

# 2026 Rule of Law Report - targeted stakeholder consultation

Fields marked with \* are mandatory.

## Introduction

---

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

As every year, the Commission would like to invite the stakeholders to provide contributions to the 2026 Rule of Law Report. On the basis of these contributions and on-going developments, further targeted questions may be shared at a later stage of preparation of the 2026 Rule of Law Report, in particular in the context of country visits, or bilateral contacts.

The Commission invites stakeholders to provide contributions which include:

**(1) developments and measures taken in relation to the recommendations in the 2025 report,**  
**(2) developments related to topics covered in the 2025 country chapters, as well as any other new developments related to the rule of law.**

The input should consist of a short summary, if possible in English, covering the areas referred to below. Legislation or other documents may be referenced with a link. Contributions should focus on significant developments since the last Rule of Law Report both as regards the legal framework and its implementation in practice.

This questionnaire also integrates the separate questionnaire on the single market from last year. In addition to these specific questions, respondents to the questionnaire are invited to consider the Single Market dimension, including any relevant cross-border issues, in all their answers.

**Where questions of particular relevance under the single market dimension, this is indicated before the relevant question.**

[1] Unless the information was already submitted in the input for the previous Rule of Law Reports.

## **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 and enforcement 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[2])

### **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.

Where relevant, please also indicate whether the developments reported are linked to the implementation of reforms and investments under the national Recovery Resilience Plan. To simplify your answers to the questionnaire, if there are no developments, it is sufficient to indicate this and the information covered in the contributions for the previous Rule of Law Reports does not need not be repeated.

[2] Such as: media regulatory authorities and bodies, national human rights institutions, equality bodies, ombudsman institutions, supreme audit institutions and, where they exist, transparency authorities.

\* I am giving my contribution as

- ☐ Academic/research institution
- ☐ Business association
- ☒ Civil society organisation/NGO
- ☐ International organisation
- ☐ Judicial association or network
- ☐ Media organisation or association
- ☐ Public authority or network of public authorities
- ☐ Other

\* Organisation name

*250 character(s) maximum*

VIA IURIS

Main Areas of Work

- ☒ Justice System
- ☐ Anti-corruption
- ☐ Media Pluralism and Freedom
- ☒ Checks and Balances
- ☐ Other

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

*500 character(s) maximum*

VIA IURIS is a non-partisan, not-for-profit organisation registered in Slovakia since 1993. Our mission is to use the law as an instrument of justice, bring systemic solutions, and promote the equal application of law for all. Our activities are arranged into three pillars: promoting effective public participation (Citizen), protecting the legislative environment and civil society (Civil Society), and strengthening the political independence of courts, prosecution, and police (Rule of Law).

Transparency register number

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

288963091763-46

## \* Country of origin

Please indicate the country of origin of your organisation

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

First name

Surname

Email Address of the organisation

**\* Publication of your contribution and privacy settings**

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

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

☒ I agree with the personal data protection provisions.

[Specific privacy statement targeted stakeholder consultation 2026 rule of law report.pdf](#)

## Questions on horizontal developments

---

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

## Overview topics for contribution

[List of topics for contribution.docx](#)

Please provide any relevant information on horizontal developments here

*5000 character(s) maximum*

## 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 2025 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2025 Rule of Law Report and any other significant developments since January 2025 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-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.

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

Member State/enlargement country covered in contribution [only one choice possible]

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

- ☐ Albania
- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark

- ☐ Estonia
- ☐ Finland
- ☐ France
- ☐ Germany
- ☐ Greece
- ☐ Hungary
- ☐ Ireland
- ☐ Italy
- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Montenegro
- ☐ Netherlands
- ☐ North Macedonia
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Serbia
- ☒ Slovakia
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden

## I. Justice System

---

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding the justice system (if applicable)

*5000 character(s) maximum*

### A. Independence

## Appointment and selection of judges, prosecutors and court presidents (incl. judicial review)

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

*5000 character(s) maximum*

## 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)

*5000 character(s) maximum*

## Promotion of judges and prosecutors (incl. judicial review)

*5000 character(s) maximum*

The legal framework for the assessment of judges has undergone changes. Under the recent amendment to the judicial laws (Act no. 270/2025 Coll (<https://www.slov-lex.sk/ezbierky/pravne-predpisy/SK/ZZ/2025/270/20260101>), the traditional requirement for mandatory assessments every five years has been modified; now, judges are primarily assessed after their first five years in office. Subsequent evaluations occur only under specific conditions, such as when a judge is a candidate for a higher court, at the judge's own request, or based on a proposal from an authorized disciplinary official.

The frequency of future assessments is also tied directly to previous performance. For instance, if a judge receives a rating of "insufficient," they must be reassessed after one year, while a "sufficient" rating triggers an assessment after two years, and a "good" rating leads to one after five years. Notably, visiting judges (hostujúci sudca) are also subject to these assessment and disciplinary standards.

The assessment is conducted by a three-member evaluation commission composed of judges from a different circuit. These commission members are elected by the Judicial Council for five-year terms. To improve efficiency, the law allows commission members to listen to audio recordings of court hearings instead of requiring their physical presence.

The scoring system has been expanded to a five-level scale to provide a more nuanced reflection of a judge's performance.

Any reduction in points during an assessment must be justified by specific facts, ensuring transparency and the judge's right to understand the basis of their rating. While a judge can file objections to their assessment—which may lead to a review by the Judicial Council or a repeat assessment by a different commission—the final assessment itself is not reviewable by a court. Only the final rating and point total are published on the Ministry of Justice website, rather than the full evaluation, raising questions on the objectivity and the possibility of public control and scrutiny of the judiciary.

Finally, these assessments play a critical role in career advancement. Judges who achieve a rating of "excellent" or "commendable" may be exempted from the written portion of selection proceedings when applying for a position at a higher court, provided the assessment is not older than one year.

The amendment removes the requirement for a psychological assessment as a component of the selection process for a position at a higher court.

This change specifically applies when the candidate for the higher court position is already serving as a judge at a lower court. In such cases, the amendment also eliminates the requirement for a translation from a foreign language as part of the selection proceedings. Psychological assessment helps to ensure that candidates have the necessary emotional stability and ability to deal with stressful situations. Psychological assessment can help to identify personality traits that could negatively affect fair and impartial decision-making. In this way, psychological assessment helps reduce the risk of bias or unethical behavior.

We do not consider the removal of this requirement to be consistent with the interest in improving the quality of the judiciary; on the contrary, it will mean lowering the standards for judges.

## Allocation of cases in courts

*5000 character(s) maximum*

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)

*5000 character(s) maximum*

There has been no progress on implementing the EC's recommendation on irremovability of the members of the Judicial Council of the Slovak Republic.

The government maintained the regime allowing for the dismissal of Council members without at any time in a result also without cause. All non-judge members were replaced by coalition appointees by mid-2024, except for one vacant place that the parliament is failing to fill with their nominee.

The recent amendment to the judiciary laws significantly amended and strengthened the Judicial Council's position and bolster the Council's influence over disciplinary panels by having the majority of members on disciplinary panels while diminishing the role of the Supreme Administrative Court in these proceedings. The Judicial Council will be able to submit disciplinary proposals against judges, a responsibility previously held solely by the Judicial Council's chairperson. There will also be a significant change in the disciplinary proceedings, which will be two-tier, so that disciplinary judges, prosecutors, executors, and notaries will always be able to appeal. The first-instance panel will have three members, two of whom will be selected from the Judicial Council's databases.

Act no. 270/2025 Coll (<https://www.slov-lex.sk/ezbierky/pravne-predpisy/SK/ZZ/2025/270/20260101>),

the related documents and proposed with the amendment available at: <https://www.nrsr.sk/web/Default.aspx?sid=zakony/zakon&MasterID=10287>)

<https://verfassungsblog.de/authoritarians-who-hate-judicial-accountability/>

## 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)

*5000 character(s) maximum*

There has been no progress on revising the "abuse of law" criminal offence for which judges can be prosecuted. The amendment to the criminal codes effective as of 15th March 2024 added procedural safeguards for the offence of "Abuse of law", for which judges can be prosecuted if they arbitrarily apply the law and thus harm or favour someone. If a judge is accused of this offence, he or she may, within 60 days of receiving the order of indictment or the notification of the change of the legal qualification of an offence to this offence, submit a motion to the Judicial Council of the Slovak Republic for disapproval of his or her prosecution. According to the previous regulation, the judge had the right to file such a motion only after the order of indictment had become final. The new legislation also specifies that if the Judicial Council disapproves of the prosecution in the case of this offence, the prosecution shall be discontinued if the offence cannot be prosecuted as another criminal offence or if the offence cannot be referred for disciplinary proceedings.

In this context, it is worth referring to the Rule of Law Report 2024 of the European Commission, in which the Commission argues that the above changes cannot be considered as new safeguards and sees the changes as raising additional concerns. The Commission criticises the introduction of a 60-day time limit for the submission of a motion for discontinuance of prosecution, while omitting the fact that the time limit is counted, after the amendment, from the delivery of the order of indictment and not from the moment of the entry into force of such an order. In 2025 report, the Commission changed its evaluation and already considers these safeguards to be partially progress, but still insufficient with the potential risk of abuse and the resulting chilling effect. The Commission's report seems inconsistent in this regard. Unlike the Commission, we consider the above change to be at least a partial safeguard in relation to the offence of "Abuse of law", although we also consider the legal provision to be problematic.

## Independence/autonomy of the prosecution service

5000 character(s) maximum

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

5000 character(s) maximum

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

5000 character(s) maximum

A recent analysis from VIA IURIS examined how the Judicial Council responds to verbal attacks on judges and found its criteria inconsistent and insufficiently transparent. This analysis was debated for three hours in a council session that offered few substantive rebuttals to the report's findings (<https://zasadnutia.sudnarada.gov.sk/data/att/19837.pdf?csrt=4388969654659497418>).

The report concluded that council members apply inconsistent standards when assessing attacks—sometimes focusing on content regardless of the speaker, and at other times weighing the speaker's public prominence—leaving citizens unclear about where freedom of expression ends and an impermissible attack begins. The analysis concludes that the Judicial Council does not align its criteria with established standards, such as those of the European Court of Human Rights, which effectively set speech boundaries through its rulings. The rising number of politicians publicly attacking judges has prompted the review. MPs from the ruling coalition and government representatives have repeatedly questioned judges' impartiality, prompting concern that executive rhetoric undermines judicial independence. The Judicial Council discussed these cases but failed to provide clear, fact-based explanations for its decisions, leaving many attacks unaddressed. VIA IURIS argued that ad-hoc, politicized assaults on judges, sometimes invoking conspiratorial ties, pose a systemic risk to the rule of law and can amount to criminal accusations without evidence. VIA IURIS warned that without clearer standards and firmer council responses, public trust in the judiciary will erode amid growing politicization. The situation calls for the council to adopt predictable, publicly explained criteria and to act decisively to protect judicial independence from partisan attacks.

<https://viaiuris.sk/wp-content/uploads/2025/11/Analiza-reakcie-sudnej-rady-VIA-IURIS-05112025.pdf>

Perceived judicial independence in Slovakia remains among the lowest in the EU. As of 2025, only 32% of the general public and 34% of companies view the independence of courts as "fairly or very good". This lack of trust is reinforced by high-profile government interference, for example when Minister of Justice Boris Susko initiated disciplinary proceedings against a judge who ruled against Minister of the Interior Matúš Šutaj Eštok. In November 2023, Judge Michal Kubiš ruled in an urgent measure to reinstate Police Vice President Branko Kišš to the police leadership, whom the Minister of the Interior had suspended from office despite Kišš enjoying whistleblower protection. Minister of the Interior Matúš Šutaj Eštok threatened the judge with disciplinary and criminal proceedings, and in the end, it was the Minister of Justice who carried out the threat. The rhetoric of the executive branch frequently frames the judiciary as a "political tool" when rulings do not favor the administration, further eroding the democratic architecture of the country.

## B. Quality of justice

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

**[single market relevance]** Accessibility of courts (e.g. court/legal fees, legal aid, language)

5000 character(s) maximum

Resources of the judiciary (human/financial/material), remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year)

(Material resources refer e.g. to court buildings and other facilities. Financial resources include salaries of staff in courts and prosecution offices.)

5000 character(s) maximum

The amendment to the judicial laws (Act no. 270/2025 Coll (<https://www.slov-lex.sk/ezbierky/pravne-predpisy/SK/ZZ/2025/270/20260101>)) reintroduced bonuses for judges upon reaching the age of 50 and 60. The bonus is not enforceable and its award is at the discretion of the president of the court where the judge works. The bonuses were introduced despite ongoing consolidation of public finances and the recommendation of the Venice Commission, which advises against discretionary bonuses in judicial remuneration.

**[single market relevance]** Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)

5000 character(s) maximum

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)

5000 character(s) maximum

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)

5000 character(s) maximum

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.

*5000 character(s) maximum*

**[single market relevance]** Specialisation (of judges/specific courts/chambers within courts) and training for the judiciary to deal with commercial cases, as well as alternative dispute resolution mechanisms and mediation as regards commercial cases.

*5000 character(s) maximum*

## C. Efficiency of the justice system

*(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined in the introduction)*

**[single market relevance]** Developments related to efforts to improve the efficiency of the justice system (e.g. as regards length of proceedings, to address backlogs)

*5000 character(s) maximum*

The amendment to the judicial laws (Act no. 270/2025 Coll (<https://www.slov-lex.sk/ezbierky/pravne-predpisy/SK/ZZ/2025/270/20260101>)) introduced updates to the roles of visiting judges (hostujúci sudca) and the rules governing temporary assignments (dočasné pridelenie), primarily to address court overloads and the temporary absence of judges. A visiting judge is defined as a judge who serves at a specific district court within a regional court's circuit and has consented to be assigned to a vacant visiting judge position. Traditionally limited to district courts, the new amendment expands their reach, allowing them to be utilized at regional and administrative courts as well. However, to ensure they have sufficient experience, a visiting judge can only be temporarily assigned to these higher courts after they have completed at least three years of service in their visiting capacity.

A judge can be temporarily assigned to a district court only if the regular operation of the judiciary cannot be secured by a visiting judge first and the maximum length of a temporary assignment has been extended from one year to two years within any three-year period.

In July 2025, the Ministry of Justice of the Slovak Republic submitted an amendment to the Act no. 757/2004 Coll. on Courts to inter-ministerial comment procedure, with the aim of addressing problems with delays in court proceedings. (<https://www.slov-lex.sk/elegislativa/legislativne-procesy/SK/LP/2025/370>)

According to the explanatory note to the draft law, delays in court proceedings are one of the most serious problems facing the Slovak judiciary. The explanatory note states that, according to the statistical data of the

Constitutional Court, complaints about violations of the right to have a case heard without undue delay account for up to 30% of all submissions. In terms of complexity, these are less demanding cases from a legal point of view, but they are relatively burdensome from an administrative point of view. The investigation of such complaints consists of reviewing the court file and analyzing the chronology of the individual actions of the court. This process ties up the Constitutional Court's resources and prevents it from focusing on more serious legal issues, which is in line with its role under Article 124 of the Constitution of the Slovak Republic.

Under the current legislation, proceedings before the Constitutional Court are not preceded by any other court proceedings, which means that complainants apply directly to the Constitutional Court.

In the amendment, the Ministry proposes to transfer the Constitutional Court's powers in the area of deciding on delays in proceedings to the general courts and administrative courts. The proposed bill introduces new court proceedings that a person requesting the elimination of delays in proceedings will have to use before turning to the Constitutional Court with a constitutional complaint.

VIA IURIS has submitted a comment criticizing the draft law for establishing an unsystematic and confusing "dual regime" for handling court delays, warning that vague terminology may lead to simulated judicial activity rather than actual resolution. To remedy these shortcomings, they propose centralizing the complaint process within specialized panels of the general court system and call for explicit, objective criteria for assessing delays and determining financial compensation to ensure legal certainty and predictable outcomes.

## **Any other developments related to the justice system - please specify**

*5000 character(s) maximum*

## **II. Anti-Corruption Framework**

---

*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.*

**Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding the anti-corruption framework (if applicable):**

*5000 character(s) maximum*

In 2025, the Ministry of Interior initiated a formal dialogue to address the long-standing regulatory gap in lobbying. This included high-level round-tables in May and June 2025, to which non-governmental organizations were invited as the first stage of an expert discussion. The Ministry published "Basic Starting Points" for a proposed lobbying law, aiming to establish a mandatory electronic register, define the subjects involved, and introduce a "legislative footprint" for public officials.

Significant gaps persist as no formal legislative proposal has entered the official legislative process beyond these preparatory phases. The September 2025 GRECO report highlighted that Slovakia has failed to implement 12 out of 21 recommendations. The framework for asset declarations remains fragmented with no central verification body. Furthermore, the draft Code of Conduct for executive officials is criticized as "soft law" lacking legal liability for breaches.

Leading NGOs, including VIA IURIS, Transparency International Slovakia, and the Stop Corruption Foundation, have strongly criticized the government's approach. In June 2025, we published a joint policy paper which argues that a quality law must include a broad definition of lobbying (covering firms, consultants, and think-tanks), a mandatory public register, and independent oversight.

The NGOs expressed deep concern over the government's attempt earlier in 2025 to regulate lobbying exclusively through the NGO Law. This legislative attempt targeted civil society by labeling their advocacy and media campaigns as "lobbying" while leaving corporations, developers, and tobacco companies unregulated. The government's attempt can be seen not as a genuine attempt at transparency but rather an effort to harass and silence government watchdogs. The NGOs maintain that lobbying regulation must be comprehensive, non-discriminatory, and developed through a participatory process, rather than being used as a tool for political retaliation.

Regarding conflicts of interest, a Code of Conduct for public officials was adopted in August 2025. The initial draft faced sharp criticism for provisions that threatened to undermine civil society and basic constitutional rights. A central concern was the vague and discriminatory requirement that officials "should ensure they are not associated" with NGOs or third parties whose goals conflict with the Government's Program Statement. This provision functioned as a tool for political exclusion, essentially establishing the Prime Minister as an arbiter of which civic organizations are "legitimate" based on their political alignment. Furthermore, since the code was drafted as non-binding "soft law" with vague criteria, it lacked legal certainty and could be misused by the executive as an informal instrument to pressure inconvenient officials or stigmatize critical watchdogs, thereby contradicting the very principles of transparency and participation it claimed to uphold. After the criticism and public pressure, the disputed provision of the Code was ultimately removed and is no longer included in the final approved version.

Transparency International Slovakia, Stop Corruption Foundation, VIA IURIS: End of Backroom Deals: The Path to Transparent Lobbying in Slovakia, June 2025, <https://viaiuris.sk/wp-content/uploads/2025/06/lobing-slovensko.pdf>

Full text of the public comment submitted by the NGOs as a part of a signing campaign available at:

[https://www.mojapeticia.sk/campaign/hp-k-navrhu-kodexu-spravania-sa-osob-vo-vysokych-vykonných-funkciach/522d77bb-9fd0-4420-a723-6fbf762a4021?](https://www.mojapeticia.sk/campaign/hp-k-navrhu-kodexu-spravania-sa-osob-vo-vysokych-vykonných-funkciach/522d77bb-9fd0-4420-a723-6fbf762a4021?fbclid=IwY2xjawPRtgNleHRuA2FlbQlxMABicmlkETFRaThqOHJNRk15bk44SDhac3J0YwZhchBfaWQQMjlyMDM5MTc4ODIwMDg5MgABHu6vY0NNI4oeE9yy_EKDneS_QymXsGIPcXp1sc31-lo855__NEFahrvozakn_aem_Frm90N-5iEpQffN_aRHyug)

[fbclid=IwY2xjawPRtgNleHRuA2FlbQlxMABicmlkETFRaThqOHJNRk15bk44SDhac3J0YwZhchBfaWQQMjlyMDM5MTc4ODIwMDg5MgABHu6vY0NNI4oeE9yy\\_EKDneS\\_QymXsGIPcXp1sc31-lo855\\_\\_NEFahrvozakn\\_aem\\_Frm90N-5iEpQffN\\_aRHyug](https://www.mojapeticia.sk/campaign/hp-k-navrhu-kodexu-spravania-sa-osob-vo-vysokych-vykonných-funkciach/522d77bb-9fd0-4420-a723-6fbf762a4021?fbclid=IwY2xjawPRtgNleHRuA2FlbQlxMABicmlkETFRaThqOHJNRk15bk44SDhac3J0YwZhchBfaWQQMjlyMDM5MTc4ODIwMDg5MgABHu6vY0NNI4oeE9yy_EKDneS_QymXsGIPcXp1sc31-lo855__NEFahrvozakn_aem_Frm90N-5iEpQffN_aRHyug)

The final version and governmental documents of the approved Code of Conduct from 19 August 2025 available at: <https://rokovania.gov.sk/RVL/Material/31068/1>

There has been no amendments proposed in this regard the EC's recommendation to ensure the effective and independent investigations and prosecutions of high-level corruption cases to establish a robust track record, including by preventing any undue interference and restricting the use of the Prosecutor-General's powers to annul final investigatory and prosecutorial decisions, and we have not noticed any discussion on this topic.

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

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/specialised 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

*5000 character(s) maximum*

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

*5000 character(s) maximum*

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

*5000 character(s) maximum*

## B. Prevention

Measures to enhance integrity in the public sector in particular as regards high-level officials (including as regards incompatibility rules, revolving doors, codes of conduct, ethics)

*5000 character(s) maximum*

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)

*5000 character(s) maximum*

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)

5000 character(s) maximum

--> For the three previous points, **please also provide information and figures on their application/enforcement if available to you**, 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)

5000 character(s) maximum

Before the end of the year, Slovakia's parliament voted to abolish the independent Whistleblower Protection Office and replace it with a new Office for the Protection of Victims of Crime and Whistleblowers, whose leadership would be selected by the government and elected by the Parliament. Critics say the rushed, fast-track process and last-minute amendments were designed to remove the current leadership and politicize the institution rather than genuinely improve protection. The new law allows repeated reviews and potential cancellation of previously granted protections, enabling employers to challenge whistleblower status. Legal experts, prosecutors, international NGOs, and the European Public Prosecutor's Office warned that the changes undermine legal certainty, the rule of law, and the EU whistleblower protection directive. President Peter Pellegrini vetoed the bill, citing procedural and substantive flaws, though the coalition later overrode his veto. Opposition parties have challenged the law at the Constitutional Court, and NGOs supported the challenge with an amicus brief, while protests have mobilized public opposition. Whistleblowing networks signalled they will examine the law for compatibility with EU rules and the protection of EU financial interests. Observers warn Slovakia risks delayed or frozen Recovery Plan payments of up to €2.7 billion and other enforcement actions if Brussels finds breaches. The move is portrayed by critics as political payback targeting police investigators and as part of a broader weakening of anti-corruption institutions under the Fico government.

The Constitutional Court has temporarily suspended the law intended to abolish the Whistleblower Protection Office, keeping the current leadership in place until a final ruling confirms the law's constitutionality. The Court expressed serious doubts about whether the bill, hastily passed by the government during a weekend session, complies with the Slovak constitution, which requires laws to have a general scope and not target specific individuals, such as the Office's leaders. The Court's decision underscores ongoing concerns about the legality and potential abuse of the legislative process used to overhaul key anti-corruption institutions.

<https://www.nrsr.sk/web/Default.aspx?sid=zakony/zakon&ZakZborID=13&CisObdobia=9&CPT=1123>

<https://www.eppo.europa.eu/en/media/news/statement-regarding-legislative-amendments-proposed-slovak-government-whistle-blower>

<https://www.aktuality.sk/clanok/mVWihC/neziskovky-poukazuju-na-nekvalitu-novej-legislativy-ohrozene-su-europske-peniaze-aj-ochrana-oznamovatelov/>

**[single market relevance]** 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, investor residence schemes, large-scale investments of national interest and the spending of EU funds, urban planning.*
- *In particular, measures to mitigate high risks of corruption in the area of public procurement, such as enhancing transparency and oversight (for example through digital technologies) and promoting fair competition and accountability in public procurement (e.g. targeted actions to address the high share of single bids) and measures to guarantee the effective and independent functioning of the public procurement review bodies.*

5000 character(s) maximum

**[single market relevance]** Measures for the prevention of corruption in relation to the issuing of official permits (e.g. related to environment, energy, service provision and various types of construction)

5000 character(s) maximum

## C. Repression

The legal framework on the criminalisation and sanctions for corruption and related offences, including foreign bribery

5000 character(s) maximum

While the primary legislative and institutional changes—namely the 2024 Penal Code reform and the abolition of the Special Prosecutor's Office (SPO) and the National Crime Agency (NAKA)—were enacted in the previous year, 2025 was defined by the materialization of their corrosive effects. These changes effectively stripped the state of its most potent tools for addressing high-level corruption and the misuse of European Union funds, resulting in a quantifiable and systemic halting of high-level prosecutions.

The impacts of the 2024 Penal Code reform became fully visible in 2025. Analysis showed that over 3,000 individuals benefited from the changes in the first year. High-level corruption cases were systemically halted due to shortened statutes of limitations, with bribery charges dropping from 129 in 2024 to just 13 in 2025. The dissolution of NAKA and the Special Prosecutor's Office created an institutional vacuum, leading to investigation delays and a loss of specialized expertise.

The Council of Europe's anti-corruption body, GRECO, took the extraordinary step of initiating an "ad hoc procedure" under Rule 34 in 2025—a provision reserved for situations where reforms are deemed likely to lead to significant breaches of anti-corruption standards. The resulting report, published in September 2025, was a comprehensive indictment of the Slovak government's actions.

GRECO concluded that Slovakia had failed to implement 12 out of 21 recommendations from the 5th evaluation round. Key areas of non-compliance include:

**Lobbying Regulation:** No legislative proposal has been introduced to regulate the interaction between senior executive officials and lobbyists, despite repeated promises from the government.

**Asset Declaration System:** The existing framework for monitoring and verifying the wealth of public officials remains fragmented and ineffective, with no progress on establishing a central verification body.

**Police Integrity:** GRECO highlighted the lack of an independent complaint mechanism and effective whistleblower protections within the police force as a critical vulnerability.

**Integrity Checks:** The failure to introduce mandatory integrity checks for state secretaries and political advisers—positions often filled by party loyalists—was identified as a major risk factor for corruption.

The report concludes that the combination of reduced criminal sentences, shortened limitation periods, and the disbandment of effective investigative units gravely jeopardises Slovakia's ability to combat corruption and protect the rule of law.

[https://zastavmekorupciu.sk/nezaradene/suskova-novela-pomohla-mafii/?fbclid=IwY2xjawMAHedleHRuA2FlbQlXMAbicmlkETFpd2dBcjRtS3QwS0szWVg0AR7lunaJspBjhfrvOdMla2xuVHYa\\_Tt9G8pn\\_ZsL51xR9BADoxRbD2c7OvOdza\\_aem\\_D2Ac2XmfE2a67T8tohujeg](https://zastavmekorupciu.sk/nezaradene/suskova-novela-pomohla-mafii/?fbclid=IwY2xjawMAHedleHRuA2FlbQlXMAbicmlkETFpd2dBcjRtS3QwS0szWVg0AR7lunaJspBjhfrvOdMla2xuVHYa_Tt9G8pn_ZsL51xR9BADoxRbD2c7OvOdza_aem_D2Ac2XmfE2a67T8tohujeg)

<https://rm.coe.int/greco-adhocrep-2025-1-final-eng-ad-hoc-report-rule-34-slovakia-public/48802818c6>

<https://rm.coe.int/grecorc5-2025-16-final-eng-add-to-the-2nd-compliance-report-slovak-rep/48802830ad>

Official data on the number of investigations, prosecutions, final judgments and the application of sanctions for corruption offences (differentiated by offence if possible). Please indicate whether the cases: involve legal persons; are related to the implementation of EU or national funds; involve high level corruption. Please indicate which data is publicly available and how policy-making is informed by the data

*5000 character(s) maximum*

Potential obstacles identified in law or in practice to the investigation and prosecution of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning)

*5000 character(s) maximum*

The combination of reduced criminal sentences, shortened limitation periods, and the disbandment of effective investigative units introduced in 2024 Penal Code reform gravely jeopardises Slovakia's ability to combat corruption and protect the rule of law.

Information on effectiveness of criminal and non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders

*5000 character(s) maximum*

**Any other developments related to the anti-corruption framework - please specify**

*5000 character(s) maximum*

### III. Media pluralism and media freedom

---

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding media pluralism and media freedom (if applicable)

*5000 character(s) maximum*

There has been no progress regarding the EC's recommendation to strengthen the rules and mechanisms to restore and further safeguard the independent governance and editorial independence of public service media taking into account European standards on public service media. In fact the government went just the opposite way. Even that the legislation establishing STVR (abolishing the previous public broadcaster and establishing a new one) was approved in 2024, only in the 2025 year the government and parliament established the Board of the STVR which consists only of the nominees of the current coalition. This Board picked a new director and there is great pressure on the content, even abolishing investigative programmes and the overall content of the news is more pro-governmental in content and less and less critical.

Regarding the EC's recommendation to 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 the European standards on the protection of journalists, there has been no change in this field introduced either by legislation or implementation. The verbal attacks on journalists from the government party's representatives continued through the year in the same if not worse manner than before.

#### A. Media authorities and bodies

*(Cf. Article 30 of Directive 2018/1808)*

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

*5000 character(s) maximum*

The Council for Media Services is at high risk of political capture. In November 2025, a significant legislative proposal was introduced to fundamentally restructure Slovakia's media regulatory landscape by transforming the current Council for Media Services (RMS) into a new entity known as the National Media Office (NMÚ). This reform represents a major shift from a collective oversight model to a centralized, individual leadership structure. Under the proposed changes, the statutory authority previously held by a nine-member collective board would be transferred to a single individual: the Chairperson of the NMÚ. This Chairperson is to be elected by the National Council (NR SR) for a six-year term and is granted broad executive powers, including the authority to decide on all matters not specifically reserved for other regulatory bodies. Furthermore, the Chairperson would independently approve the institution's internal statutes and organizational rules, which essentially allows them to define the very framework of the institution they lead.

The legislative proposal no. 1110 submitted to the National Council of the Slovak Republic available at: <https://www.nrsr.sk/web/Default.aspx?sid=zakony/zakon&MasterID=10576>

This centralization of power in the hands of a single, politically appointed official is raising substantial concerns regarding the risk of increased political control over the media sector. While the existing Council is slated to continue, its role would be reduced to that of an 11-member secondary appeals body with significantly diminished competencies. A notable and controversial aspect of the proposal is the mechanism for dismissing the Chairperson: the National Council may remove them if they act in conflict with the institution's statutes; however, because the Chairperson drafts these statutes themselves, they effectively define the conditions under which they can be removed. Despite the reduction in the Council's actual power, its members are proposed to receive the same remuneration as before—half the salary of a Member of Parliament—while the Chairperson's compensation is set at one and a half times a parliamentarian's salary. This restructuring suggests a transition toward a more executive-led regulatory body that may prioritize political alignment over independent media pluralism.

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

*5000 character(s) maximum*

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

*5000 character(s) maximum*

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

**[single market relevance]** Measures taken to ensure the fair and transparent allocation of state advertising

5000 character(s) maximum

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
- **[single market relevance]** information on specific legal provisions and procedures applying to media service providers, including as regards granting /renewal/termination of licenses, company operation, capital entry requirements, concentration and corporate governance

5000 character(s) maximum

**[single market relevance]** Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners

5000 character(s) maximum

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

Rules and practices guaranteeing journalists' 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

5000 character(s) maximum

There has been no change in this field introduced either by legislation or implementation. The verbal attacks on journalists from the government party's representatives continued through the year in the same if not worse manner than before.

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

5000 character(s) maximum

## 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)

5000 character(s) maximum

The Constitutional Court struck down a law proposed by the nationalists' MPs that would have charged fees for "exceptionally extensive" public information requests, confirming critics' warnings that monetising access to state information is unconstitutional. Proposing MPs argued that fees would deter frivolous queries, but their bill failed to define what counts as "exceptionally extensive," leaving officials with broad discretion. Public watchdogs warned the measure would restrict the right to information and create no workable appeals mechanism for disputed fees. After opposition MPs challenged the law in the Constitutional Court, the court held that access cannot be conditioned on payment, thereby vindicating the legal and data-driven critique. The ruling demonstrated that sustained expert scrutiny and coordinated civic action can prevent erosions of transparency.

<https://www.ustavnysud.sk/docDownload/3614ca5c-7a72-493b-8bb3-a4cd73015037>

<https://www.nrsr.sk/web/Default.aspx?sid=zakony/cpt&ZakZborID=13&CisObdobia=9&ID=345>

## 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

5000 character(s) maximum

In 2025, the use of Strategic Lawsuits Against Public Participation (SLAPPs) in Slovakia evolved into a systemic tool of intimidation, characterized by high-stakes "muzzle lawsuits" initiated by state-owned entities and senior political figures to silence independent oversight. This trend, exemplified by landmark cases seeking disproportionate damages, has a potential to create a chilling effect on investigative journalism and highlights the urgent need for domestic safeguards aligned with the EU Anti-SLAPP Directive.

The most prominent example of a SLAPP in 2025 is the ongoing legal action initiated by Prime Minister Robert Fico against Peter Bárdy, the editor-in-chief of Aktuality.sk, and the publisher Ringier Slovak Media. The lawsuit, filed in late 2024 objects to the use of Fico's photograph on the cover of Bárdy's book Fico –

Obsessed with Power. The Prime Minister seeks €100,000 in damages from each defendant (totaling €200,000), claiming a violation of his personality rights under the Civil Code.

Another SLAPP filed in 2025 was by the Minister of Culture, Martina Šimkovičová against the former head of the Slovak National Theatre (SND), Matej Drlička.

In December 2025, the Bratislava Regional Court issued a preliminary injunction prohibiting Drlička from making any public statements about the Minister—including positive ones. This unprecedented measure bans him from making any remarks about her in all forms of media, including social media and blogs, due to his past comments labeling her as a “neo-nazi” and comparing her to the Gestapo.

Drlička described the verdict as “state-sponsored silencing” and compared the Minister to ‘Lord Voldemort’ because he is legally barred from even mentioning her name. This case is cited by media experts as a dangerous precedent for using civil law to impose total silence on a critic of a public official. This was not the first case of SLAPP (strategic lawsuit against public participation) from Minister of Culture Šimkovičová. Previous lawsuits aimed against other public figures like Michal Hvorecký and Ilona Németh, whose comments and legal actions were dismissed by police.

<https://www.ecpmf.eu/slovakias-prime-minister-launches-slapp-case-against-leading-investigative-journalist/>

<https://www.aktuality.sk/clanok/Ev4GLXn/ministerka-martina-simkovicova-si-na-sude-vymohla-ze-byvaly-sef-snd-matej-drlicka-bude-musiet-o-nej-mlcat/>

<https://spectator.sme.sk/culture-and-lifestyle/c/slovakia-just-invented-a-real-life-she-who-must-not-be-named>

Slovakia has made no progress in implementing the EU Anti-SLAPP Directive or the Council of Europe’s recommendations yet. However, the Ministry of Justice submitted a proposal for the transposition of the EU Anti-SLAPP directive to the inter-ministerial comment procedure late in the year, with a planned effective date of June 2026. In the meantime, the current criminal defamation law remains one of the strictest in the EU, with potential sentences of up to eight years in prison.

The legislative proposal and the related material submitted to the inter-ministerial comment procedure (process no. LP/2025/667) available at: <https://www.slov-lex.sk/elegislativa/legislativne-procesy/SK/LP/2025/667>

## Any other developments related to media pluralism and freedom - please specify

*5000 character(s) maximum*

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

---

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding the system of checks and balances (if applicable)

*5000 character(s) maximum*

The trajectory in 2025 shows backsliding becoming entrenched through the continued and unjustified use of fast-track procedures, which prevent meaningful public and expert consultation. In 2025, 20% of the laws passed by the parliament were discussed and adopted in fast-track legislative procedure including such

significant changes as proposed (but ultimately rejected) abolition of the Whistleblower Protection Office, major changes to criminal law or legislation on the consolidation of the public finances. This happens constantly despite regular mass protests and international condemnation. Even the legislation on the consolidation of the public finances are pushed through the fast-track legislative process to avoid any public discussion and criticism of the governmental policies.

There is no sign of motivation or effort of the current government to change this trend

(Brief overview of legislative activity of the National Council of the Slovak republic in 2025 available at <https://www.nrsr.sk/web/Dynamic/DocumentPreview.aspx?DocID=582798>)

## A. The process for preparing, enacting and implementing laws

**[single market relevance]** Framework, policy and use of impact assessments and evidence based policy-making, stakeholders'\*/public consultations (including rules and practices on the transparent participation of civil society to policy development and decision-making processes), and transparency and quality of the legislative process in the preparatory, the parliamentary and implementation phase (including guidance on how to implement legislation)

\* This includes also the consultation of social partners

5000 character(s) maximum

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

5000 character(s) maximum

**[single market relevance]** Safeguards to ensure legal certainty, the stability of the legal framework and non-discrimination.

5000 character(s) maximum

In late September 2025, the Slovak parliament adopted the 23rd Amendment to the Constitution, a move that has been described by critics as a "point of no return" for the country's alignment with European values. Passed by a narrow constitutional majority of 90 votes, the amendment represents an intentional effort to reconfigure Slovakia's democratic architecture and centralize executive control.

The path to adoption was marked by a chaotic legislative process that bypassed standard procedures and professional consultations. Originally introduced in late January 2025, the version finally adopted differed significantly from the initial draft. The Venice Commission issued an urgent opinion criticizing the lack of

transparency, the exclusion of affected groups, and the overall failure to adhere to basic principles of constitutional norm-creation. Experts argue that while some discussed parts of the bill—such as the recognition of only two sexes—served as a distraction, the amendment's core purpose was to undermine the primacy of EU and international law.

<https://www.coe.int/en/web/portal/-/slovak-republic-venice-commission-issues-urgent-opinion-on-the-draft-amendments-to-the-constitution>

<https://www.nrsr.sk/web/Default.aspx?sid=zakony/zakon&MasterID=10218>

The amendment introduced several significant and controversial changes to the Slovak Constitution:

- National Identity Clause (Article 7): This clause asserts that Slovakia retains its sovereignty over "fundamental cultural and ethical issues". It explicitly prohibits interpreting the Constitution in a way that would consent to transferring these rights to international bodies, effectively creating a legal barrier against rulings from the Court of Justice of the European Union (CJEU) and the European Court of Human Rights (ECtHR) regarding family life, education, and reproductive health.
- Constitutional Binary of Sex (Article 52a): The new amendment recognizes only "biologically determined sexes of male and female". This provision effectively erases the legal existence of non-binary and transgender persons, making the legal recognition of gender changes impossible under domestic law.
- Priority of Slovak Law: The Constitution now prioritizes Slovak law over international and EU law specifically in matters pertaining to human dignity.
- Other Restrictions: Additional changes include complicating the process for gender changes, restricting adoption, and increasing parental control over school curricula.

The international response to the amendment has been swift and critical. The European Commission expressed regret that its comments were ignored and, in November 2025, initiated a formal infringement procedure against Slovakia. The Commission argued that a Member State cannot use constitutional amendments to circumvent its obligation to comply with the fundamental principles of Union law, specifically the principles of autonomy and primacy.

<https://enrsi.stvr.sk/articles/news/416538/eu-regrets-slovakias-constitutional-changes-that-ignore-commissions-concerns>

The amendment's vague definition of "national identity" has raised serious concerns among legal experts, including the Venice Commission, the EU Agency for Fundamental Rights and the UN High Commissioner for Human Rights warned that these formulations create legal uncertainty and may reduce fundamental rights protection, about reduced protection of fundamental rights and the potential for retroactive application to negate existing international treaties. Ultimately, the 23rd Amendment is viewed by international observers as a threat to the entire EU legal order and a tool for the Slovak government to prioritize its "cultural and ethical" agenda over international human rights obligations.

The European Commission has opened infringement proceedings against Slovakia following the September constitutional amendments ([https://ec.europa.eu/commission/presscorner/detail/en/inf\\_25\\_2481](https://ec.europa.eu/commission/presscorner/detail/en/inf_25_2481)), which might allow Slovak authorities to assess whether EU law and CJEU rulings apply, undermining the primacy, autonomy, effectiveness, and uniform application of EU law. The Commission had raised concerns before the changes were adopted, but the Slovak parliament approved them without addressing those warnings. A recent CJEU judgment (Case C-713/23) requires member states to recognise same-sex marriages legally concluded in other EU countries where recognition is necessary for EU rights like free movement, which affects Slovakia's registry practice. If Slovakia refuses to comply, it risks referrals to the EU Court, financial penalties, loss of EU funds, and prolonged tensions with partners.

---

Rules and application of states of emergency (or analogous regimes), including judicial review and parliamentary oversight

5000 character(s) maximum

Regime for constitutional review of laws

5000 character(s) maximum

As of 1 January 2025, an amendment to the Constitution has been in effect, allowing complainants to file a motion, together with a complaint of a violation of rights, for the Senate of the Constitutional Court to initiate proceedings on the constitutionality of the laws relating to the complaint filed, in accordance with the Constitution, constitutional law, or international treaty. The legal provision is under Art. 127 sec. 5 of the Constitution (Act no. 460/1992 Coll.)

<https://www.slov-lex.sk/ezbierky-fe/pravne-predpisy/SK/ZZ/1992/460/20251101#ustavnyclanok-127.odsek-5>

B. Independent authorities

Independence, resources, capacity and powers (including effective access to relevant data) of national human rights institutions ('NHRIs'), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions

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

5000 character(s) maximum

Statistics/reports concerning the follow-up to recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies and supreme audit institutions in the past year

5000 character(s) maximum

**[single market relevance]** Safeguards to ensure the effective independence of supervisory and regulatory authorities with a direct impact on economic operators such as national economic oversight, enforcement and competition authorities

## C. Accessibility and judicial review of administrative decisions

**[single market relevance]** Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data) and respect of the good administration principle (including the obligation of the administration to give reasons for decisions)

*5000 character(s) maximum*

**[single market relevance]** 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)

*5000 character(s) maximum*

**[single market relevance]** Safeguards (other than judicial review) regarding decisions or inaction of administrative authorities, including remedies (e.g. administrative review)

*5000 character(s) maximum*

**[single market relevance]** Rules and practices related to the application by all courts, including constitutional jurisdictions, of the preliminary ruling procedure (Art. 267 TFEU)

*5000 character(s) maximum*

**[single market relevance]** Implementation of final judgments by the public administration and State institutions and follow-up given to supranational judgments, including decisions from the European Court of Human Rights, as well as available remedies in case of non-implementation

*5000 character(s) maximum*

## Oversight, including by courts, of the use of intrusive surveillance software by national authorities

5000 character(s) maximum

### D. The enabling framework for civil society

Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice incl. registration, transparency and dissolution rules)

5000 character(s) maximum

An important issue the Commission should have made a recommendation on but has not is the systemic and coordinated effort by the state to silence and delegitimize civil society through legislative, administrative, and rhetorical tools. This includes the weaponization of the Freedom of Information Act (FOIA) and the imposition of discriminatory reporting duties that target non-profit organizations (NGOs) while exempting other entities (Act. no 109/2025 Coll. on non-profit organisations providing services of general interest.

Throughout 2025, the alarming developments occurred regarding:

- expansion of FOIA Duties to NGOs: Law No. 109/2025 retroactively designated NGOs receiving public funding as "obliged persons" under the Freedom of Information Act. This requires them to respond to public information requests similarly to state bodies, but without the authority to deny requests for information they do not possess, leading to an intentional administrative overburdening of organizations.
- "Russian-Style" NGO Law: In June 2025, Law No. 109/2025 introduced extensive reporting requirements, including the mandatory public disclosure of personal data for all personal donors contributing over €5,000 per year and all companies and institutional donors without any limit.

The Commission's report is noted as being "very brief" in its explanation of these developments. By failing to detail the consequences of the FOIA amendments, the Commission missed the resulting decline in transparency in public administration and the administrative bullying of civil society. Relegating these "crude restrictions" on civic space to a single final paragraph ignores the systemic nature of the government's efforts to silence the civic sector, which effectively emboldens the executive to continue its strategy of state capture.

Slovakia's Constitutional Court struck down the government's contested NGO law, ruling that mandatory public disclosure of donors and donations violated privacy, freedom of association and expression, and several constitutional principles.

Civil society organizations and watchdogs criticized the legislation as internally inconsistent, disproportionate, and ill-suited to achieving its stated aims of transparency and crime prevention, warning that it would deter donations and hamper NGOs with international links. Also they argued, that treating NGOs as "obliged persons" under Freedom of Information Act unlawfully shifted public-sector duties onto private organisations and imposed excessive administrative burdens. President Pellegrini had signed the law, arguing it posed no constitutional or EU law problems. Ombudsman Róbert Dobrovodský and civil-society groups warned the law jeopardised donor privacy, risked surveillance and violated data-protection norms. NGOs and watchdogs hailed the ruling as a victory against attempts to intimidate and politicise civil society. The decision cancels the law once published in the Collection of Laws, leaving the coalition to decide whether to redraft a constitutionally compliant version. Public watchdogs see the episode as part of broader government efforts to curb critical NGOs.

[https://www.ustavnysud.sk/aktualne-informacie/aktuality/-/asset\\_publisher/B99toBHZi1uA/content/z%C3%A1kon-ktor%C3%BD-novelizuje-pr%C3%A1vnu-%C3%BApravu-mimovl%C3%A1dných-organiz%C3%A1ci%C3%AD-je-v-rozpore-s-%C3%BAstavou](https://www.ustavnysud.sk/aktualne-informacie/aktuality/-/asset_publisher/B99toBHZi1uA/content/z%C3%A1kon-ktor%C3%BD-novelizuje-pr%C3%A1vnu-%C3%BApravu-mimovl%C3%A1dných-organiz%C3%A1ci%C3%AD-je-v-rozpore-s-%C3%BAstavou)

<https://viaiuris.sk/wp-content/uploads/2025/04/Analyza-zakon-o-MNO-VIAIURIS.pdf>

<https://www.sme.sk/domov/c/novela-zakona-o-neziskovkach-je-v-rozpore-s-ustavou-rozhodol-ustavny-sud>

Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures to protect them from attacks – verbal, physical or on-line –, intimidation, legal threats incl. SLAPPs, negative narratives or smear campaigns, measures capable of affecting the public perception of civil society organisations, etc. It also includes measures to monitor threats or attacks and dedicated support services, as well as available remedies

*5000 character(s) maximum*

The reaction of the Slovak government to the EC Rule of Law Report 2025, where the government states misleading, deceptive, and unsubstantiated claims on civil society, depicts the environment in which civil society in Slovakia operates.

In its response to the European Commission, the Slovak government portrays key civil society organizations and NGOs not as independent watchdogs, but as politically engaged actors deeply entrenched in conflicts of interest. The government argues that the Commission relies on "one-sided claims" from organizations funded by "oligarchs" or foreign entities that are ideological opponents of the current administration, specifically citing the Open Society Foundation (George Soros) and ESET co-owner Miroslav Trnka. Specifically NGOs Stop Corruption Foundation and VIA IURIS are accused of actively organizing anti-government protests and supporting opposition mobilization campaigns, while Transparency International Slovakia is dismissed as biased for allegedly favoring specific political figures like former President Zuzana Čaputová. Consequently, the government insists that these entities function as political opponents rather than neutral civil society representatives, rendering their input to the Rule of Law report unreliable.

Furthermore, the government aggressively challenges the credibility and methodology of the data provided by these NGOs, describing their reports as incomplete, inaccurate, or methodologically unsound. It specifically attacks the Corruption Perceptions Index for reflecting media-driven narratives rather than reality and criticizes the CIVICUS monitor for what it deems a biased assessment that fluctuates based on which government is in power. The government rejects the narrative that the space for civil society is shrinking, defending its controversial "NGO transparency law" as a necessary anti-corruption measure aligned with OECD standards. Conversely, the response paints the government as the victim of polarization, arguing that NGOs and media outlets are responsible for "dehumanizing" government officials and inciting hatred—including comparisons to dictators—which the Commission allegedly ignores.

(Reaction of the Government of the Slovak Republic to the Rule of Law Report 2025 adopted on 20 August 2025. The Reaction and related documents available at: <https://rokovania.gov.sk/RVL/Negotiation/1420>)

Organisation of financial support for civil society organisations and human rights defenders (e.g. framework to ensure access to funding, and for financial viability, taxation/incentive/donation systems, measures to ensure a fair distribution of funding)

*5000 character(s) maximum*

Following the Slovak Parliament's resolution on 30 September 2025, the government launched a comprehensive audit of state funding provided to central administrative bodies between 2020 and 2025, specifically aiming to uncover evidence of duplicate financing, wastefulness, or unauthorized fund usage by NGOs. According to the Platform for Democracy, which monitored data from the Ministry of Finance and the organizations themselves, audits were conducted on at least 13 NGOs following this mandate. The results of these investigations have largely failed to substantiate the government's narrative of widespread misconduct. Out of the 13 known audits, nine organizations were cleared with no deficiencies found, while the three organizations flagged for alleged irregularities dispute the findings and are prepared to take legal action if the state demands repayment. The Program Director of the Platform for Democracy noted that the ruling coalition's effort to prove "massive and systematic fraud" has so far "come up empty," with a final government report on the matter due to Parliament by 15 February 2026.

Platform for Democracy: Government audits did not reveal any systemic failure of NGOs, 20 January 2026, <https://www.predemokraciu.sk/2026/01/20/vladne-audity-nepreukazali-systemove-zlyhanie-mno/>

Information on the results of the audit conducted in relation to non-governmental organizations was submitted by the Slovak government at its meeting on January 21 (<https://rokovania.gov.sk/RVL/Material/31526/1>). Several affected NGOs have publicly commented on the approved material, disagreeing with the results of the government audit and announcing steps to defend their rights.

[https://www.postbellum.sk/vladny-audit-v-post-bellum-nesuhlasime-a-budeme-sa-branit/?fbclid=IwY2xjawPgT3RleHRuA2FlbQlxMQBzcnRjBmFwcF9pZBAyMjIwMzIxNzg4MjAwODkyAAEe6EqKv4DBGhWcQHwTLgdXIMO1-o8FmSKiTCaxN2Pbp2sojTe5YdD7f0vuLgU\\_aem\\_YEZ-uc5cam2LFhfB54NHLw](https://www.postbellum.sk/vladny-audit-v-post-bellum-nesuhlasime-a-budeme-sa-branit/?fbclid=IwY2xjawPgT3RleHRuA2FlbQlxMQBzcnRjBmFwcF9pZBAyMjIwMzIxNzg4MjAwODkyAAEe6EqKv4DBGhWcQHwTLgdXIMO1-o8FmSKiTCaxN2Pbp2sojTe5YdD7f0vuLgU_aem_YEZ-uc5cam2LFhfB54NHLw)

[https://www.facebook.com/DivadloPoton/posts/pfbid022siK3cnV4zx9ySnLeJ7SezknRC1qsVvLMjgrmwzfxnMwG6PRREks8kTSYjS9xK7LI?locale=sk\\_SK](https://www.facebook.com/DivadloPoton/posts/pfbid022siK3cnV4zx9ySnLeJ7SezknRC1qsVvLMjgrmwzfxnMwG6PRREks8kTSYjS9xK7LI?locale=sk_SK)

## E. Initiatives to foster a rule of law culture

If there have been developments related to initiatives to foster a rule of law culture, please specify, which (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, contributions from civil society, education initiatives, etc.)

*5000 character(s) maximum*

Slovak National Centre for Human Rights annually organizes a "Rule of Law Festival" event that holds discussions across the country on current topics of rule of law, democracy and protection of human rights issues. In 2025, the festival took place in October, November and December.

## **Any other developments related to the system of checks and balances - please specify**

*5000 character(s) maximum*

### **Cross-pillar elements: cross-border rule of law issues related to the Single Market**

---

If there are any significant challenges concerning the Single Market you have been facing in a cross-border context relating to any of the four pillars of the report, including for example issues with market access and the conditions for economic activities, that you would like to highlight, please do so here.

*Given the cross-cutting nature of this question, it is included as a separate section in the questionnaire. Information collected under this question will however be integrated under the relevant existing pillar(s) of the Report.*

*5000 character(s) maximum*

Act No. 109/2025 amending the law on non-profit organisations providing services of general interest that Constitutional Court of Slovak Republic declared unconstitutional in December 2025, had significant negative effects on the European Union's single market, primarily by interfering with the free movement of capital. These effects includes:

- deterrence of cross-border capital movement: the law introduces obligations for both domestic and foreign entities that are unique to the Slovak Republic. These obligations are capable of deterring natural or legal persons from other Member States or third countries from carrying out cross-border movements of capital.
- violation of EU treaty principles: the law is in violation of Article 63 and following of the Treaty on the Functioning of the European Union (TFEU), which governs the free movement of capital.
- impact of public disclosure on donations: under the law, personal data of foreign donors (individuals and legal entities) would be published in a publicly accessible register if they provide donations, loans, or contributions to Slovak NGOs. According to the jurisprudence of the Court of Justice of the EU (CJEU), such mandatory disclosure of contributors constitutes a restriction on the free movement of capital.
- lack of proportionality under EU Law: while EU member states may restrict the movement of capital for reasons of general interest (such as fighting money laundering or terrorism financing), this law fails the principle of proportionality. These concerns are already addressed by existing EU law, specifically Directive 2018/843, making the additional Slovak restrictions unnecessary and inconsistent with EU standards.

By imposing unique and burdensome reporting requirements on cross-border transactions and donor identities, the law creates a barrier within the EU single market that discourages investment and philanthropic support from other member states.

[https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2025\)041-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2025)041-e)

The 23rd amendment to the Slovak Constitution introduces provisions that challenge the core pillars of the European Union (EU) single market, specifically the primacy of EU law and the freedom of movement for

persons. By asserting a "national identity" exception, the amendment seeks to grant Slovak law priority over legally binding EU acts and international treaties in matters related to cultural and ethical issues, such as marriage, family life, and public morality. While the Slovak government maintains that these changes are compatible with EU law under the "margin of appreciation" and Article 4 of the Treaty on European Union (TEU), the European Union Agency for Fundamental Rights (FRA) and the Venice Commission have expressed concern that this may lead to legal fragmentation. The amendment's vague terminology—utilizing qualifiers like "primarily" and "mainly" when defining national identity—undermines legal certainty, a prerequisite for a stable and integrated single market. Furthermore, the proposed retroactive application in Article 7(7) challenges the principle of predictability by suggesting that voluntarily undertaken international obligations could be disregarded if they conflict with current domestic interpretations of national identity.

The impact on the freedom of movement is particularly pronounced regarding family structures. By restricting adoption rights to married opposite-sex couples and recognizing only binary sexes, the amendment creates substantial barriers for same-sex families and LGBTIQ+ individuals. The FRA notes that these restrictions make it more difficult for such families to move freely across the EU, as their legal status may not be recognized in Slovakia, thus obstructing their right to residence and employment within the Union.

Ultimately, these developments risk positioning Slovakia at a "turning point" where its domestic legal order diverges from the shared values of Article 2 TEU, such as equality and human dignity.

<https://fra.europa.eu/en/news/2025/fra-statement-recent-developments-affecting-fundamental-rights-eu>

Venice Commission Urgent Opinion No. 1255/2025 ([https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-PI\(2025\)011-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-PI(2025)011-e))

## Supporting document upload

---

If you would like to submit any supporting document(s) to your contribution, please upload your file(s) here

### Contact

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