention of Corruption Network of Corruption Prevention Authorities – NCPA. The aim of this organization is a more effective exchange of experience between the member states of GRECO of the Council of Europe in the field of prevention in the fight against corruption between relevant institutions at national levels, including their experience and appropriate procedures. SSCPD regularly participates in the group's meetings and uses the knowledge of individual members in the implementation of its tasks.

**Ministry of Interior:** With the dissolution of the National Criminal Agency (NACA) due to organisational changes in the structure of the Presidium of the Police Force (P PF) on the basis of the organisational Measure of the Minister of Interior of the Slovak Republic No.19 of 6 August 2024, the Bureau for Combating Organised Crime (BCOC) was established as of 1 September 2024. By the Order of the President of the Police Force of 27 August 2024 in the context of establishing the subject-matter competence of the Police Force units within the remit of the Ministry of Interior of the Slovak Republic, as governed by Regulation of the Minister of Interior of the Slovak Republic No.175/2010 on defining the competence of Police Force units and units of the Ministry of Interior of the Slovak Republic in detecting criminal offences, in identifying their perpetrators and on the criminal procedure, as amended, the following has been ordered to fall within the subject-matter competence of the BCOC of P PF:

(a) on the basis of selective competence, the investigation and detection of criminal

activity committed by an organised group or a dangerous grouping pursuant to Section 141 of the Criminal Code,  
(b) the investigation and detection of criminal offences within the remit of the European Public Prosecutor's Office,  
(c) the detection and investigation of corruption crimes which have been detected through its own activities,  
(d) investigation of criminal offences related to the offences referred to in points (a) to (c) if the conditions for joint proceedings,  
(e) carrying out financial investigations and activities in connection with asset-stripping under a special regulation, for criminal offences within its subject-matter competence,  
(f) criminal offences which are otherwise within the subject-matter competence of the Criminal Police Department of the Regional Police Directorate or the Criminal Police Department of the District Police Directorate, if the nature of the case so requires due to its gravity, extent, complexity or other important interest, if the President of the Police Force so decrees by a Measure based on the recommendation of the Director of the unit exercising the selective competence.

The tasks of BCOC of P PF:

BCOC of P PF:

(a) specialises in combating the most serious crimes and, on the basis of the selective competence as defined by the internal regulation, carries out the detection and investigation, in particular, of crimes committed by organised groups or criminal groups, premeditated murders, crimes of violent behaviour, racketeering, the use of improvised explosive devices, property crimes and economic crimes,  
(b) obtains, collects, analyses and evaluates information relating to the detection, documentation and investigation of criminal activities within the subject-matter competence of the Bureau for Combating Organised Crime,  
(c) prepares analyses, forecasts and generalisations, which are provided for the purpose of decision-making in relation to the elimination of crime within the subject-matter competence of the Bureau for Combating Organised Crime,  
(d) detects and investigates criminal offences within the remit of the European Public Prosecutor's Office,  
(e) carries out tasks relating to combating the laundering of proceeds of crime,  
(f) detects and investigates offences of legalisation of the proceeds of crime pursuant to the special regulation, in so far as it also investigates a predicate offence,  
(g) carries out the detection and investigation of corruption offences on the basis of selective competence as defined by the internal regulation,  
(h) carries out statistical and record-keeping tasks in relation to corruption,  
(i) carries out financial investigations pursuant to the special regulation in connection with detecting and investigating criminal offences on the basis of a selective competence as defined by the internal regulation,  
(j) provides methodological guidance for and coordinates the activities of the criminal police departments of the regional directorates in the process of detecting, clarifying, verifying and documenting criminal offences related to damage to the financial interests of the European Union and corruption offences, and promotes the incorporation of the use of the most effective forms, methods and means in the fight against such criminal offences into their activities.

BCOC of P PF is subdivided into:

(a) Management Support Unit

1. Analytical Department,
2. Department for International Cooperation,
3. Internal Department,

(b) Anti-Crime Unit

1. Division West,
2. Division Centre,
3. Division East,

(c) Anti-Corruption Unit

1. Corruption Analysis Centre,
2. Division West,
3. Division Centre,
4. Division East,

(d) Financial Police Unit

1. Division West,
2. Division Centre,
3. Division East,

(e) Financial Investigation and Analysis Unit

1. Division West,
2. Division Centre,
3. Division East,

With the dissolution of the NACA of P PF, approximately 100 members of the Police Force were reassigned, and they are a great asset to the regional and district police directorates, while their expertise and duty station were carefully considered. Due to fact that the investigation of some corruption crimes, including other crimes within the subject-matter competence of the NACA of P PF, was assigned to lower units, it was necessary to reinforce these police units with experienced investigators and experts. The duty station of the police officers remained unchanged. The personnel changes did not affect ongoing investigations. It was also ensured that any obstacles in the implementation of the new office of the BCOC of P PF were quickly overcome, thus ensuring the quality and speed of the investigations remained unchanged.

The most experienced and professionally skilled police officers of the Anti-Corruption Unit of the BCOC of P PF deal with corruption related cases within the remit of the BCOC of P PF. To support the needs of the criminal police departments of the regional directorates of the Police Force, where the so-called common or less complex corruption is investigated, the Anti-Corruption Unit of BCOC of P PF provides guidance and methodological advice to the above-mentioned units regarding this area of criminal activity.

In the course of criminal investigations as well as operative investigation, the Anti-Corruption Unit of BCOC of P PF cooperates with all central government authorities, the Supreme Audit Office of the Slovak Republic, the General Prosecutor's Office of the Slovak Republic, the Public Procurement Authority as well as with other

government entities. Cooperation of the highest professional level with the European Public Prosecutor's Office and all Regional Public Prosecutor's Offices across Slovakia takes place almost on a daily basis. Within the framework of international cooperation, the Anti-Corruption Unit of BCOC of P PF makes use of the analytical services of the European Anti-Fraud Office (OLAF), expert activities provided by EUROPOL and routine cooperation with police liaison officers.

The Bureau of the Inspection Service, within its remit, detects and investigates criminal offences committed by members of the Police Force and members of the Prison and Court Guard Corps, and investigates criminal offences committed by members of the Financial Administration, excluding the exceptions provided for by a special regulation; within the scope defined by the Minister of Interior of the Slovak Republic, the Bureau of the Inspection Service also performs tasks in the field of internal control, financial control, protection of personal data, handling of complaints, handling of petitions, labour inspection, and fire supervision, and also performs the tasks of a person responsible pursuant to special regulations within the remit of the Ministry of Interior of the Slovak Republic.

The current practice of the Bureau of the Inspection Service indicates that the methods of committing crimes by members of the Police Force, members of the Prison and Court Guard Corps and members of the Financial Administration are changing, the perpetrators are adapting to new trends which are in line with the dynamics of the developments in society; this requires an increase in the quality of detection and investigation of criminal activities, and an improvement in the related search, identification and seizure of illicit proceeds in such a way, as would allow the investigation to concentrate also on tracking the flow of proceeds from crime.

In the context of completed criminal cases, including cases of corruption crimes, abuse of power by a public official, as well as cases of deceitful practices in public procurement and public auction, it can be stated that as regards proceeds-generating crimes, the only way to make the process of identifying and confiscating the proceeds of crime and to prevent their re-injection into the legitimate economy is to conduct a legal financial investigation parallel to the criminal proceedings based on the "follow-the-money" approach. The increasing range of sophisticated forms, methods and means enabling the commission of serious proceeds-generating crimes requires that the police respond to these new threats in a timely and effective manner.

Due to the need to strengthen the capacity to detect and investigate more serious forms of corruption and other crimes threatening the state budget funds, the Analytical Activities Unit was established within the organisational department of the Bureau of the Inspection Service by Measure 25/2023 of the Minister of Interior of the Slovak Republic, effective from 1 December 2023.

In addition to providing professional analytical activities, the purpose of establishing this unit was to strengthen the performance of members of the Police Force in the area of detection and investigation of corruption crimes and criminal offences targeting the financial resources of the state budget in terms of analysis of cash flows, personal and property relations of suspicious entities, assessment of corruption relations in public procurement, abuse of power by public officials and manipulation of tender procedures.

It was established that in order to enhance the performance of these activities within the conditions of the Bureau of the Inspection Service, in addition to having access to police databases, it was necessary to have the access to commercially available products for the purpose of obtaining information on the economic profiles of companies, tradesmen and related financial analyses. Accordingly, in 2024, the access was secured to external databases of economic profiles of legal entities and entrepreneurs operated by FinStat, Ltd.

The police practice of the Bureau of the Inspection Service confirms that perpetrators make use of bribes to facilitate the execution of criminal activities or to obstruct enforcement of the law and the administration of justice. The use of corruption is also linked to other types of crime and can be an integral part of financial crime and money laundering. The laundering of the proceeds of crime is mainly carried out via transfers to bank accounts and withdrawals from these accounts, or via the sale of stolen and altered items, with the background of their criminal acquisitions concealed.

As part of inter-institutional cooperation, the Ministry of the Interior of the Slovak Republic cooperated during 2024 with:

- The Office of the Government of the Slovak Republic
- within the framework of the National Anti-Corruption Program,
- on GRETA recommendations regarding the corruption risk management module in the fight against trafficking in human beings;
- - participation on trainings co-organized by the Office of the Government of the Slovak Republic and IACA
- OECD within the framework of a joint project of the Slovak Republic and the OECD focused on "Strengthening the integrity of employees of the Ministry of the Interior of the Slovak Republic";
- The Office of the Government of the Slovak Republic and the Council of Anti-Corruption Coordinators in preparing a draft national anti-corruption strategy, sharing examples of good practice - anti-corruption training of employees of the department.

Ministry of the Interior of the Slovak Republic also organized a joint meeting with the Office of the Inspection Service and the Office of the Public Defender of Rights to strengthen cooperation in resolving complaints.

The Crime Prevention Department of Mol coordinated the implementation of tasks arising from individual GRECO recommendations and provided the necessary documents for evaluating tasks for the purpose of implementing these GRECO recommendations in the Fifth Evaluation Report on the Slovak Republic.

- *Safeguards for the functional independence of the authorities tasked with the prevention and detection of corruption.*

**The Office of the Government of the Slovak Republic:** The Council of the Anti-Corruption Coordinators was created on 2 May 2023, and it is in current time very much active. The Council is formally institutionalized as an **independent advisory body** for the Head of the GO SR. There are all institutions, which have established

within own organization structure an obligatorily established position of the Anti-Corruption Coordinator (the "ACC") included (i.e. all ministries and other central authorities) and institutions, which were recommended to establish the position of the ACC by the task C.1. of the Anti-Corruption Policy of the Slovak Republic (the "ACP") adopted by the Resolution of the Government of the Slovak Republic (the "GSR") No. 585/2018 of 12 December 2018 (i.e. the Supreme Audit Authority of the SR, the Judicial Council of the SR and the Association of Towns and Municipalities of the SR).

The government of the Slovak Republic has adopted its Manifesto of the Slovak Government 2023-2027, where the government has defined that a **whole-of-society approach is required to fight corruption**.

In general, the government is analyzing the current situation and looking for appropriate foreign and national "lessons learned" practice for the implementation of the individual developmental recommendations, so that the Constitution and legislation of the Slovak Republic are respected.

**We perceive maintaining continuity in the measures already in place as a cornerstone, from which we want to continue to develop (so as not to disrupt what works and prevent coming up with unverified experiments).**

**Ministry of Interior:** The obligation of the members of the Police Force to observe the Code of Ethics in the performance of their duties is enshrined in Article 8(1) of Act of the National Council of the Slovak Republic No. 171/1993 Coll. on the Police Force, as amended. Provisions on ethical behaviour of the members of the Police Force are included among the obligations, the observance of which is also stipulated in Article 48(3) of Act No. 73/1998 Coll. on the civil service of members of the Police Force, the Slovak Information Service, the Prison and Court Guard Corps of the Slovak Republic and the Railway Police Corps, as amended.

Pursuant to Article 3 of the Regulation of the Minister of the Interior of the Slovak Republic No. 41/2022 on the Code of Ethics of a Member of the Police Force, as amended "In the performance of their duties, a police officer shall always act and decide objectively, impartially, without prejudice or bias, and shall not discriminate against anyone, including with regard to national, ethnic, religious, racial, ethnic, class, gender, sexual, age, social, political and economic differences", and likewise "In the performance of their duties, a police officer shall not take part in political activities, associate his/her person with any political party or political movement, or engage in activities for the benefit or detriment of any political party or political movement".

The Code of Ethics of a Member of the Police Force sets out the value aspirations for high standards of conduct of a police officer, relating in particular to the attributes of honesty, integrity, fairness, lawful use of force, prevention of corruption risks, and thus avoidance of accepting gifts, hospitality, as well as prevention of conflicts of interest, abuse of power and other negative phenomena in the performance of duties. The application of the Code of Ethics of a Member of the Police Force in the performance of duties at the Bureau of the Inspection Service is an important prerequisite for raising awareness of ethical responsibility, promoting ethical standards and strengthening the culture of integrity of police officers.

The Bureau of the Inspection Service ranks among these services and is functionally

independent from the structures of the Police Force. The Director of the Bureau of the Inspection Service is appointed on the basis of a selection procedure conducted by the National Council of the Slovak Republic. The results of the work of the Bureau of the Inspection Service are presented annually to the Government of the Slovak Republic, publicly presented in the media and published on the Bureau's website. When investigating criminal cases falling within the material competence of the Bureau of the Inspection Service, the investigator of the Police Force is procedurally independent, while the entire course of the pre-trial and preparatory proceedings is carried out under the supervision of the prosecutor, who ensures that the lawfulness of the proceedings is observed. Any decision taken by an investigator of the Police Force is subject to this oversight of legality as well.

All corruption-related offences involving the use of EU funds or the protection of the financial interests of the EU are investigated by the BCOC of P PF. In addition, the BCOC of P PF has retained the authority to take over any case if deemed appropriate (high-profile crimes). Police officers transferred from NACA of P PF to BCOC of P PZ continue to have the same responsibilities in investigating corruption and other organised crimes. In addition to their designated competence for the cases they investigate, all organisational units of the BCOC of P PF also focus on the fight against money laundering, whereby they also have to devote their attention to prosecuting the offences of laundering of the proceeds of crime. They carry out so-called financial investigations and activities related to the asset-stripping of criminal assets. The aim of the reorganisation was to increase the efficiency of investigations, with the BCOC of P PF focusing on the most serious offences.

The Corruption Analysis Centre (CAC) is part of the BCOC of P PF and assesses the seriousness of cases, with the most serious ones remaining assigned to the BCOC of P PF and the less serious ones being delegated to the district or regional police headquarters.

- *Information on the implementation of measures foreseen in the strategic anti-corruption framework (if applicable). If available, please provide relevant objectives and indicators.*

The Government Office of the Slovak Republic **actively coordinates the process management of corruption risks in individual ministries.** Corruption risk management is an essential part of every departmental anti-corruption program and represents an **objective tool that is based on evidence** and is an integral part of the anti-corruption system in every individual organization. It allows the organization to achieve control over **the identified corruption risks and increase the effectiveness of corruption prevention on yearly basis.** It serves to identify areas, positions, activities and processes of the organization that are exposed to corruption risk.

For this purpose, the Government Office operates the **IntegrityData.sk website (<https://integritydata.sk/idp/home>).** This portal is directly connected to the **Corruption Risk Management module of the RIS system,** which allows **publishing graphs and statistical data directly from corruption risk management surveys for the needs of participating entities (<https://integritydata.sk/idp/survey-results>)**

**Each Ministry and/or institution manages thorough its own Anti-corruption coordinator its own risks, reflects and addresses them with specific objectives**

## **and requirements in the Individual anti-corruption risk management plan.**

Anti-corruption coordinators are regularly trained and a **Methodology Guidelines** on harmonisation of corruption risk management (harmonisation of financial, corruption and fraud risks) is currently being prepared, which will also include the area of coordinators' advice to all public officials and other institutions.

The deduction of **Manifesto of the Slovak Government 2023-2027 fulfillment chart** also includes new and progressive tasks related not just to the harmonization of corruption, financial risks and fraud but also to the training and preparation of new strategic documents.

That's why there is also a creation process in place for the **new National Anti-Corruption Strategy**, which will continue to **focus primarily on of corruption prevention by incentivising individual ministries to define, adopt and update their own sectoral anti-corruption measures**, which may include also adaptation of the highest ISO standard 37001:2016. (We noted that 4 national authorities have implemented ISO standard 37001:2016 and 6 are considering implementing this anti-corruption standard.) It will be based on four pillars, including corruption prevention legislation, capacity building, education, communication, and corruption risk management. It is mandatory to be in place during duration of the Manifesto 2023-2027, no later than 06/2025 and consultations, including intragovernmental and public consultations, are envisaged.

The State Security and Corruption Prevention Division also launched in May 2024 **the first National Survey of Corruption Perceptions** in the Slovak Republic <https://formulare.vlada.gov.sk/vnimanie-korupcie-v-sr> , which is intended for all citizens of the Slovak Republic and is continuously analysing and evaluating the data. Data and information are relevant to the understanding of the **Perception of the Strategic Corruption** within the society. The data will be used in preparation of the training and awareness programs for the public within the fulfilment of the **Concept of Strategic Communication** of Slovak Republic, established in March 2024.

**Government Office**, also as a **first institution and leading by example**, has successfully implemented on July 7, 2020, the **highest anti-corruption ISO standard 37001:2016** and **continues to hold on to** these standards with a last evaluation from September 2, 2024 with higher marks as previous years and continues to motivate other entities to implement it as well.

The Government Office of the Slovak Republic received recognition "**Recognized by EFQM**".

It is **the highest recognition** that the Government Office of the Slovak Republic could achieve within the EFQM RAPID international assessment, which took place at the Government Office of the Slovak Republic on **October 15-16, 2024**.

The Government Office of the Slovak Republic is also the holder of the certificate "**Responsible procurer 2023**" with the rating **A+ "very responsible procurer"** awarded November 2024 for transparent procurement, which was awarded to only **231** public procurers out of **3,428** **evaluated entities** by the company ProWise, a.s. – TRANSPAREX.

The Government Office will encourage through the Council of Anti-Corruption coordinators all ministries and other central government bodies to implement the same or similar standards.

**Ministry of Interior:** The fight against corruption is a key component in improving the functioning of society, public authorities and the business environment and requires coordination at all levels of society, ranging from political leadership to civic engagement.

The introduction of comprehensive anti-corruption initiatives, the development of a national anti-corruption policy and the application of effective tools to penalise corruption offences require close cooperation and synergy of the interests between public authorities, the private sector, civil society and the general public in both the national and international context. In this context, the Manifesto of the Government of the Slovak Republic for 2023-2027 says:

"In order to achieve the above commitments, the Government will adopt a National Anti-Corruption Strategy based on pillars such as improving the relevant legislation, capacity building, education and communication on integrity and corruption prevention and corruption risk management."

The activities of the Office of the Government of the Slovak Republic, which is the authority responsible for the anti-corruption policy, and also the activities of the departmental anti-corruption coordinators are primarily focused on the tasks of preventing and combating corruption in accordance with the Manifesto of the Government of the Slovak Republic for 2023-2027, as well as on addressing the current tasks of the sectoral anti-corruption program, building a culture of integrity, and creating the National Anti-Corruption Strategy of the Slovak Republic for 2025-2029.

**Office of the Prosecutor General:** In 2024, prosecutors of the **Serious Crimes Department of the GP SR actively carried out prosecutorial supervision in a number of high-profile corruption cases**, where they carried out detailed consultations with investigators, issued written instructions for further procedure, and issued relevant decisions leading to the filing of indictments for these serious corruption matters. Prosecutors of the Serious Crimes Department of the GP SR did not record any undue interference in the investigation of corruption criminal cases in 2024, nor any cases of illegal interference with final decisions on investigation and criminal prosecution.

As regards the **PROSECUTION DEPARTMENT, THE SERIOUS CRIME DEPARTMENT (SCD = ODDELENIE ZÁVAŽNEJ KRIMINALITY - OZK)** was established by order of the GP SR and subsequently in December 2024 by an amendment to the Law on Prosecution, which **currently has 9 prosecutors. 7 of them were prosecutors of that office before the abolition of the SPO - Special Prosecutor's Office, and they have taken over all live cases, especially the most serious corruption cases that they have supervised in the past. In these cases, they continue to exercise direct prosecutorial supervision over the investigations. Other corruption cases, insofar as they were at the post-investigation stage at the date of the abolition of the Special Prosecutor's Office, remained under the direct supervision of the former prosecutors of the Special Prosecutor's Office on the basis of an exception granted by the Prosecutor General.**

Currently, on the basis of the law, supervision in specific new cases is carried out by specialized prosecutors of the Regional Prosecutor's Offices, while the supervision of each such new case is carried out by the prosecutors of the Serious Crime Department of the GP SR, who, in the case of extremely serious corruption cases, can ask GP for determining the exception and taking such a case under direct supervision. This preserves the expertise and continuity of prosecutorial supervision in serious corruption cases after the abolition of the SPO.

Within the framework of the tasks in the field of methodological guidance of subordinate prosecutor's offices, the Serious Crime Department of the GP SR provided a seminar at the Judicial Academy of the SR entitled "Methodology of Detection and Proof of Corruption on 06 May - 07 May 2024" and also a seminar with the participation of American lecturers entitled "Crimes of corruption, pre-trial proceedings - knowledge of the prosecution of the USA and the Slovak Republic" was arranged at the Judicial Academy of the Slovak Republic in Omšenie on 11 - 12 November 2024.

**As regards cooperation between the GPSR and the European Anti-Fraud Office (OLAF)**, the GPSR has concluded an Agreement on cooperation with the Office of the Government of the Slovak Republic in the protection of the financial interests of the European Union and in the detection and prosecution of illegal activities which may have the effect of jeopardising those interests (hereinafter referred to as 'the Agreement'). Pursuant to the said Agreement, the former Special Prosecutor's Office of the GP SR (hereinafter referred to as 'the SPO') submitted written information to the Office of the Government of the SR, through the Control and Anti-Corruption Section, OLAF Central Contact Point and Anti-Corruption Unit (hereinafter referred to as 'the Central Contact Point'), within 30 calendar days after the end of each calendar quarter on the initiation of criminal prosecutions, on the current status of criminal prosecutions and the manner in which they have been concluded for the offences referred to in Article 1 of the Agreement and, at the same time, the SPO shall provide the Central Contact Point with copies of the final decisions of the courts convicting the offenders in these criminal cases. Since the Prosecutor General established the Serious Crime Department after the abolition of the Special Prosecutor's Office of the GPSR, which performs a substantial part of the tasks originally performed by the SPO, a part of the tasks related to OLAF has been included in its competence as well. Accordingly, the Head of the Serious Crime Department has taken the necessary measures to regularly submit summary reports for each Regional Public Prosecutor's Offices on the initiation of criminal prosecution, on the current state of criminal prosecution, including information on the current state of criminal prosecution in cases transferred to the relevant Regional Public Prosecutor's Offices following the abolition of the former Special Prosecutor's Office and on the manner in which they were terminated, for criminal offences of interest to OLAF. On this basis, the Serious Crime Department of the GP SR submitted to the Government Office in November 2024 a detailed summary

report on the initiation of criminal prosecution and the current state of proceedings in criminal matters related to damage to the financial interests of the European Union.

**With regard to ensuring measures for effective cooperation with the European Public Prosecutor's Office**, it should be noted that, in the light of the wording of Articles 24(2) and 27(7) of Council Regulation (EU) No 2017/1939 of 12 October 2017 ("the Regulation") implementing enhanced cooperation for the purposes of establishing the European Public Prosecutor's Office, as well as of the amendments to the Criminal Code No 40/2024 Coll. and No 47/2024 Coll, the prosecutors in criminal cases which may fall within the competence of the European Public Prosecutor's Office after the amendment have been obliged to inform the European Delegated Prosecutors Unit without delay of new facts on the basis of which they decide whether to exercise their right to exercise their competence. This obligation is based on Articles 24 and 27 of the Regulation as well as on Article 2(4) of the Order of the Prosecutor General of the Slovak Republic No 31/2024 of 19 March 2024 on the procedure of prosecutors in matters falling within the competence of the European Public Prosecutor's Office and on cooperation with the European Public Prosecutor's Office, according to which, if the prosecutor discovers during the criminal proceedings facts on the basis of which the European Public Prosecutor's Office could exercise its powers, he/she shall immediately notify the European Delegated Prosecutors' Unit of the facts discovered, containing the information referred to in Article 5 of the said Order, and at the same time shall submit the file.

In order to ensure the proper carrying out of the above duties, in August 2024, the Head of the Serious Crime Department issued instructions and guidance to individual Regional Prosecutors to ensure that all files that may fall within the remit of the European Delegated Prosecutors Unit following the changes to the Criminal Code are reviewed and, if found, that the case may fall within the jurisdiction of that Unit, to submit the newly discovered facts to it, together with the supervision file and the investigation file, for the purpose of deciding whether to exercise its jurisdiction and to inform the Criminal Department of the General Prosecutor's Office and the Serious Crime Unit of the General Prosecutor's Office of its procedure without delay. Professional cooperation between the EDP and the General Prosecutor's Office in dealing with specific criminal matters at the initial stages of the criminal proceedings is also ensured and actually operates.

**Regarding the functional independence of the corruption detection bodies**, it shall be noted that the prosecutors of the Serious Crime Department of the GP SR are directly subordinate to the First Deputy Prosecutor General and the Head of the Serious Crime Department of the GP SR in their management activities, and are subject to all the legal guarantees of prosecutorial independence under the legislation of the Slovak Republic.

Subordinate Regional Prosecutor's Offices are under the supervision of the Serious Crime Department of the GP SR as far as the supervision of corruption cases is concerned.

The independence of corruption investigations on the part of investigators is guaranteed, inter alia, by the prosecutorial supervision of independent prosecutors, and if the supervising prosecutor finds that, for example, the independence of the investigation is being interfered with by the investigator's superiors, he has a number of legal options at his disposal to prevent such interference.

## **B. Prevention**

No developments

If there have been developments related to the prevention of corruption, please specify which, in particular regarding topics listed below: ...

Relevant topics to be covered in your contribution include:

- *Measures to enhance integrity in the public sector (including as regards incompatibility rules, revolving doors, codes of conduct, ethics).*

**The Office of the Government: The Manifesto of the Slovak Government 2023-2027 declares that: "The government will adopt rules to ensure ethics and integrity of the highest public officials within its jurisdiction in the form of a code of conduct".**

On this basis, the Office of Government of the Slovak Republic, in cooperation with the Council of Anti-Corruption Coordinators, has prepared, **in addition to the existing legal regulations**, a **Code of Conduct for persons in high executive functions** (ministers, state secretaries, political advisors and civil servants in high positions who are closely linked to decision-making) inspired by the British model, respecting the constitutional and legal limits of the Slovak Republic that are already in effect (Constitutional Act on the Protection of the Public Interest; **Principles of Integrity in Public Administration (<https://rokovania.gov.sk/RVL/Material/27964/1>)**).

Coalition discussions are currently underway, and a final political consensus is awaited.

As stated above **the basic principles for decision-making and conduct** of public officials have also been regulated in the **Principles of Integrity in Public Administration**, and they are **mandatory for persons in high executive positions (members of the government, heads of other central state administration bodies, state secretary, secretary general of the civil service office) and political advisors (members of the government and state secretary)**.

**The Principles of Integrity in Public Administration contain seven principles of conduct for public officials, along with a specific explanation (whereby the imperativeness of their actions is established):**

**The principle of promoting the public interest** – data subjects must act exclusively in the public interest. At the same time, they prevent conflicts of interest, by declaring their financial and non-financial interests and resolving any conflicts of interest that arise.

**The principle of honesty and integrity** – data subjects respect these principles and act in a way that does not raise reasonable doubts that they are acting honestly and fairly.

**The principle of objectivity** – data subjects act and make decisions impartially, based on evidence and without discrimination or bias.

**The principle of responsibility for their actions and decisions** – data subjects take responsibility for their actions and decisions. As part of taking responsibility, they are accountable and subject to public scrutiny.

**The principle of transparency** – data subjects act and make decisions transparently, duly justifying their decisions. Data subjects do not withhold information from the public, except in cases where the information cannot be disclosed for legal reasons.

**Principle of decency and inclusion** – affected persons demonstrate respect for people and their dignity and promote such behaviour across communities regardless of their status and affiliation.

**Principle of leadership** – affected persons actively support and enforce these principles, draw attention to their violations and lead by example.

**At the same time, the legal framework set clearly and comprehensibly defines the conduct of public official and sets sanctions for its violation.**

**Post-employment restrictions** to prevent **revolving doors** is comprehensively regulated in Art. 8 of the **Constitutional Act no. 357/2004 Coll.** on the protection of public interest in the performance of the functions of public officials as amended:

"A public official who, in the period of two years before the end of the performance of public office, decided to provide state aid or to provide or permit other support, benefits or the remission of obligations arising from generally binding legal regulations or from individual legal acts to natural persons or legal entities, during one year from the end of the performance of public office prohibits

a) to be employed in an employment relationship or a similar employment relationship with those persons, if his monthly remuneration in this employment is higher than 10 times the minimum wage,

b) to be a member of the management, control or supervisory body of those persons,

c) to be a partner, member or shareholder of those persons,

d) have concluded a contract on prosecution, mandate contract, commission contract, mediation contract, commercial representation contract, silent partnership contract or donation contract with these persons,

e) have concluded a contract, the content of which is the authorization to act on behalf of those persons."

**In the Slovak legal system, a constitutional act is a legal regulation of the highest legal force, which was adopted across the entire political spectrum (i.e. by a 3/5 majority in the National Council of the Slovak Republic).**

- *Measures to enhance general transparency of public decision-making (including rules on lobbying, asset and interest disclosure rules, gifts policy, transparency of political party financing).*

**The Office of the Government:** In December 2024 a **draft law of coalition members of the National Council of the Slovak Republic** has been submitted to the **National Council of the Slovak Republic**, which for the first time **defines lobbying in relation to the activities of non-governmental organizations, and a society-wide dialogue is underway on this topic.** The aim of this proposal is to increase the transparency of activities and financing of non-governmental organizations as a principle of the rule of law.

The regulation of lobbying in relation to non-governmental organizations in the Slovak legal order has not been regulated in any way so far, and its legal regulation is legitimate for several reasons (lack of transparency, lack of social responsibility and lack of public control of the NGOs) and should reflect international recommendations (GRECO, OECD) as well as find European solution and should respond preventively to international cases such as Qatargate.

Proposal for a Report on transparency and accountability of NGOs funded by the EU budget (2023/2122(INI)): "reveals major shortcomings in terms of public transparency and accountability... The EU Transparency Register should make funding sources, including EU funding, traceable and ensure greater transparency of registered organisations, thus helping to prevent cases such as Qatargate. **Moreover, the transparency of NGO funding must be visible from the source.** Setting minimum requirements for NGOs across the EU (definition, access to funding, disclosure of funding sources, independence from political influence and non-European interference, etc.) would ensure a more robust budgetary control framework that would enable NGOs to deliver positive results with maximum transparency and accountability."

The draft law does not prohibit the association of citizens, it does not prohibit public expression on public issues. The draft law would not restrict the registration or establishment of NGOs in any way, nor does it make it difficult for NGOs to operate.

The draft legislation would not interfere in the activities of NGOs, but the Slovak Republic will regulate proportionately and legitimately only that part of the activities of NGOs where NGOs interfere in influencing public affairs (in accordance with the principle of proportionality and legitimacy of EU law).

Also, the draft law have regarded of the European Parliament resolution of 17 January 2024 on transparency and accountability of NGOs funded by the EU budget (2023/2122(INI) :

"... transparency and accountability are also essential for NGOs and other for-profit or non-profit entities... European Parliament encourages Member States to introduce national legislation on lobbying and a transparency register, which should also require disclosure of donors, including international donors and funding sources, while applying the same transparency requirements to all representatives of interest groups, regardless of their nature and legal status".

Regulation of lobbying activities of NGOs in Slovak Republic is an important first step, and the aim of regulation should include broad group of legitimate actors as possible in order to reflect the specific social situation in Slovak Republic.

**Therefore, it has to be mentioned that a constitutional law has the highest legal force than any other law and which is an integral part of the applicable Slovak legal order, and a resolution of the Government of the Slovak Republic, which is a normative act binding on members of the Government and chairmen of other central state administration bodies.**

According to Art. 2 para. 1 of the Constitutional Act No. 357/2024 Coll. applies mainly to the President, members of the National Council of the Slovak Republic, members of the Government, heads of other central state administration bodies, state secretaries, general secretaries of service offices and other officials.

According to Art. 4 of Constitutional Act No. 357/2004 Coll. "A public official is obliged to promote and protect the public interest in the performance of his/her function. In the performance of his/her function, a public official may not prioritize his/her personal interest over the public interest."

Furthermore, according to Art. 4, Paragraph 2, Letter b) of Constitutional Act No. 357/2004 Coll. "A public official must refrain from anything that may be in conflict with this Constitutional Act when performing his/her function. For this purpose, a public official may not request gifts, accept gifts, induce others to provide gifts or obtain other benefits in connection with the performance of his/her function; this does not apply to gifts usually provided in the performance of public function or gifts provided based on the law."

The provision of Art. 1, Letter c) of Constitutional Act No. 357/2004 Coll. It also regulates the liability of a public official for failure to fulfil or breach of obligations and restrictions established by this constitutional law, including the sanctions that may be imposed on a public official for such failure to fulfil or breach of obligations or restrictions.

Slovak legislation **regulating conflict of interest and asset declarations is again in the nature of a constitutional law**, i.e. an act of the highest legal force in the legal order. This constitutional law also sets out a sanction mechanism. In its Manifesto 2023-2027, the government committed to the seek a constitutional and legal consensus for the introduction of uniform rules for submitting asset declarations by all public officials, with special emphasis on their digitalization. Work on the analysis and recommendations for the asset declaration system continues, however, given the current security situation after the assassination of the Prime Minister of the Slovak Republic on May 15, 2024, there is a security requirement for the protection of personal data of public officials in public registers.

One of the legitimate ways to ensure access to information and reflect the security requirement seems to be making information available upon request - which is also supported by Czech case law, where the Central Register of Notifications makes data on the assets of public officials available upon request (Court of the Czech Republic PL. COURT 38/17),

([www.usoud.cz/fileadmin/user\\_upload/Tiskova\\_mluvci/Publikovane\\_nalezky/2020/Pl.\\_US\\_38\\_17\\_vcetne\\_disentu.pdf](http://www.usoud.cz/fileadmin/user_upload/Tiskova_mluvci/Publikovane_nalezky/2020/Pl._US_38_17_vcetne_disentu.pdf))

It is necessary to add that according to the Government Resolution No. 55 of 1 February 2024 on the Plan of Legislative Tasks of the Government of the Slovak Republic for 2024, the Chairman of the Office of Geodesy, Cartography and Cadastre of the Slovak Republic was entrusted with the task of submitting a draft law amending and supplementing the Act of the National Council of the Slovak Republic No.

162/1995 Coll. on the Real Estate Cadastre and on the Registration of Ownership and Other Rights to Real Estate (Cadastral Act), as amended, the purpose of which is to prevent the misuse of personal data by ensuring the protection of personal data when making information from the cadastre available in the form of mandatory authentication of the applicant. The legislative process and negotiations with stakeholders are currently underway at the Economic and Social Council of the Slovak Republic and the Legislative Council of the Slovak Republic.

**Ministry of Interior:** Ministries and other central state administration bodies are obliged, based on the task from Government Resolution No. 483/2023 on the Action Plan of the Open Government Initiative in the Slovak Republic for 2024 - 2026 (<https://rokovania.gov.sk/RVL/Resolution/21108/1>), to inform the Whistleblower Protection Office about the number and subject of reports received, the number and subject of reports verified, and the result of the verification. The deadlines for completing the task are March 1, 2025 and March 1, 2026.

At the same time, based on the same resolution, ministries and other central state administration bodies are obliged to conduct employee training with the participation of the responsible person in the area of reporting antisocial activity, include training in the area of reporting and protecting whistleblowers in the adaptive training of employees, implement quality criteria developed by the Whistleblower Protection Office into internal reporting systems, and provide cooperation to the Whistleblower Protection Office in assessing the quality of internal systems for reporting criminal and antisocial activity.

The Department of Economic Control and Risk Management within the Control Unit of the Bureau of the Inspection Service, which is responsible for the financial management process under the Regulation of the Ministry of Interior of the Slovak Republic No. 98/2024 on risk management in the field of financial management, plays a significant role in improving the general transparency of the public decision-making process in the conditions of the Ministry of Interior of the Slovak Republic.

Based on the processes resulting from the tasks assigned to the Ministry of Interior of the Slovak Republic, as well as on the analysis of the performance of control activities carried out by the Control Units of the Bureau of the Inspection Service in 2024, the Department of Economic Control and Risk Management has compiled a basic list of risks, as well as a list of processes in which risks may arise. In the course of 2025, these lists will be expanded to include new potential risks.

In this context, risks were identified in particular in the area of public procurement, management and coordination of the system of planning and budgeting of funds, providing grants, project management, state property administration, as well as in the area of management, human resources, fire protection and hybrid threats, with the potential of their occurrence within all departments of the Ministry of Interior of the Slovak Republic, with varying degrees of seriousness in relation to the consequence of the identified risk.

The conceptual and analytical background materials provided by this department are used for accurate management of potential risks, responsible planning, budgeting,

economical, efficient and purposeful use and allocation of public funds, with the aim of reducing the likelihood of occurrence of risk or mitigating its impact, preventing any adverse effects on the operations of the departments, preventing the occurrence of irregularities and fraud, and improving transparency in the public decision-making processes in the conditions of the Ministry of Interior of the Slovak Republic.

- *Measures to prevent conflicts of interest in the public sector. Please specify the features and scope of their application (e.g. categories of officials concerned, types of checks and corrective measures depending on the category of officials concerned).*

**The Office of the Government:** Regarding the **conflicts of interest rules**, The Slovak Republic has a **Code of Ethics legally established in the Government Decree** of November 21, 2019, which defines the Code of Ethics for civil servants. The Division for Civil Service and Public Service at the Government Office provides the oversight of the principles of civil service and public service. **The For high-level public officials there are rules in place in the Constitutional Act No 357/2004 Coll.** Slovakia has also **identified the scope of positions of high-level public officials at risk for corruption** and is taking considerate measures to eliminate potential risks.

The behavior of "high-level public officials" is regulated **by Constitutional Act No. 357/2004 Coll.** on the protection of the public interest in the performance of the functions of public officials, as amended (according to Article 2, paragraph 1, the constitutional law applies to the president, members of parliament, members of the government, heads of other central bodies of state administration, state secretaries, general secretaries of service offices) and Principles integrity in public administration. Pursuant to Art. 4 Constitutional Act No. 357/2004 Coll. on the protection of public interest in the performance of the functions of public officials, as amended:

"A public official is obliged to promote and protect the public interest while performing his duties. When performing his function, a public official must not prioritize his personal interest over the public interest." The basic principles for the decision-making and actions of public officials were regulated in the Principles of Integrity in Public Obligatory applies to persons in a high executive position (member of the government, head of other central bodies of state administration, state secretary, GTSÚ) and to political advisors (for a member of the government and state secretary)

**Slovak legal order explicitly** identifies "public official" in Art. 2 par. 1 of the Constitutional Act no. 357/2004 Coll. on the protection of the public interest in the performance of the functions of public officials, as amended (we draw your attention to Constitutional Act No. 66/2019 Coll. amending Constitutional Act No. 357/2004 Coll. on the Protection of the Public Interest in the Performance of Functions of public officials as amended by Constitutional Act No. 545/2005 Coll., which significantly expanded the calculation of public officials)

The principles of integrity (adopted by Government Resolution No. 49 of January 31, 2023) explicitly define:

- "persons in a high executive position": this is a person according to Art. 2 par. 1 letter c), d), k) and z) of the Constitutional Act no. 357/2004 Coll. on the protection of public interest in the performance of the functions of public officials, as amended.

- "political adviser": a person who fulfils advisory tasks for persons according to Art. 2 letters c) and k) of the Act on Conflict of Interests.

**Ministry of Interior:** If the subject of a complaint or an audit is related to a violation of the principles of preventing conflicts of interest, it is investigated under the Complaints Act or the Control Act, in accordance with the scope of competence of the Control Unit of the Bureau of the Inspection Service.

→ For the three previous points, please also provide information and figures on their application/enforcement, such as number of detected breaches/irregularities of the various rules in place and the follow-up given (investigations, sanctions, etc.).

- *Measures to ensure whistleblower protection and encourage reporting of corruption, including their application (i.e. number of reports received, and the follow-up given).*

**Office of the Government:** The Office for the Protection of Whistleblowers was established under Act No. 54/2019 Coll. on the Protection of Whistleblowers of Anti-Social Activities in 2019. However, it was only operationalised after the election of its first Chairperson in September 2021. It is a budgetary organisation and as an independent state administration body does not fall under any ministry or the Government Office of the Slovak Republic. It is accountable only to the National Council of the Slovak Republic, to which it submits a report once a year on the activities and the state of whistleblower protection in Slovakia for the previous year. The whistleblower protection agenda in Slovakia and the competences of the Whistleblower Protection Office are regulated in Act No. 54/2019 Coll. on the Protection of Whistleblowers of Anti-Social Activities and on Amendments and Additions to Certain Acts.

**Ministry of Interior:** In 2024 the Mol, supported the re-spreading of awareness and the importance of reporting corruption through short online videos and graphics published on social media. In December 2024, on the occasion of the International Anti-Corruption Day, an internal information campaign was launched focused on the prevention of corruption and the fight against corruption, as well as an information campaign to support anti-corruption behavior and reporting corruption for the general public on activities in the field of corruption prevention. The campaign included video infographics focused on identifying corruption and reporting anti-corruption behavior.

The Crime Prevention Department of Mol regularly publishes information on activities in the area of corruption prevention and the fight against corruption on the website of the Ministry of the Interior of the Slovak Republic ([www.minv.sk](http://www.minv.sk) in the current information section of the department or on the home page of the Ministry of the Interior of the Slovak Republic) and via social networks (Facebook – account Crime Prevention, Instagram – account [prevencia\\_kriminality](#)).

In 2024, the information campaign "Anti-Corruption Ten Commandments - Ten Principles in the Fight Against Corruption" also continued (in the client centers of district offices and within the framework of training for employees of the Ministry of the Interior of the Slovak Republic);

Four meetings of the working group were held to ensure the fulfillment of the tasks of the anti-corruption program, within which it supported individual departments in fulfilling the tasks from the Order of the Minister of the Interior of the Slovak Republic No. 144/2019 on the anti-corruption program as amended, which was also amended to reflect the current state and needs of individual departments

In 2024, two stages of identification of corruption risks were carried out - through the software of the Office of the Government of the Slovak Republic (Corruption Risk Management) based on a questionnaire survey on the dates 7.3.2024 - 22.3.2024

The Crime Prevention Department of Mol supports a culture of integrity within the framework of anti-corruption education and, within the framework of the aforementioned education, also raises awareness among employees of the Mol about the possibilities of reporting corruption. In 2024, a total of 1,563 employees of the Mol were retrained on the topic of "Prevention of corruption in the conditions of the Ministry of the Interior of the Slovak Republic" and since the launch of online education through the Learning Management System platform, over 2,000 members of the Police Force have completed the online training course in December 2024.

Within the framework of international cooperation with the OECD, through a joint project, the recommendations for the creation of a system to support integrity and an ethical working environment with a culture of rejecting corruption were proposed.

In accordance with Regulation of the Ministry of Interior of the Slovak Republic No. 157/2023 on the internal system of handling notifications of anti-social activities, the Bureau of the Inspection Service has the statutory competence to handle notifications in the context of the internal system of verification of notifications under Article 10 of the Whistleblower Protection Act, the responsible person "verifies" the notifications, however, the investigation falls within the remit of other competent entities. On the criminal law level, the Bureau of the Inspection Service, through the Inspection Unit, examines complaints against members of the Police Force, the contents of which indicate a suspicion of the commission of a criminal offence listed in a Specific Part of the Criminal Code.

Professional seminars and trainings, which are systematically carried out, also form a part of the tools for prevention and reduction of criminal activities of the members of the Police Force, while the lecturing activities are primarily guaranteed by the police officers of the Prevention and Support Activities Department of the Organisational Department of the Bureau of the Inspection Service. An overview of seminars / lectures conducted on-line, which were partly focused on the training of police officers and employees in the field of reporting of anti-social activities in the conditions of the Mol and the protection of the whistleblower, is presented in the following table:

<i>period (month/year)</i>	<i>Total number of participants in the training</i>	<i>civil servants/ police officers</i>
March 2024	209	148 /61
April 2024	231	171 / 60
May 2024	168	168 / 0
June 2024	381	261 / 120
In total:	1288	838 / 450

- *Specific measures to enhance transparency, integrity and accountability in sectors with high risks of corruption, with a view to monitor and prevent corruption and conflict of interests, and where applicable measures to prevent and address corruption committed by organised crime groups.*
  - *Such high-risk sectors could include: public procurement, including construction, transport/infrastructure, defence, cohesion, agriculture, environment, healthcare, citizen/residence investor schemes, large-scale investments of national interest and the spending of EU funds, urban planning.*

**The Office of the Government** actively coordinates the process management of corruption risks in individual ministries. Corruption risk management is an essential part of departmental anti-corruption programs and represents an objective tool that is based on evidence and is an integral part of the anti-corruption system in every organization which has nominated anticorruption coordinator. It allows the organization to achieve control over the identified corruption risks and increase the effectiveness of corruption prevention. It serves to identify areas, positions, activities and processes of the organization that are exposed to corruption risk. For this purpose, the Government Office operates the IntegrityData.sk website. This portal is directly connected to the Corruption Risk Management module of the RIS system, which allows publishing graphs and statistical data directly from corruption risk management surveys for the needs of participating entities. **Each ministry and/or institution manages and addresses its own risks and reflects them with specific objectives and requirements in the Individual anti-corruption risk management plan.** The plan consists of identification of positions and also specific risks related to the potential corruption issues or processes inclined to the corruption behaviour.

**Ministry of Interior:** With regard to the issue of crime prevention and elimination of its manifestations within the remit of the Bureau of the Inspection Service, the Department for Prevention and Support Activities was established within the organisational department of the Bureau of the Inspection Service by Measure 25/2023 of the Minister of Interior of the Slovak Republic, in effect as of 1 December 2023.

The aim of the above-mentioned organisational change was to create a unit with the competence to ensure an effective prevention of various forms of criminal activity by members of the Police Force, to develop preventive programmes aimed at preventing the commission of criminal offences and to take measures to eliminate them, as well as to provide lecturing activities related to preventive programmes.

In 2024, the Department for Prevention and Support Activities delivered a total of 22 lectures focused on corruption prevention and building a culture of integrity in the conditions of the Ministry of Interior of the Slovak Republic. Out of this number, 16 lectures were conducted online, with the participation of 1,560 employees of the Ministry of Interior (of which 807 were members of the Police Force) and 6 lectures were conducted in person with the participation of 261 members of the Police Force. In total, 1 821 employees of the Ministry of Interior took part in training.

The training programmes illustrated a wide range of aspects of anti-corruption policy, including the definition of ethical rules, measures aimed at raising awareness of the harmfulness of corruption, building a culture of integrity, legal tools for prosecuting corruption cases, procedures for reducing the corruption risks, as well as effective mechanisms for controlling and monitoring the effectiveness of anti-corruption procedures. In this respect, emphasis was placed on effective protection mechanisms for potential whistleblowers of corruption, based on the Whistleblower Protection Act and the related internal regulations of the Ministry of Interior of the Slovak Republic.

In the course of 2024, the Department for Prevention and Support Activities prepared a total of 10 projects for supervisors, police officers and students of departmental police schools focusing on social networks, media, integrity of a police officer, ethical issues, examples of misconduct of police officers in communication on social networks and media, issues related to the application of laws, as well as prevention of mobbing, bossing and creation of an appropriate atmosphere in the workplace. The training also included clarification of the specifics of corruption offences, the procedure in reporting anti-social activities and the legal rights of whistleblowers. In total, 2 484 members of the Police Force and employees of the Ministry of Interior of the Slovak Republic were trained.

In terms of improving the quality of prevention, the designated department also cooperates with the Control Units of the regional divisions of the Police Force in the form of requests for the provision of files for the purpose of analysing complaints, allegations and inspections carried out in connection with the performance of duties by members of the Police Force. The purpose of the file analysis is to identify and select incidents in order to identify the potential for carrying out preventive activities and creating targeted projects. In 2024, 980 files were analysed. In the context of the above, an e-mail address [prevencia.uis@minv.sk](mailto:prevencia.uis@minv.sk) has been set up for the purpose of operational communication with the Control Units.

Based on the content analysis of the file materials, an "Analysis of the activities of the members of the Police Corps" was prepared, containing an analysis of individual cases of misconduct of the members of the Police Corps and their categorization by common features. The analysis also contains practical examples of such misconduct, recommendations for practice and further preventive activities.

In 2024, P PF developed two questionnaires. The first questionnaire was entitled "Make use of your potential and become a leader - Corruption", which covers the opinions of police officers on giving or accepting bribes or undue remuneration, as well as, among other things, their opinion on whether "women are more corrupt than men"; so far the questionnaire has been completed by 70 members of the Police Force and is still active.

The second questionnaire, which was part of the campaign prepared by the the Criminal Police Department of P PF and which informed about the fact that 09 December 2024 is related to the International Anti-Corruption Day (a poster with a QR-code was created), is entitled "Corrupt behaviour in the Police Force". The questionnaire aims to find out the motives of corruption, the most common forms of bribes, the reasons of individuals for not accepting bribes, etc. So far, 58 members of the Police Force have completed the questionnaire, and the questionnaire is currently still active.

In December 2024, the Criminal Police Department of P PF also organised two training courses in Bratislava and Banská Bystrica entitled "Guide to Detection and Investigation of Corruption Crimes" for all regional directorates of P PF, with a focus on the investigation of corruption crimes.

In 2025, the Criminal Police Department plans to organise a training, scheduled for 19-21 May, entitled "Anti-Corruption Measures - Sustainable Future" with international attendance (Czech Republic, Hungary, United Kingdom) to present effective measures in the fight against corruption.

**Office of the Prosecutor General:** It should be noted that the task of the Serious Crime Department of the GP SR is not the prevention of corruption, but its prosecution, therefore the local department participates in the broader sense of the word in the prevention mainly through lecture activities focused on corruption.

The Serious Crime Department of the GP SR is actively involved **in cooperation with the Office for the Protection of Whistleblowers of Anti-Social Activity**, and also in 2024, prosecutors of the Serious Crime Department of the GP SR granted protection to whistleblowers of corruption in specific cases where the whistleblower requested protection. At the same time, the prosecutor of the Serious Crime Department of the GP SR ensured that in one case where the prosecutor of the Regional Prosecutor's Office initially refused to grant protection to the whistleblower, the protection was granted by the decision of the prosecutor of the Serious Crime Department of the GP SR on the basis of the initiative of the Whistleblower Protection Office itself.

### **C. Repression**

*No developments regarding the repression of corruption*

*If there have been developments related to the repression of corruption, please specify which, in particular regarding topics listed below: ...*

Relevant topics to be covered in your contribution include:

- *Criminalisation, including the level of sanctions available by law, of corruption and related offences including foreign bribery.*

**Ministry of Justice:** The complete dataset of condemned persons and Statistical yearbook of the Ministry of Justice will be available only after March 2025.

- *Official data on the number of investigations, prosecutions, final judgments, and the application of sanctions for corruption offences (differentiated by offence if possible)<sup>16</sup>.*

**Ministry of Interior:** For the year 2024, we have recorded 149 new corruption offences, of which:

- 93 were recorded at NACA of P PF for the period from January to August and
- 56 were recorded at the BCOC of P PF and at the criminal police departments of the regional directorates of the Police Force for the period September to December.

- *Data on investigation and application of sanctions for corruption offences (differentiated by corruption offence if possible), including for legal persons and high level and complex corruption cases and their transparency, including as regards to the implementation of EU funds.*

Due to the organizational changes at the Ministry of Justice, there are no preliminary data available at the moment. The complete dataset of condemned persons will be available after March 2025.

**Office of the Prosecutor General**  
**A. STATISTICS**

Corruption criminal offences (Prosecutor's Office)				
§	Special Prosecutor's Office			Special Crime Department of the General Prosecutor's Office of the Slovak Republic, Regions (XX Gv, 20 Kv)

<sup>16</sup> Please include, if available the number of (data since 2022 or latest available data): indictments; first instance convictions, first instance acquittals; final convictions; final acquittals; other outcomes (final) (i.e. excluding convictions and acquittals); cases adjudicated (final); imprisonment / custodial sentences through final convictions; suspended custodial sentences through final convictions; pending cases at the end of the reference year.

	§ 328	§ 329	§ 330	§ 331	§ 332	§ 333	§ 334
Criminal Prosecution	6	33			9	23	
Closed Criminal	2	68			6	73	
Indictment § 234 CCP**	1	23			5	40	
Conditional suspension		5				2	
Agreement on Guilt and		24				15	
Adjuted		4				5	
Conviction	1	43			4	56	
Criminal Prosecution	3	22			2	17	
Closed Criminal	4	52			5	71	
Indictment § 234 CCP**	2	15			5	38	
Conditional suspension		5				4	
Agreement on Guilt and	1	17				17	
Adjuted	2	3				1	
Conviction	3	30			4	38	
Criminal Prosecution	1	33			2	43	
Closed Criminal		48				43	
Indictment § 234 CCP**		11				16	
Conditional suspension		24				8	
Agreement on Guilt and						7	
Adjuted					1	14	
Conviction	4	13			2	14	
Criminal Prosecution		28			1	99	
Closed Criminal		20			1	76	
Indictment § 234 CCP**							
Conditional suspension		2					
Agreement on Guilt and		6				9	
Adjuted		1			1		
Conviction		21				26	



<b>T</b>	<b>2</b>	<b>3</b>			<b>4</b>	<b>4</b>	<b>3</b>		<b>1</b>		<b>2</b>	<b>6</b>	<b>1</b>	<b>3</b>	<b>1</b>		<b>4</b>	<b>1</b>	<b>1</b>				<b>1</b>
<b>otal</b>																							

\*effectively terminated criminal proceedings regardless of when charges were brought

\*\* indictments related to the final decision issued in the observed period

§ 328 - §331 Acceptance of Bribes (§ 331 repealed from 1 September 2015)

§ 332 - § 335 Bribery (§ 335 repealed from 1 September 2015)

§ 336 Indirect corruption

§ 336a Electoral Fraud

§ 336b Corruption in Sports

§ 336c-d Acceptance and provision of undue advantage

Charges brought (number of persons accused § 206 CCP) against natural and legal persons													
§	Special Prosecutor's Office										Special Crime Department of the General Prosecutor's Office of the Slovak Republic, Regions (XX Gv, 20 Kv)		
	2022			2023			1.1.- 19.3.2024			TOT AL	od 20.3.2024		
	Leg al pers ons	Natu ral pers ons	Tot al	Lega l pers ons	Natu ral pers ons	Tot al	Lega l pers ons	Natu ral pers ons	Tot al		Lega l pers ons	Natu ral pers ons	Tot al
§ 328		3	3							3			
§ 329		95	95		56	56	1	12	13	164	1	34	35
§ 330													
§ 331													

§ 332		3	3	1	2	3				6		2	2
§ 333	5	123	128	7	82	89	2	13	15	232	2	53	55
§ 334													
§ 335													
§ 336	1	7	8		7	7		29	29	44		63	63
§ 336 a		1	1		7	7				8			
§ 336 b		4	4		1	1				5			
§ 336 c												2	2
§ 336 d					1	1				1	2	2	4
<b>Total</b>	<b>6</b>	<b>236</b>	<b>242</b>	<b>8</b>	<b>156</b>	<b>164</b>	<b>3</b>	<b>54</b>	<b>57</b>	<b>463</b>	<b>5</b>	<b>156</b>	<b>161</b>

§ 328 - §331 Acceptance of Bribes (§ 331 repealed from 1 September 2015)

§ 332 - § 335 Bribery (§ 335 repealed from 1 September 2015)

§ 336 Indirect corruption

§ 336a Electoral Fraud

§ 336b Corruption in Sports

§ 336c-d Acceptance and provision of undue advantage

As can be seen from the above statistics from the Prosecutor's Office's Patricia Information System for the years 2022 to 2024, **in 2024 for corruption cases:**

- a total of **137 corruption cases were pressed**, in which
- **156 natural persons and 5 legal persons were pressed charges.**
- **In 102 cases an indictment was filed and**
- **in 18 cases a plea bargain was concluded.**
- The Specialised Criminal Court handed down **convictions in a total of 51 cases**

this year and **acquitted 3 cases** from indictment.

It is not possible to ascertain from statistical data, without conducting a physical examination of each individual case file, which of the corruption criminal offences referred to above are related to the use of EU or internal funds, nor is it possible to determine accurately which of them involve high-level corruption. Similarly, it was not possible to ascertain from the statistics, without a physical examination of all the files concerned, the types and amounts of penalties imposed for individual convicted cases.

By comparing the statistical data on the number of criminal prosecutions in which charges have been pressed, it can be seen **that 168 in 2022, 160 in 2023 and 137 in 2024 were registered for such criminal prosecutions. The aforementioned decrease in the number of prosecuted matters is not related to the activities of the prosecutor's office, but to the search and investigation activities of the police, while it shall be noted that in 2024 there were significant organisational changes within the Police Presidium, both in terms of investigators and operatives.** This transitional period may have been reflected in a temporary (and not very significant) decrease in the number of criminal cases.

It should also be noted that the change of jurisdiction from the Special Prosecutor's Office to the Regional Prosecutor's Offices took place in March 2024, so that the statistics for 2024 still partly include the activities of the Special Prosecutor's Office.

Therefore, more relevant statistical results both in terms of investigation and prosecutorial supervision will probably only be provided by the statistics for the year 2025.

### *Potential Obstacles*

The criminal prosecution of serious corruption offences was complicated by the amendment to the Criminal Code and the Criminal Procedure Code in 2024 by, among other things, significantly lowering the criminal penalties for corruption and the thresholds for qualified factual circumstances, derived from the amount of the bribe. At the same time, the amendment has also significantly shortened the statute-barring periods for corruption offences, thereby reducing the likelihood of successful investigations of complicated corruption cases, where a longer period of time often elapses between the commission of the offence and its discovery and the qualified pressing of charges against the perpetrator, which is related precisely to the complexity of such investigations, where, among other actions, complex analyses and expert evidence, etc., must be carried out.

Due to the significant reduction in criminal penalties and statutes-barring periods, a number of important corruption cases were retrospectively statute-barred in 2024, including the case of serious bribery of foreign public officials and the case of bribery of female judges by the former Minister of Economy.

In the years 2023 and 2024, the effectiveness of seizure of assets from criminal activity decreased, mainly due to the change in the Criminal Code and also due to the decision of the Constitutional Court of the Slovak Republic, which declared unconstitutional some provisions of the law on seizure of assets. On the basis of the above-mentioned legislative changes, the prosecutors of the Special Prosecutor's Office and, subsequently, the Serious Crime Department had to decide in a number of cases to abolish the seizure of assets of some of the accused persons. However, it should be noted that in several specific cases, the property of the accused, in particular that directly originating from criminal activity, remained seized.

### III. Media pluralism and media freedom

*Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding media pluralism and media freedom (if applicable):*

**Ministry of Culture:** The independence of public service media is a key factor in ensuring citizens' access to impartial, high-quality information. The Act on Slovak Television and Radio (The Act on STVR) ensures that creators in public service media are editorially and functionally independent and that they provide their audience with a plurality of information and opinions in an impartial manner in accordance with their public service mission. The Act on STVR ensures the freedom of the public broadcaster and a guarantee against interference by political power through several important measures:

#### *1. Strengthening the independence of the supervisory body*

Several state institutions cooperate in the process of appointing members of the board, namely the Government of the Slovak Republic through the Minister of Culture of the Slovak Republic (hereinafter referred to as the "Minister of Culture") and the Minister of Finance of the Slovak Republic (hereinafter referred to as the "Minister of Finance") and the National Council of the Slovak Republic. The Minister of Culture appoints and dismisses four members of the board, but appoints one member upon the proposal of the Minister of Finance. It follows from the above that the Minister of Culture nominates only three members to the Council without a proposal, which represents only one third of all Council members, while these members must be experts in the field of media and audiovisual, economics, law or information technology, the fourth member is nominated by the Minister of Finance, who must be an expert in the field of economics. These Council members are also appointed based on the results of a selection procedure, to which the provisions of Act No. 552/2003 Coll. on the performance of work in the public interest, as amended, apply accordingly.

The National Council of the Slovak Republic elects and dismisses five Council members by an absolute majority of the deputies present, which partially takes over the previous model of creating the Council. Proposals for candidates for Council members are submitted to the National Council of the Slovak Republic by the

Committee of the National Council of the Slovak Republic for Culture and Media. In order to ensure the professionalism of the Council, proposals for candidates for Council members may be submitted to the Committee of the National Council of the Slovak Republic for Culture and Media by legal entities operating in the field of audiovisual, media, culture, economics, law, business, science, education, development and protection of spiritual values, human rights and the environment, health protection, representing or substituting the interests of national minorities or ethnic groups, other minorities or registered churches and religious societies.

As for the professional requirements for candidates for Council members, these are set by law. All Council members must have a second-level university education and must meet the condition of achieving at least five years of professional experience. At the same time, a Council member must meet the condition of integrity and full legal capacity.

The composition of the Council is to ensure qualified opinions of the Council on both legal and economic issues of STVR, as well as on issues of the program and fulfilling the public interest in broadcasting.

Although the Act on STVR has changed the way the board is created, as in addition to the National Council of the Slovak Republic, the Minister of Culture and the Minister of Finance are also involved in the process, most of the members are still elected by the National Council of the Slovak Republic.

In connection with the above, one can point to France, for example, where two members of the supervisory body of the public broadcaster are elected by the parliament and five members are appointed by the government, or to Slovenia, where five members are elected by the National Assembly, four are appointed by the government, and two are elected by employees.

## *2. Ensuring funding*

The Act on STVR establishes mechanisms for independent financing of STVR, which is independent of political pressures. The main source of STVR income is the claimable contribution. This is a source of funding that was taken over from the previous legislation. The claimable contribution is provided annually from the state budget in the amount of at least 0.12% of the gross domestic product of the Slovak Republic expressed in current prices for the calendar year that is two years preceding the calendar year for which the claimable contribution is provided. So, it is funding that is established in advance by law according to a precisely defined formula and that is not influenced by political decisions. The claimable contribution ensures stable and predictable funding that allows STVR to plan long-term projects and provide quality content.

## *3. Ensuring editorial independence*

The legal regulation preserves the protection of editorial independence, which means that journalists can freely carry out their work without political interference in the content of the broadcast. The Council does not have the authority to interfere in the content of the broadcast and editorial decisions, which ensures the independence of

the functioning of the public service media. The Act on STVR ensures that STVR can provide impartial, verified, undistorted, up-to-date, understandable and overall balanced and pluralistic information about events in the Slovak Republic and abroad ensuring free formation of opinions.

#### *4. Transparency and control*

The Act on STVR ensures greater transparency in decision-making processes and in the management of the public service media. The provision on control, audit and supervision of the state over management was deleted from the draft Act on STVR under preparation. The provision was removed at the proposal of the Ministry of Finance of the Slovak Republic, which raised a substantial comment on the draft Act on STVR within the framework of interdepartmental comments, requesting the removal of the provision in question, on the grounds that "according to the proposed regulation, the control and audit bodies will not have the opportunity to verify the management of Slovak Television and Radio, for example, in the income from the contract for the provision of services to the public, income from the lease and sale of Slovak Television and Radio's property, other income not listed in letters a) to h). We would like to point out that according to the current legal regulation, Slovak Radio and Television is a subject of public administration and all funds managed by STVR pursuant to Section 2 letter a) of Act No. 523/2004 Coll. are considered public funds, so there is no reason why these funds should not be subject to control and audit. The proposed amendment would make independent control over the management of public funds impossible".

We also add information about the importance of the STVR Ethics Commission:

The Ethics Commission is an advisory body to the STVR Council. The role of the Ethics Commission is to take positions to the adherence to the statute of program workers, other creative workers and collaborators of Slovak Television and Radio and the general principles of ethics by employees of Slovak Television and Radio and external collaborators of Slovak Television and Radio in the performance of their activities and to propose appropriate measures to ensure their adherence.

Details of the activities of the Ethics Commission are regulated by the statute of the Ethics Commission, while the statute must be approved by the STVR Council, as it is an advisory body of the Council.

The objectivity and independence of the Ethics Commission is ensured by its composition, as its members come from various areas of public life and represent a wide range of opinions and professional skills.

The composition of the Ethics Commission is as follows:

- one member nominated by registered churches and religious societies in the Slovak Republic,
- one member for the protection of the interests of national minorities and ethnic groups living in the territory of the Slovak Republic nominated by the advisory body of the Slovak Government for the protection of the rights of persons belonging to national minorities and ethnic groups,
- one member for the protection of the interests of persons with disabilities nominated by the Commissioner for Persons with Disabilities,

- one member nominated by the Slovak Olympic and Sports Committee,
- one member nominated by representatives of national representative interest associations of legal entities associating self-governing regions, cities or municipalities,
- one member nominated by Matica slovenská,
- one member nominated by the Slovak Academy of Sciences,
- one member nominated by a legal entity with nationwide scope covering children's and youth organizations,
- one member representing the journalistic profession nominated by the national representative executive self-regulatory body for the protection of journalistic ethics.

This selection ensures that the Ethics Commission remains free from any political or commercial influence, maintaining its full independence, impartiality, professionalism, and neutrality. Although members of the Ethics Commission are appointed by the Chair of the Council, this occurs based on submitted nominations. If no nominations for the Ethics Commission are submitted within ten days after the deadline stated in the call for nominations, the Council collectively selects the appropriate nominee. In cases where more than one member is nominated, the Council determines the appointee through a draw.

The call for nominations for Ethics Commission members is published by Slovak Television and Radio through its broadcasts, its official website, and the Slovak News Agency, ensuring wide public access to the announcement.

This process demonstrates that the establishment of the Ethics Commission is designed to be as transparent as possible, guaranteeing the diversity, expertise, and independence of its members.

Members of the Ethics Commission must meet predetermined legal criteria. According to § 22(4) of the Act on Slovak Television and Radio and the amendment of certain laws, “A member of the Ethics Commission may only be a person who is of good repute and fully capable of legal acts.” The fulfillment of these conditions is verified by the Office of the Council before their appointment. Additionally, members of the Ethics Commission cannot serve as members of the governing bodies of Slovak Television and Radio, such as the Director-General or members of the Council, ensuring their independence and separation from the governing bodies.

The Ethics Commission plays a crucial role in upholding professional and ethical standards in Slovak Television and Radio, thereby ensuring balance, objectivity, and professionalism. This is a classic institution for assessing ethical principles, found across various private and public entities.

The Ethics Commission as an advisory body to the Council, submitting opinions and recommendations for measures, which the Council then adopts through resolutions. Thus, it does not have decision-making powers. Its competencies are clearly outlined by law, and all its recommendations are subject to the Council's approval.

#### *A. Media authorities and bodies<sup>17</sup>*

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<sup>17</sup> Cf. Article 30 of Directive 2018/1808.

No developments

If there have been developments related to media authorities and bodies, please specify which, in particular regarding topics listed below: ...

Relevant topics to be covered in your contribution:

- Measures taken to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies.

Legislative changes at the national level have primarily affected the main activities and competencies of the national regulator, the Council for Media Services. On July 24, 2024, a new law amending Act No. 264/2022 on Media Services and its amendments came into effect, incorporating the Digital Services Act (DSA) into Slovak law. The Council for Media Services was established as the Digital Services Coordinator, thereby expanding its competencies and scope. Since July 24, 2024, the Council has also been a full member of the European Board for Digital Services. Additionally, in April 2024, the national regulator joined the Global Online Safety Regulators Network (GOSRN), an international group working to align regulators' approaches to online risks (regulatory coherence). Through GOSRN, the Council represents the Central and Eastern European region, providing expertise on the DSA to other regulators.

In December 2024, Ministry of Culture of the Slovak Republic launched a legislative process to implement the European Media Freedom Act (EMFA) into Slovak law. The EMFA establishes common rules for the proper functioning of the internal market for media services while preserving their independence and plurality. This primarily impacts the Media Services Act and the activities of the national regulator, which oversees state regulation of broadcasting, retransmission, on-demand audiovisual media services, and content-sharing platforms. Ministry of Culture aims to expand the regulator's competencies, establish rules for state advertising allocation, regulate audience measurement systems, extend self-regulation areas, and enable mechanisms for regularly evaluating the independence of public broadcasters. Since the EMFA applies to media service providers, including publishers of print and online publications, the Ministry plans to incorporate these changes into Act No. 265/2025 on publishers and on the register for media and audiovisual fields and on amendments to certain acts (Publications Act).

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

No change.

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

No change.

*B. Safeguards against government or political interference and transparency and concentration of media ownership*

No developments

If there have been developments related government or political interference or transparency and concentration of media ownership, please specify which, in particular regarding topics listed below: ...

Relevant topics to be covered in your contribution include:

- *Measures taken to ensure the fair and transparent allocation of state advertising*

No change.

- *Safeguards against state / political interference, in particular:*
  - *safeguards to ensure editorial independence of media (private and public)*
  - *specific safeguards for the independence of heads of management and members of the governing boards of public service media (e.g. related to appointment, dismissal), safeguards for their financial and operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions*

The mission and activities of Slovak Television and Radio are based on existing legal regulations. As a broadcaster, its mission is to serve the public by providing broadcasting services that are geographically universal, programmatically diverse, editorially independent, created by qualified staff, socially responsible, and funded mainly through public resources. It promotes cultural development, provides space for contemporary cultural and artistic activities, conveys the cultural values of other nations, and operates under § 5(1) of the Act on Slovak Television and Radio.

The goal of drafting the Act on Slovak Television and Radio was to strengthen the independence of public broadcasters, depoliticize the selection of the Director-General, and reform the Council's structure. The independence of public media is a key factor in ensuring citizens' access to impartial and high-quality information. The Act guarantees that creators in public media are editorially and functionally independent, providing a plurality of information and perspectives in line with their public service mission.

- information on specific legal provisions and procedures applying to media service providers, including as regards granting/renewal/termination of licences, company operation, capital entry requirements, concentration, and corporate governance

No change.

- *Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners*

No change.

### *C. Framework for journalists' protection, transparency and access to documents*

*No developments*

*If there have been developments related to the framework for journalists' protection or transparency/access to documents, please specify which, in particular regarding topics listed below: ...*

*Relevant topics to be covered in your contribution include:*

- *Rules and practices guaranteeing journalist's independence and safety, including as regards protection of journalistic sources and communications, referring also, if applicable, to follow-up given to alerts lodged with the Council of Europe's Platform to promote the protection of journalism and safety of journalists.*

No change.

Ministry of Culture regularly responds to and prepares statements for the Ministry of Foreign Affairs and European Affairs of the Slovak Republic regarding notifications on the Council of Europe Platform for the Protection of Journalists, ensuring they are published on the platform.

- *Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists.*

Through its "Strategy of Prevention of Crime and Other Anti-Social Activities in the Slovak Republic until 2028," the Ministry of Culture has committed to collaborating on developing police procedures for journalist protection at high-risk events. The Ministry also aims to propose mechanisms for monitoring attacks on journalists and crimes against them, with implementation scheduled by December 31, 2028.

- *Access to information and public documents by public at large and journalists (incl. transparency authorities where they exist, procedures, costs/fees, timeframes, administrative/judicial review of decisions, execution of decisions by public authorities, possible obstacles related to the classification of information).*

**Ministry of Justice:** On 10 December 2024, the amendment to the Act on access to information was adopted by Parliament, by which the institute of extremely broad information retrieval was introduced and the time limit for the processing of the application for the information was extended from 8 to 12 working days.

- *Lawsuits (incl. SLAPPs - strategic lawsuits against public participation) and convictions against journalists (incl. defamation cases) and measures taken to safeguard against manifestly unfounded and abusive lawsuits.*

**Ministry of Justice:** Transposition of the anti SLAPPS directive is planned this year. The draft law is expected to be submitted to the Government in October 2025. Ministry of Justice already started working on the transposition.

**Ministry of Culture:** By Government Resolution No. 483/2023, the Ministry of Culture was tasked with mapping, planning, and implementing a system to monitor recommendations for improving journalist safety in the EU and developing a strategic plan for implementing the Council of Europe's recommendations on SLAPP lawsuits, which target public participation. These tasks are to be completed by September 30, 2025.

Additionally, the Ministry has nominated a representative to an interdepartmental working group led by the Ministry of Justice, focused on transposing the EU directive against SLAPP lawsuits into Slovak law.

The Ministry is also considering establishing a contact point on its website to inform journalists and media workers about procedures for addressing SLAPP lawsuits.

**Office of the Prosecutor General - information/data update**

Currently, the following criminal proceedings are being conducted in the Slovak Republic, in which journalists or the media act as their participants, either in the procedural position of the accused or the injured party:

### **1. Jurisdiction of the Regional Prosecutor's Office Bratislava**

Criminal prosecution conducted at the District Prosecutor's Office Bratislava I for the offence of dangerous threats under Section 360, Subsection 1 of the Criminal Code, on the factual basis that an unknown perpetrator sent several electronic messages to the editorial office of a Slovak daily newspaper, in which he vulgarly insulted the injured journalists of the said newspaper and threatened them that he would find them and their family. On 16 September 2024, the case was transferred under Section 214, Subsection 1 of the Criminal Procedure Code to another authority, as the results of the summary investigation showed that it was not a crime, but an act that could be a misdemeanor.

Criminal prosecution conducted at the District Prosecutor's Office Bratislava I for the offence of dangerous threats under Section 360, Subsection 1 of the Criminal Code, on the factual basis that the accused sent messages to the injured journalist (editor) of a Slovak private television station via a social network in which he vulgarly insulted him and threatened him with serious bodily harm. No substantive or interim decision has been issued in the case so far.

Criminal prosecution conducted at the District Prosecutor's Office Bratislava I for the crime of sexual violence under Section 200, Subsection 1 of the Criminal Code, on the factual basis that the accused, as a masseur, sexually harassed the injured journalist - an investigative reporter of a Slovak news portal against her will during the performance of a pre-ordered classic full-body massage. No substantive or interim decision has been issued in the case so far.

Criminal prosecution conducted by the District Prosecutor's Office Bratislava III for the offence of defamation pursuant to Section 373, Subsection 1, Subsection 2, letter c) of the Criminal Code, on the factual basis that an unknown perpetrator made an audio-visual recording (so-called deepfake) in September 2023 at an unspecified location and in an unspecified manner, which was supposed to capture a private conversation between the injured journalist and the chairman of a political party, while the topic of their conversation was supposed to be the manipulation of the parliamentary elections in the Slovak Republic by them. The perpetrator then placed this recording on the internet, where it was further spread via social networks, with users of these networks commenting on and sharing the recording, which was supposed to have resulted in a deterioration of the public image of the injured journalist. No substantive or interim decision has been issued in the case to date.

Criminal prosecution conducted at the District Prosecutor's Office Bratislava III for the offence of spreading alarming news under Section 361, Subsection 1, Subsection 2 of the Criminal Code, on the factual basis that an unknown perpetrator sent a false message from an unknown location to the email address of the aggrieved media in April 2024 with the aim of intimidating at least part of the population. On 12 September 2024, the criminal prosecution was discontinued under Section 228, Subsection 1 of the Criminal Procedure Code.

Criminal prosecution conducted at the District Prosecutor's Office Bratislava III for the offence of spreading alarming news under Section 361, Subsection 1, Subsection 2 of the Criminal Code, on the factual basis that a yet unknown perpetrator notified the media company of an alarm message in such a manner, that in September 2024 he sent an email message about an explosive in the building of the aggrieved media to the email address of the aggrieved media, which is used by more than 100 employees of the company in the building of the media company, after which the police took measures to check and secure the entire building, but no explosive was found. On 01.12.2024, the criminal prosecution under Section 228, Section 1 of the Criminal Procedure Code was discontinued.

Criminal prosecution conducted at the District Prosecutor's Office Bratislava V for the offence of endangerment under the influence of an addictive substance under Section 289, Section 1 of the Criminal Code, on the factual basis that the accused journalist has allegedly driven a passenger motor vehicle under the influence of alcohol in October 2024. On 27 October 2024, the accused was sentenced by a criminal order for the offence of endangerment under the influence of an addictive substance pursuant to Section 289, Section 1 of the Criminal Code to a prison sentence of 3 months with a conditional suspension of the execution of the sentence for a probationary period of one year and a ban on driving any type of motor vehicle for 2 years.

### **Updated information for 2023**

Criminal prosecution conducted at the District Prosecutor's Office Bratislava I for the offence of embezzlement pursuant to Section 213, Section 1, Section 2, letter a) of the Criminal Code, on the factual basis that the accused journalist had unlawfully appropriated (embezzled) money in the amount of 4,000 Euros belonging to a civic association in which he served as executive director and statutory body. On 02.04.2024, the accused was sentenced by a criminal order for the offence of embezzlement pursuant to Section 213, Subsection 1, Subsection 2, letter a) of the Criminal Code to a prison sentence of 1 year with a conditional suspension of the execution of the sentence for a probationary period of 2 years.

Criminal prosecution conducted at the District Prosecutor's Office Bratislava II for the offence of defamation under Section 373 Subsection 1, Subsection 2, letter c) of the Criminal Code, on the factual basis that the accused had published a video on the internet in which he stated false and defamatory information about the injured journalist and her personal life, and later had repeatedly made similar comments on a social network, which were capable of significantly jeopardizing her reputation among fellow citizens and damaging her employment. No substantive or interim decision has been issued in the case so far.

## **2. Jurisdiction of the Regional Prosecutor's Office Trnava**

Criminal prosecution conducted at the District Prosecutor's Office Trnava for the offence of disorderly conduct under Section 364 (1) (a) of the Criminal Code a) of the Criminal Code, on the factual basis that the accused person allegedly attacked the injured television presenter in October 2024 in a place accessible to the public during the filming of a television report, whom the accused person allegedly hit with his palm at least once in the face, causing her to suffer a fracture of the nasal bones, a sprain of the cervical spine, a concussion and a bruised nose. No substantive or interim decision has been issued in the case so far.

Criminal prosecution conducted at the District Prosecutor's Office Galanta for the crime of extortion under Section 189 Subsection 1 of the Criminal Code on the factual basis that the accused person allegedly called the injured director of the web portal from his mobile phone in November 2024, from whom he allegedly requested the withdrawal of the article published on their portal, and if he did not do so, he would take 30 liters of gasoline and come to the editorial office to set them all on fire, which did not happen. No substantive or interim decision has been issued in the case so far.

### **Updated information for 2023:**

Criminal prosecution conducted at the District Prosecutor's Office Trnava for the offence of dangerous persecution under Section 360a, Subsection 1, letter a), letter c) of the Criminal Code, on the factual basis that the suspect allegedly threatened the injured journalist operating the web portal by phone in June 2023 in the form of at least 3 SMS messages and also repeatedly made vulgar comments to the journalist. The case was legally terminated on 27.08.2024 by referral to the hearing of the misdemeanor, as the results of the summary investigation proved that it was not a crime, but an act that could be a misdemeanor.

Criminal prosecution conducted at the District Prosecutor's Office Trnava for the offence of dangerous persecution pursuant to Section 360a, Subsection 1, letter a), letter c) of the Criminal Code, on the factual basis that a currently unknown person had, in June 2023, from an undetermined location and IP address, published comments on the internet portal under various articles, the author of which was the

injured journalist operating the web portal, in which he had threatened the injured journalist with bodily harm. On 22.11.2024, the case was legally discontinued pursuant to Section 228, Subsection 1 of the Criminal Procedure Code.

### **3. Jurisdiction of the Regional Prosecutor's Office Nitra**

Criminal prosecution conducted at the District Prosecutor's Office Levice for the offence of dangerous persecution under Section 360a, Subsection 1, letter b), Subsection 2, letter c), letter d) of the Criminal Code in joinder with the offence of violating the confidentiality of oral expression and other expression of a personal nature under Section 377, Subsection 1 of the Criminal Code committed in the form of complicity pursuant to Section 20 of the Criminal Code, on the factual basis that the currently unknown suspected journalist was to ensure electronic surveillance and wiretapping in an undetected manner or with the help of other persons in June 2024, subsequently in September 2024 he was to publish an article in a magazine, as well as to make audio-visual recordings available on its website, where he recorded the injured person on a recording device without their knowledge, thereby violating the confidentiality of a personal expression by unlawfully capturing this expression without their knowledge with a recording device and rendering the recording made in such a manner accessible to a third party, and by doing so he was to cause serious harm to the rights of the injured person, at the same time he was to investigate circumstances regarding the injured person that could raise doubts about his impartiality in a specific case in which the injured person, as a public official, was to make decisions on several occasions, thereby causing the injured person assume reasonable concern for their life. No substantive or interim decision has been issued in the case so far.

### **4. Jurisdiction of the Regional Prosecutor's Office Žilina**

Criminal prosecution conducted by the District Prosecutor's Office Žilina for the offence of defamation under Section 373, Subsection 1, Subsection 2, letter b), letter c) of the Criminal Code, on the factual basis that the suspected editor of a media company published an article on an internet portal in October 2023 with potentially false information, and this article was published 3 days before the meeting of co-owners, at which the members of the land community committee were elected, in order to discredit the notifier with the aim of influencing the course of the elections, since only two members of the committee were elected and the other candidates were not elected, thereby causing other serious harm to the injured party. The aforementioned criminal case was dismissed under Section 197, Subsection 1 letter d) of the Criminal Code, as there was no reason to initiate criminal prosecution.

Criminal prosecution conducted at the Regional Prosecutor's Office Žilina for the crime of support and promotion of groups directed at the suppression of fundamental rights and freedoms under Section 421, Subsection 1, Subsection 2, letter a), letter b) of the Criminal Code, on the factual basis that the so far unidentified suspicious journalists, from an unspecified period, but mainly since 2014 (intensively since March 2023),

through periodicals, articles published on internet portals, through television reports throughout the Slovak Republic etc., were to support and promote the ideology of anti-cult movements and organizations, presenting and referring to statements by members of anti-cult movements and organizations that aim to suppress the fundamental rights and freedoms of individuals, mainly by labeling various groups of persons (religious societies, alternative schools, yoga, projects, business entities and the like) with negative and derogatory labels such as "sect", "cult", "malignant cult", "hybrid threat" and the like, which were to be associated with events and persons negatively perceived by the public, such as e.g. "they support Putin", with alleged sexual practices, revolution, etc. without stating any facts, thereby creating negative associations about the group or individuals, at the same time, they were to selectively use information taken out of context and interpret it negatively, and based on the negative image thus created, they were to spread lies and hatred in society among the public in order to condemn the "labeled group", while at the same time expressing the need to arouse the interest of law enforcement agencies and secret services in the given groups in order to interfere with their human rights and freedoms by means of criminal law and to suppress their right to freedom of thought, conscience, religion and belief, presumption of innocence and other fundamental rights and freedoms, thereby spreading dissatisfaction and hatred towards the groups and the government in society, which was to result in both the stigmatization of the defamed groups and their members in employment, in the family environment, in private law relationships, provoking sentiments in society towards a change of government, including demonstrations and strikes, creating chaos in society with the aim of spreading hatred in society, including religious hatred, causing discrimination and subsequent persecution of groups of persons, were to support the ideology of anti-cult movements and organizations that in the past aimed at suppressing the fundamental rights and freedoms of individuals. By a measure of the Prosecutor General of the Slovak Republic of 16.10.2024, an exception was determined in the aforementioned criminal case pursuant to Section 51 Subsection 1 of Act No. 153/2001 Coll. on the Prosecutor's Office, as amended, from the provisions of Section 46 Subsection 1, 3 of the cited Act, and the First Deputy Prosecutor General of the Slovak Republic and the prosecutors of the General Prosecutor's Office of the Slovak Republic designated by him as having substantive and territorial scope to exercise competence in the preliminary proceedings and in the court proceedings. **On 18.10.2024, the said criminal prosecution was discontinued pursuant to Section 215 Subsection 1 letter b) of the Criminal Procedure Code, as there is a sufficiently justified conclusion that this act is not a criminal offence and there is no reason to refer the case. The case has not yet been legally concluded, as a complaint has been filed against the decision to discontinue criminal prosecution.**

## **5. Jurisdiction of the Regional Prosecutor's Office Banská Bystrica**

Criminal prosecution conducted by the District Prosecutor's Office Banská Bystrica for the offence of defamation pursuant to Section 373 Subsection 1, Subsection 2 letter c) of the Criminal Code, on the factual basis that the suspected journalist was to continue the attacks mentioned below against the injured parties on internet portals

and social networks, where he was to provide misleading information that the injured parties are carrying out suspicious banking operations and money laundering. No substantive or interim decision has been issued in the case to date.

#### **Updated information for 2023:**

Criminal prosecution conducted by the District Prosecutor's Office Banská Bystrica for the offence of defamation under Section 373, Subsection 1, Subsection 2, letter c) of the Criminal Code, on the factual basis that the accused journalist published false and insulting statements about the injured party on an internet portal and social network in 2019. The statements concerned the actions of the injured party, which were allegedly fraudulent and involved the tunneling of EU funds. By the judgment of the District Court Banská Bystrica, ref. no. 1T/78/2023 of 26.09.2024, the defendant was found guilty as charged, a fine of 1,000 Euros was imposed on him and, in the event of his intentional failure, an alternative sentence of imprisonment for a period of 30 days. The judgment has not yet entered into force.

## **6. Jurisdiction of the Regional Prosecutor's Office Prešov**

#### **Updated information for 2023:**

Criminal prosecution conducted at the District Prosecutor's Office Humenné for the offence of dangerous threats under Section 360, Subsection 1 of the Criminal Code, on the factual basis that a currently unidentified perpetrator threatened the injured reporter with bodily harm and death in 2023. On 02.08.2024, the case was legally referred to the hearing of the offence, within which the offender was legally found guilty on 07.10.2024 of committing an offence against civil cohabitation pursuant to Section 49, Subsection 1, letter d) of Act No. 372/1990 Coll. on offences, as amended, for which he was imposed a sanction - a fine of 200 Euros. During the criminal proceedings, it was not proven that the said act was committed in connection with the performance of the injured party's activities as a journalist.

## **IV. Other institutional issues related to checks and balances**

### ***A. The process for preparing and enacting laws***

- *Framework, policy and use of impact assessments and evidence based policy-making, stakeholders'/public consultations (including consultation of judiciary and other relevant stakeholders on judicial reforms), and transparency and quality of the legislative process both in the preparatory and the parliamentary phase*

**Ministry of Justice:** At its meeting on 25 September 2024, the Government approved the **new Legislative Rules of the Government of the Slovak Republic**.<sup>18</sup>

The new legislative rules were developed for a number of reasons, for which the submitter chose the form of issuing new legislative rules of the Government of the Slovak Republic instead of amending the existing Legislative Rules of the Government of the Slovak Republic.

First of all, it is the need to align the legislative rules of the Government with the Legislative Rules of the National Council of the Slovak Republic. These changes are the result of mutual consultations of the Government Legislation Section of the Government Office as the Secretariat of the Legislative Council of the Government with the Department of Legislation and Law Approximation of the Office of the National Council of the Slovak Republic.

The new legislative rules further take into account the requirement to assess draft laws concerning the competence of local self-government against the European Charter of Local Self-Government, thereby ensuring that the principles and values of local self-government are strictly observed and respected in the legislative process. Following this change, it is proposed to strengthen the position of the Association of Towns and Municipalities of Slovakia as a compulsory commenting body on draft legislation concerning the scope of local self-government.

The proposal approved by the Government should also contribute to the improvement of the legislative process by incorporating further substantive changes to the Government's legislative rules on the basis of the requirements of the members of the Legislative Council of the Government as well as knowledge from the application practice. For example, it is proposed to clarify the rules for the use of transitional provisions or to exclude or restrict substantive amendments to amendments to legislation. This means that a draft law will not, as a rule, be able to include the insertion or addition of new amendment points in an amendment to a law, only the amendment or deletion of the original amendment points. Last but not least, the aim is also to be achieved by rationalising, streamlining and removing the overly casuistic nature of the legislative and technical instructions.

### **Ministry of Interior:**

Since October 2024, a working group has been meeting regularly to amend the methodological material aimed at creating strategic and conceptual materials entitled "Methodology and institutional framework for creating public strategies". The new version of this material will also include a recommended procedure for identifying and involving socio-economic partners and target groups relevant to the creation of a specific public policy in order to minimize the risks arising from unprofessional and insufficiently targeted strategic and conceptual materials, which results in a decrease in trust in public administration institutions and the quality of public policies. The basis for the prepared methodology is also the material "Principles and rules of public involvement in the creation of public policies", which was developed by the Office of

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<sup>18</sup> <https://rokovania.gov.sk/RVL/Material/29985/1>

the Government Plenipotentiary for the Civil Society Development. The expected date for submitting the methodology to the legislative process is summer 2025.

Based on the task from Government Resolution No. 483/2023 on the Action Plan of the Open Government Initiative in the Slovak Republic for 2024 - 2026, the Office of the Government Plenipotentiary for the Civil Society Development is creating a Participation Index, the aim of which is to monitor the state of participation in the ministries. The interim results were presented at the Council of the Government of the Slovak Republic for Non-Governmental Organizations on December 3, 2024. All self-governing regions (counties) of the Slovak Republic also participated in the Participation Index.

The Office of the Government Plenipotentiary for the Civil Society Development continues to implement the educational program for employees of central state administration bodies "Learning Institutions". Its goal is to present a strategic approach to the creation of public policies through the controlled involvement of socio-economic partners and/or the general public in the processes of their preparation. In 2024, the fifth cycle of the program took place with the participation of 8 central state administration bodies (Ministry of Culture of the Slovak Republic, Ministry of Justice of the Slovak Republic, Ministry of Foreign and European Affairs of the Slovak Republic, Antimonopoly Office of the Slovak Republic, Nuclear Regulatory Authority of the Slovak Republic, Office for Spatial Planning and Construction of the Slovak Republic, Office of the Government Plenipotentiary for National Minorities and the Government Office of the Slovak Republic).

### **B. Independent authorities**

- *Independence, resources, 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*

**Ministry of Justice:** The National Preventive Mechanism mentioned in the last report was established by the Act No. 110/2023 Coll. amending Act No. 564/2001 Coll. on Public Defender of Rights. The Act entered into the force on 1 May 2023.

All information provided last year in this regard still apply.

The Slovak Republic also ratified OP-CAT which entered into force in Slovakia on 19/10/2023. In 2024 the national preventive mechanism operated by the Public Defender of Rights, Commissioner for Persons with disabilities and Commissioner for Children continued to exercise their role and conducted unannounced visit.

	No. of visited facilities in 2023	No. of visited facilities in 2024
Public Defender of Rights	8	34

Commissioner for Persons with Disabilities	2	not available	yet
Commissioner for Children	2	not available	yet

In 2024, the directives on standards for equality bodies were adopted (2024/1499/EU and 2024/1500/EU). The Ministry of Justice plans to introduce the legislation transposing these directives to the legislative process by the end of 2025.

**Table 2. Budget and allocation of employees for the Slovak National Centre for Human Rights**

Year	Budget in EUR	Average no. of employees
2024	1 071 000	not yet available
2023	967 002	not yet available
2022	870 287 + 74 000	25
2021	849 874	23
2020	797 822	21
2019	787 215	18
2018	565 356	16

**Table 3. Budget allocation for the Office of the Public Defender of Rights**

Year	Budget in EUR	Allocated no. of employees
2024	2 228 000	not yet available
2023	2 173 875	58
2022	2 010 279	52

- *Statistics/reports concerning the follow-up of recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies and supreme audit institutions in the past two years.*

Information provided last year is still relevant. Please see update of the tables concerning statistics of the Commissioner for Persons with Disabilities.

**Table 1. Statistics of the Commissioner for Persons with Disabilities in respect of recommendations addressed to government for years 2016 – 2023 (with implementation also in 2024)**

The recommendations are of different character; some include suggestions for changes of legislation while some are more general recommendations. Several recommendations are repeated every year.

Status of measures	Number of measures
Implemented	21
Partially implemented	8
Continuously implemented	13
Not implemented	35
Without relevance	3
New recommendations (issued in 2023)	11

**Table 2. Statistics of the Commissioner for Persons with Disabilities in respect of individual complaints**

Year	Total no. of complaints	Finished	Violation	Recommendations
2023	758	634	122	36 (13 implemented, 18 being implemented, 5 denied implementation)
2022	618	559	41	25 (9 implemented, 2 being implemented, 2 denied implementation, 12 are being monitored)
2021	631	650	103	33 (24 implemented, 5 continuously implemented, 4 not implemented)
2020	685	800	75	46*
2019	660	630	64	23*
2018	518	511	121	98* (together with 2017)

\* status of implementation not available

**Table 3. Statistics of the Commissioner for Children in respect of individual complaints**

Year	Total no. of complaints	Finished	Violation
2023	406	1902	67
2022	762	not available	not available

**Table 4. Statistics of the Slovak National Centre for Human Rights in respect of individual complaints**

Year	Total no. of complaints	On discrimination	Violation
2023	428	177	23
2022	357	122	15

**Table 5. Statistics of the Public Defender of Rights in respect of individual complaints**

Year	Total no. of complaints	Finished	Violation
2023	1790	1902	67
2022	873	-	103

### **C. Accessibility and judicial review of administrative decisions**

- *Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data)*

**Ministry of Justice:** As regards publication of the court judgments in administrative matters, please see answer to the recent Justice Scoreboard Q. 9.

- *Judicial review of administrative decisions: short description of the general regime (in particular competent court, scope, suspensive effect, interim measures and any applicable specific rules or derogations from the general regime of judicial review).*

In 2024, a new regulation on the judicial review of the representativeness of a higher-level collective agreement in the administrative justice system was approved by Act No. 289/2024 Coll. amending Act No. 663/2007 Coll. on the minimum wage, as amended, and amending certain acts

No other legislative changes.

- *Rules and practices related to the application by all courts, including constitutional jurisdiction, of the preliminary ruling procedure (Art. 367 TFEU)*

No legislative changes.

- *Follow up by the public administration and state institutions to final decisions (national/supranational including the European Court of Human Rights court), as well as available remedies in case of non-implementation.*

No legislative changes.

**Ministry of Justice:** The process of enforcement of ECtHR judgments in the Slovak Republic follows the system set up in the Council of Europe, where, in accordance with Article 46(2) of the Convention for the Protection of Human Rights and Fundamental Freedoms, the enforcement of ECtHR judgments is supervised by the Committee of Ministers of the Council of Europe (detailed information is available here: <https://www.coe.int/en/web/cm/execution-judgments>). The role of the national coordinator in the enforcement of ECtHR judgments is performed by the Agent of the Slovak Republic before the ECtHR and his office, which is an organisational unit of the Ministry of Justice of the Slovak Republic. There were no changes in this system in 2024.

In all cases, the Slovak Republic strives to take all necessary steps for the implementation of ECtHR judgements. Financial obligations arising from ECtHR judgments are fulfilled by the Ministry of Justice of the Slovak Republic and have long been fulfilled within the timeframe specified in the judgments. As regards other measures required by ECtHR judgments, these are always taken and implemented depending on the nature of the violation found by the judgment; in this respect, the Office of the Slovak Government Agent before the ECtHR notifies the authorities concerned of the judgments, provides them with the necessary consultations in order to select and adopt the necessary implementation measures, consults on contentious issues with the Department for the Execution of Judgments and Decisions of the ECtHR of the Secretariat of the Council of Europe, and submits to the Committee of Ministers of the Council of Europe the reports on the planned measures and the reports on the implemented measures (action plans/action reports).

The state of implementation of the judgments of the ECtHR against the Slovak Republic is described here: <https://www.coe.int/en/web/execution/slovak-republic> The execution rate of judgments against the Slovak Republic, according to official data as of 6.12.2024, is 90 % (closed cases), i.e. 10% of judgments are in the execution phase

There have been no judgments against the Slovak Republic in recent years in which the ECtHR has expressed criticism in relation to the selection or removal of judges, disciplinary proceedings against judges or the nature of the courts, which are directly related to the state of the rule of law, as for example in Poland (e.g. judgment *Xero Flor w Polsce sp. z o.o. v. Poland*, app. no. 4907/18, 7 May 2021; judgment *Żurek v. Poland*, app. no. 39650/18, 10 October 2022; judgment *Juszczyszyn v. Poland*, app. no. 35599/20, 6 October 2022; judgment *Tuleya v. Poland*, app. nos. 21181/19 and 51751/20, 6 October 2023; etc.).

#### ***D. The enabling framework for civil society***

No developments

If there have been developments related to the enabling framework for civil society, please specify which, regarding topics listed below: ...

**Ministry of Interior:** The Slovak Government has committed itself in its program statement to create a state Agency for Assistance to the Non-Profit Sector, which will focus on awarding short-term and long-term grants. The aim is to support that part of the civil sector, which is genuinely interested in improving life in the country. The Ministry of the Interior of the Slovak Republic, in cooperation with the Office of the Government Plenipotentiary for the Civil Society Development, has established a working group that will prepare a draft law on the establishment of the agency, its competencies and content agenda. The draft law should be submitted in December 2025.

In August 2024, the Office of the Government Plenipotentiary for the Civil Society Development launched the first accreditation of organizations working with volunteers. This is a state verification of the competence of organizations and recipients of volunteer activities, which guarantees the quality of their programs. Accredited entities will then be able to apply for funds from the newly created subsidy scheme to support volunteering.

In August 2024, the Office of the Government Plenipotentiary for the Civil Society Development began implementing the national project "Integration of third-country nationals, including migrants". The aim of the project is to ensure the systematic, transparent and effective provision of financial contributions to entities that ensure the implementation of socio-economic integration activities for the benefit of target group persons, with an emphasis on strengthening the quality of long-term integration activities provided to target group persons and their impact on inclusion and quality of life in the community. The amount of funds allocated to the project is EUR 6,788,595.80.

In October 2024, the Office of the Government Plenipotentiary for the Civil Society Development began implementing the national project "Supporting the professional and coordination capacities of umbrella civil society organizations". The aim of the project is to increase the level and effectiveness of the involvement of civil society organizations in the implementation of public policies in the field of employment, education and social inclusion and topics demonstrably related to them, by building the advocacy, analytical and coordination capacities of umbrella organizations in the civil society sector and supporting intersectoral partnerships at all levels of public administration. By implementing the project, the Office of the Government Plenipotentiary for the Civil Society Development aims to contribute to solving the problem of the lack of opportunities and financial resources for the systematic building of professional and strategic development capacities of umbrella organizations civil society organizations. These capacities are essential for the effective development of organizations in the civil society sector and for their ability to effectively participate in processes related to the implementation of policies in the field of employment, education and social inclusion and topics demonstrably related to them, in accordance

with principle 8 of the European Pillar of Social Rights. The implementation of the project will support cooperation and partnerships between actors influencing labour market policies, thereby contributing to the implementation of the Danube Strategy Action Plan in Action 1, priority area "People and Skills". The implementation of the project will strengthen the professional and strategic capacities of umbrella civil society organizations and increase the level of cooperation and intensity of social dialogue. The strengthened capacities will increase the economic resilience of umbrella civil society organizations and their ability to secure sufficient resources for their participation in the implementation of policies in the field of employment, education and social inclusion and topics demonstrably related to them, including the provision of services in the public interest. The amount of funds allocated to the project is EUR 9,296,454.22.

### **Questions for input on the single market dimension of the Rule of Law Report**

#### **Pillar I:**

#### **Replies of the Ministry of Justice**

##### *Quality of justice*

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

##### *Specialisation:*

Specialization of the courts was the main goal of the recent reform of the judicial map. The information on the changes was already provided in previous Rule of Law reports. The work schedule of the courts has to respect principle of the specialization of the judges on the main judicial agendas. The main judicial areas are civil law, criminal law, commercial law, family law and agenda of administrative courts. Each of the Municipal courts in Bratislava is competent in one of the main judicial area, for the commercial matters it is Municipal Court Bratislava III. As regards the agenda of the Business Register, the competent court for the whole agenda of the register is District Court Žilina.

According to the Act No. 757/2004 Coll. on courts, the Supreme Court of the Slovak Republic has three divisions, criminal, civil and commercial. The judges are assigned to divisions according to the field in which they work.

Divisions give opinions with the aim of unifying interpretation of laws and other generally binding legal regulations:

- upon a proposal presented by the presiding judge of a division if final decisions issued by individual panels of the same division reflect conflicting interpretations, or
- upon a proposal presented by the Supreme Court President if final decisions issued by the courts of the SR reflect conflicting interpretations.

### *Training:*

Judicial Academy of the Slovak Republic organized activities in the area of commercial law, most of them were aimed at bankruptcy and restructuring and company law (new trends in company law, changes in legislation in registering of companies, etc.) and other activities connected with the institutes of private law, like specific contracts, liability, damages, set-off etc. One training dealt with case law in commercial cases. All of the trainings were opened to whole judiciary in the target group, not only judges, but also to judicial clerks and assistants to the judges at Supreme Court.

Judicial Academy organized also interdisciplinary training on economic and accounting documents in civil and criminal procedure as well as decision-making process as such.

In 2024, Judicial Academy organized joint trainings in specific cross-specialized areas, like public procurement, taxation, unfair competition, both for administrative judges and commercial / civil judges.

- *Alternative dispute resolution mechanisms and mediation*

### *Mediation:*

Mediation in Slovak Republic is regulated by Act No. 420/2004 Coll. on mediation. Mediation is applicable to the civil law matters, family law matters, commercial contractual matters and labour law matters. It is also applicable to the cross-border disputes in mentioned matters. A mediator under this Act may be any natural person registered in the register of mediators who is agreed upon by the persons participating in the mediation and who enters into an agreement with the persons participating in the mediation to commence mediation. The Ministry of Justice of the Slovak Republic maintains a register of mediators, a register of mediation centres and a register of educational institutions. The mediator shall act on the basis of a certificate issued by the Ministry. The practice of mediation is a business.

The agreement resulting from the mediation shall be in writing and shall be binding on the parties to the mediation. On the basis of the agreement resulting from the mediation, the beneficiary may file a petition for judicial enforcement of the decision or a petition for execution, if the agreement is in accordance with the conditions laid down in special provisions:

- drawn up in the form of a notarial deed,
- approved as a settlement before a court, arbitration body.

In 2020-2023, the Ministry carried out the project "Building and Strengthening Alternative Dispute Resolution through Mediation and Effective Use of Restorative Justice Tools in the Slovak Republic", the subject of which was to explore and promote the use of mediation in court disputes, which is a specific part of disputes resolved by mediators.

The conclusions of the project showed that the decisive factors for participation in mediation are:

- a qualified mediation referral. Motivation for mediation is significantly increased by a court recommendation, especially if the judge, senior court official or coordinator presents the mediation in a convincing way. Confidence in the judge significantly helps to accept the mediation recommendation,
- implicit or visible motivation/willingness of litigants to pursue alternative dispute resolution (participation of the outwardly unmotivated is not hopeless and may lead to agreement),
- a presumed last chance in the form of mediation before court proceedings where agreement can be reached,
- reasoning and the fact that participation in even unsuccessful mediation improves communication and cooperation between litigants

#### *Arbitration:*

Arbitration is in Slovak Republic regulated by:

1. Act No. 244/2002 Coll. on arbitration proceedings
  - the Act regulates disputes resulting from the domestic or international commercial or civil matters.
  - Following disputes cannot be arbitrated:
    - a) on the creation, change or termination of ownership rights and other rights in rem to immovable property,
    - b) on personal status,
    - c) related to the compulsory execution of decisions,
    - d) arising in the course of bankruptcy and restructuring proceedings.
  - Any natural person agreed upon by the parties may become an arbitrator if he or she is of full age, has full legal capacity and is of good character, and unless otherwise provided by a special regulation or this Act.
  - Only the Slovak Olympic and Sports Committee, a national sports federation or a chamber established by law may be the founder of a permanent arbitration court with its seat in the Slovak Republic. A legal entity shall be obliged to establish and maintain a permanent arbitration court at its own expense, if this is provided for by special regulations.
  - The Ministry of Justice of the Slovak Republic maintains a list of permanent arbitration courts on the basis of data published in the Commercial Gazette.
  - A foreign arbitral award may be recognised and enforced in the Slovak Republic under the conditions set out in this Act, which are:
    - A party seeking recognition and enforcement of a foreign arbitral award shall be obliged to attach the original of the foreign arbitral award or a certified copy thereof and the original of the arbitration agreement or a certified copy thereof to the written request for recognition and enforcement of the foreign arbitral award filed with the court.

- If the foreign arbitral award or arbitration agreement is not drawn up in the official language of the Slovak Republic, the party to the proceedings shall ensure its official translation into that language.
  - Recognition of a foreign arbitral award shall not be given by a special decision. A foreign arbitral award shall be recognised by the fact that the court having jurisdiction to enforce the award or to execute it shall take it into account as if it were a domestic arbitral award.
  - Recognition of a foreign arbitral award which does not need to be enforced shall be given by the court by an order which shall be served only on the plaintiff. A recognised foreign arbitral award shall have the same effect as a domestic arbitral award.
2. Act No. 335/2014 Coll. on consumer arbitration proceedings and on Amendments and Additions to the certain Acts.
- The Act established specific arbitration proceedings for consumers which is close to arbitration, allowing consumer disputes to be resolved while preserving the guarantee of consumer rights protection.
  - The Act also transposed the Directive 2013/11/EU.
  - The Act is a specific institutional and procedural regulation of arbitration in consumer matters. The new legislation is built on the following fundamental pillars, which are intended to contribute to increased consumer protection:
    - definition of the consumer arbitration agreement,
    - definition and tightening of the conditions to be met by the permanent arbitral tribunal, -definition of the conditions to be met by the arbitrator,
    - introduction of "licensing" of arbitrators and permanent arbitral tribunals,
    - coherent regulation of the consumer arbitration process,
    - mechanism of judicial intervention to eliminate possible arbitrator's misconduct, and
    - compensation of information asymmetry of consumers ensured by means of statutory forms.
  - Consumer disputes may only be arbitrated by an arbitrator who is registered in the list of arbitrators authorised to arbitrate consumer disputes maintained by the Ministry of Justice of the Slovak Republic and at the same time registered in the list of arbitrators of the permanent arbitration court authorised to arbitrate consumer disputes, which is to arbitrate the dispute pursuant to the consumer arbitration agreement.
  - Before being entered in the list of arbitrators, a natural person must successfully pass the arbitrator's professional competence examination and meet the requirements of integrity, trustworthiness, a second-degree university degree in law and at least five years of legal practice. The examination shall be conducted by the Ministry as necessary, at least once a year.
  - The Ministry shall organise, through the person in charge, a professional seminar at least once a year as part of the further training of referees. The delegated person shall issue the referee with a certificate of attendance at the training seminar, a copy of which shall be submitted by the referee to the Ministry no later than 15 days after the completion of the further training.

- If an arbitrator fails to attend at least one professional seminar for two consecutive years, the Ministry shall order his or her examination. The provisions on the examination shall apply mutatis mutandis to the examination.
- Consumer disputes may only be arbitrated before a permanent arbitration tribunal whose founder holds a licence granted by the Ministry under this Act.

The Slovak Republic is a contracting party to the UN Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 10 June 1958) and Act on arbitration proceedings is also influenced by UNCITRAL Model Law on International Commercial Arbitration.

## Pillar II:

### *Prevention*

- *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)*

**The Government Office:** The Government Office of the Slovak Republic (GO) has adopted its Manifesto of the Slovak Government 2023-2027, where the government has defined that a whole-of-society approach is required to fight corruption.

The deduction of Manifesto's fulfillment tasks also include tasks related to the harmonization of corruption, financial risks and fraud.

The Government Office actively coordinates the process management of corruption risks in individual ministries. Corruption risk management is an essential part of departmental anti-corruption programs and represents an objective tool that is based on evidence and is an integral part of the anti-corruption system. It allows the organization to achieve control over the identified corruption risks and increase the effectiveness of corruption prevention. It serves to identify areas, positions, activities and processes of the organization that are exposed to corruption risk. For this purpose, the Government Office operates the IntegrityData.sk website. This portal is directly connected to the Corruption Risk Management module of the RIS system, which allows publishing graphs and statistical data directly from corruption risk management surveys for the needs of participating entities. **Each ministry and/or institution manages and addresses its own risks and reflects them with specific objectives and requirements in the Individual anti-corruption risk management plan.** Government Office also as a first institution and leading by example has implemented on July 7, 2020 the highest anti-corruption ISO standard 37001:2016 and maintains this highest standard to this date and also continues to motivate other entities to implement it as well.

Council of the Anti-Corruption Coordinators (in the 2023 reply by the SSD identified as the "Board of the Anti-Corruption Coordinators"), the [Statute of the Council of the Anti-Corruption Coordinators](#) (the "Council") was adopted on 2 May 2023. The Council was formally institutionalized as an advisory body of the Head of the GO SR. There are all institutions with obligatorily established position of the Anti-

Corruption Coordinator (the “ACC”) included (i.e. all ministries and other central authorities) and institutions which were recommended to establish the position of the ACC by the task C.1. of the Anti-Corruption Policy of the Slovak Republic (the “ACP”) adopted by the Resolution of the Government of the Slovak Republic (the “GSR”) No. 585/2018 of 12 December 2018 (i.e. the Supreme Audit Authority of the SR, the Judicial Council of the SR and the Association of Towns and Municipalities of the SR)

Anti-corruption coordinators are regularly trained and a Methodological Guidelines on harmonisation of corruption risk management (harmonisation of financial, corruption and fraud risks) is currently being prepared, which will also include the area of coordinators' advice to all public officials.

There is a creation process in place for the new National Anti-Corruption Strategy, which will continue to focus primarily on of corruption prevention **by incentivising individual ministries to define, adopt and update their own sectoral anti-corruption measures, which may include also adaptation of the highest ISO standard 37001:2016.** (We noted that 4 national authorities have implemented ISO standard 37001:2016 and 6 are considering implementing this anti-corruption standard.) It will be based on four pillars, including corruption prevention legislation, capacity building, education, communication, and corruption risk management. It will be done during duration of the Government’s Programme Statement 2023-2027, no later than 06/2025 and consultations, including intragovernmental and public consultations, are envisaged. The standard monitoring system of the previous strategy remains in place, and consequently there is still in place Anti-corruption Coordination Council, which is performing tasks such as corruption risk management and individual anticorruption program, which evaluates custom-made objectives and measures in specific area.

A new Statute of the Council of Anti-Corruption Coordinators, who are placed in all ministries and other central authorities, was adopted on 2 May 2023. As previously reported, the Council continues to serve as an advisory body for the Head of the Government Office.

In 2024, the Government Office of the Slovak Republic received recognition "Recognized by EFQM".

It is the **highest recognition that the Government Office of the Slovak Republic could achieve** within the EFQM RAPID international assessment, which took place at the Government Office of the Slovak Republic on October 15-16, 2024.

The Government Office of the Slovak Republic is also the holder of **the certificate "Responsible procurer 2023" with the rating A+ "very responsible procurer"** for transparent procurement, which was awarded to only 231 public procurers out of 3,428 evaluated entities by the company ProWise, a.s. – TRANSPAREX.

The Government Office will encourage through the Council of Anti-Corruption coordinators all ministries and other central government bodies to implement the same or similar standards.

**Of course the Government Office will continue** to perform coordination tasks only in the area of society-wide coordination of corruption prevention, which is also demonstrated by the preservation of the Council of Anti-Corruption Coordinators within the scope of the office. In Art. 2 paragraph 2 of the statute:

- a) prepares conceptual documents for the Government of the Slovak Republic (hereinafter referred to as "the Government") regarding the prevention of corruption,
- b) issues recommendations for the adoption of anti-corruption measures, especially to ministries and other central state administration bodies,
- c) issues opinions on documents in the field of corruption prevention, fight against corruption, anti-corruption measures drawn up and issued by ministries and other central state administration bodies,
- d) initiates, through the government office, the updating and revision of documents and measures in the field of corruption prevention and the fight against corruption,
- e) submits to the government, through the head of the government office, reasoned suggestions for amendments to selected valid legal regulations with a view to improving the prevention of corruption and the fight against corruption,
- f) performs other activities related to the area of corruption prevention according to the instructions of the head of the government office.

**The Government Office emphasizes that according to § 24 par. 1 letter b) Act no. 575/2001 Coll. on the Organization of Government activities and the Organization of the Central State Administration, as amended (hereinafter referred to as "Act No. 575/2001 Coll."), the government office continues to be the central body of the state administration for coordination in the field of corruption prevention. The Government Office was, in accordance with Government Resolution No. 168 of March 9, 2011 as a notified authority for the prevention of corruption pursuant to Article 6 of the United Nations Convention against Corruption of October 31, 2003.**

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

As stated, the **Office** of the **Government** operates the IntegrityData.sk website. This portal is directly connected to the Corruption Risk Management module of the RIS system, which allows publishing graphs and statistical data directly from corruption risk management surveys for the needs of participating entities. **Each ministry and/or institution manages and addresses its own risks and reflects them with specific objectives and requirements in the Individual anti-corruption risk management plan.**

Pillar IV:

### *The process for preparing and enacting laws*

- Safeguards to ensure legal certainty, the stability of the legal framework and non-discrimination. *[this question complements the exiting question on rules and use of fast-track and emergency procedures]* .

**Ministry of Justice:** According to the Legislative Rules of the Government of the Slovak Republic, a uniform methodology for impact assessment is a mandatory part of the preparation of the legislative and non-legislative materials.

The Unified Methodology for the Assessment of Selected Impacts sets out the procedure for ministries, other public authorities and associations of legal entities with the participation of the Ministry of Economy of the Slovak Republic, whose interest and mission is the support and development of small and medium-sized business in the Slovak Republic in assessing the impact of the material on the public budget, on the entrepreneurial environment, social impacts, impacts on the environment, impacts on the informatization of society, impacts on public administration services for the citizen and impacts on marriage, parenthood and family, which will be submitted to the inter-ministerial comment procedure and the material submitted to the to the Government of the Slovak Republic.

Ministry of Economy is the coordinator of the impact assessment according to the unified methodology, which administers and methodologically manages the impact assessment process.

Ministry of Economy shall inform the submitter of the obligation to carry out consultations with business entities in the case of materials included in the Plan of Legislative Tasks of the Government of the Slovak Republic or the Plan of Work of the Government of the Slovak Republic within ten working days from the approval of the respective plan by the Government of the Slovak Republic. In the case of materials submitted outside the Plan of Legislative Tasks of the Government of the Slovak Republic or the Plan of Work of the Government of the Slovak Republic, within five working days from the sending of the information on the preparation of the material.

The minimum duration of the business consultation shall be four weeks, or shorter in the case of an agreement of the businesses involved in the consultation with the submitter. The consultation shall also be deemed to be a regular meeting of the working group or other grouping with the participation of representatives of the business community established for the purpose of preparing the draft material.

### *Independent authorities*

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

**Ministry of Finance:** The supervision of the financial market is conducted by National Bank of Slovakia (NBS). Independence of the NBS as a Central bank is laid down in

Article 56 paragraph 1 of the Constitution of the Slovak Republic (Constitutional Act No. 460/1992 as amended).

Act No. 566/1992 on National bank of Slovakia as amended establishes in the Art. 1 par. 1 NBS as independent central bank of Slovak Republic. Art. 12 par. 1 states that NBS shall fulfil its tasks independently of instructions from state authorities, self-government bodies, any other public authorities and from legal persons and natural persons.

#### *Accessibility and judicial review of administrative decisions*

- *Respect of the good administration principle (including the obligation of the administration to give reasons for decisions) [this question complements the existing question on transparency of administrative decisions]*

**Ministry of Finance:** Third division of the Act. No. 747/2004 on financial market supervision as amended (Act. No. 747/2004) regulates the proceedings in supervisory matters. Art. 27 par. 1 stipulates, that a decision of NBS must contain the statement of the decision, the grounds of the decision, and information concerning appeals against the decision. Par. 3 stipulates that the grounds of a decision shall state which findings of fact served as the basis of the decision, which considerations in regard to the assessment of evidence were taken into account for the decision, and under which provisions of legislation of general application the established facts of the case were judged.

- *Safeguards (other than judicial review) regarding decisions or inaction of administrative authorities, including remedies. [this question complements the existing question on judicial review of administrative decisions]*

**Ministry of Finance:** Art. 29 of the Act No. 747/2004 sets in par. 5 the right to appeal against the first-instance decisions (competence of Financial Market Supervision Unit) within 15 calendar days after the date on which the decision is served. Appeals might be decided on by Financial Market Supervision Unit if the appeal is accepted (Art. 30 par. 1) or submitted to the Bank Board (par. 2). Decisions of the Bank Board are not subject to appeal (Art. 32. Par. 4). Art. 33 regulates that the legality of final decisions and procedures of NBS in supervisory matters may be reviewed by an administrative court.

Regarding the inaction of the authorities, Art. 31 par. 1 lays down that if the Financial Market Supervision Unit breaches the law by failing to initiate proceedings or to continue proceedings, or if it fails to issue a decision within the time limit, the Bank Board itself may initiate proceedings and take first-instance decisions. Such proceedings and decisions are subject mutatis mutandis to the relevant provisions

concerning proceedings and decisions conducted and taken by the Financial Market Supervision Unit.

Wording of the paragraphs used (as [published by NBS](#)):

### **Constitutional Act No. 460/1992 as amended**

#### Article 56

(1) The National Bank of Slovakia is an independent central bank of the Slovak Republic. The National Bank of Slovakia may, within its scope of power, issue generally binding legal regulations if it is so empowered by a law.

### **Act No. 566/1992 on Národná banka Slovenska as amended**

#### Article 1

(1) Národná banka Slovenska is hereby established as the independent central bank of the Slovak Republic. Národná banka Slovenska is a member of the European System of Central Banks; Národná banka Slovenska shall be included also in the Eurosystem as the central banking system of the euro area within the European System of Central Banks.

#### Article 12

(1) Národná banka Slovenska shall fulfil its tasks independently of instructions from state authorities, self-government bodies, any other public authorities and from legal persons and natural persons.

### **Act. No. 747/2004 on financial market supervision as amended**

#### Article 27

(1) A decision of Národná banka Slovenska must contain the statement of the decision, the grounds of the decision, and information concerning appeals against the decision.

(2) The statement of a decision shall comprise the decision on the matter, a reference to the provision of the legislation of general application under which the decision was made, and the decision on the obligation to reimburse the costs of the proceedings, if such decision has been made. If a decision on a matter is contingent on the fulfilment of conditions, these conditions shall be specified in the statement of the decision; the fulfilment of these conditions shall be proven to Národná banka Slovenska within a deadline set by Národná banka Slovenska. If the fulfilment of these conditions is not proven within that deadline, Národná banka Slovenska shall repeal the decision, unless otherwise provided by another act. The statement of a decision may not impose obligations that are imposed directly by law.

(3) The grounds of a decision shall state which findings of fact served as the basis of the decision, which considerations in regard to the assessment of evidence were taken into account for the decision, and under which provisions of legislation of general application the established facts of the case were judged. The grounds need not be stated in cases where all parties to the proceedings are fully satisfied by the decision.

#### Article 29

(5) Appeals against first-instance decisions taken by the FMS Unit shall be lodged with the FMS Unit. Appeals against a first-instance decision may be lodged within 15 calendar days after the date on which the decision is served. The extent to which a first-instance decision is subject to appeal, and the grounds on which the appeal may be lodged, may not be extended, amended or supplemented after the expiry of the time limit for lodging the appeal.

#### Article 30

(1) The FMS Unit may itself decide on an appeal if it accepts the appeal in full, and may, where necessary, take additional evidence.

(2) If the FMS Unit does not decide on an appeal under paragraph 1, it shall submit it, together with the results of the proceedings conducted so far, the files of these proceedings, and its opinion on the appeal, to the Bank Board within thirty days after receiving the appeal.

#### Article 31

The Bank Board itself may initiate proceedings and take first-instance decisions in proceedings, or it may designate a competent organisational unit of Národná banka Slovenska to do the same, if the FMS Unit breaches the law by failing to initiate proceedings or to continue proceedings, or if the FMS Unit fails to issue a decision within the time limit set by this Act or by other legislation, or if any other serious shortcomings arise in proceedings or decisions conducted or taken by the FMS Unit, or if such action is necessary to resolve a crisis situation threatening the stability of the financial system. Such proceedings and decisions are subject *mutatis mutandis* to the relevant provisions of this Act concerning proceedings and decisions conducted and taken by the FMS Unit; in proceedings before the Bank Board, the Bank Board itself, or an organisational unit of Národná banka Slovenska designated by the Bank Board, shall take evidence and perform other actions required in the proceedings.

#### Article 33

The legality of final decisions and procedures of Národná banka Slovenska in supervisory matters may be reviewed by an administrative court under another act. During judicial review under another act of a final decision or procedure of Národná banka Slovenska in a supervisory matter that may be subject to review by an administrative court, the time limits stipulated for the termination of liability, for the

commencement of proceedings or for the imposition of a remedial measure, penalty or other sanction under other acts shall not expire.