

# 2024 Rule of Law Report - targeted stakeholder consultation

Fields marked with \* are mandatory.

## Introduction

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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, four editions of the Rule of Law Report have been published in 2020, 2021, 2022 and 2023.

The Commission would like to invite stakeholders to provide contributions to the 2024 Rule of Law Report. This survey provides information on the type of information and topics that will be covered in the 2024 Rule of Law Report, in order to allow stakeholders to provide input. More targeted input may be requested at a later stage of preparation of the 2024 Rule of Law Report, including in the context of country visits, or bilateral contacts.

The 2024 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 2023 Rule of Law Report. The contribution to be provided should include **(1) information on measures taken to implement the recommendations addressed to the Member State in the 2023 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 2023<sup>[1]</sup> falling under the ‘type of information’ outlined in section II.**

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.

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

## Type of information

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

## **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, heads of independent authorities included in the scope of the questionnaire[2])

## **D) Any other relevant developments**

- Respondents 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.

If there are no changes, it is sufficient to indicate this and the information covered in the contributions for the previous Rule of Law Reports should 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.

## **About you**

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\* 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

If "Other", please specify

Bar Association

**\* Organisation name**

*250 character(s) maximum*

Slovak Bar Association

**Main Areas of Work**

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

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

*500 character(s) maximum*

<https://www.sak.sk/>

**Transparency register number**

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

**\* Country of origin**

Please add the country of origin of your organisation

- ☐ Afghanistan
- ☐ Albania
- ☐ Algeria
- ☐ Andorra
- ☐ Angola
- ☐ Antigua and Barbuda
- ☐ Argentina
- ☐ Armenia
- ☐ Australia
- ☐ Austria
- ☐ Azerbaijan

- ☐ Bahamas
- ☐ Bahrain
- ☐ Bangladesh
- ☐ Barbados
- ☐ Belarus
- ☐ Belgium
- ☐ Belize
- ☐ Benin
- ☐ Bhutan
- ☐ Bolivia
- ☐ Bosnia and Herzegovina
- ☐ Botswana
- ☐ Brazil
- ☐ Brunei Darussalam
- ☐ Bulgaria
- ☐ Burkina Faso
- ☐ Burundi
- ☐ Cabo Verde
- ☐ Cambodia
- ☐ Cameroon
- ☐ Canada
- ☐ Central African Republic
- ☐ Chad
- ☐ Chile
- ☐ China
- ☐ Colombia
- ☐ Comoros
- ☐ Congo
- ☐ Costa Rica
- ☐ Côte D'Ivoire
- ☐ Croatia
- ☐ Cuba
- ☐ Cyprus
- ☐ Czechia
- ☐ Democratic Republic of the Congo
- ☐ Denmark
- ☐ Djibouti
- ☐ Dominica
- ☐ Dominican Republic
- ☐ Ecuador
- ☐ Egypt
- ☐ El Salvador
- ☐ Equatorial Guinea
- ☐ Eritrea
- ☐ Estonia
- ☐ Eswatini
- ☐ Ethiopia

- ☐ Fiji
- ☐ Finland
- ☐ France
- ☐ Gabon
- ☐ Gambia
- ☐ Georgia
- ☐ Germany
- ☐ Ghana
- ☐ Greece
- ☐ Grenada
- ☐ Guatemala
- ☐ Guinea
- ☐ Guinea Bissau
- ☐ Guyana
- ☐ Haiti
- ☐ Honduras
- ☐ Hungary
- ☐ Iceland
- ☐ India
- ☐ Indonesia
- ☐ Iran
- ☐ Iraq
- ☐ Ireland
- ☐ Israel
- ☐ Italy
- ☐ Jamaica
- ☐ Japan
- ☐ Jordan
- ☐ Kazakhstan
- ☐ Kenya
- ☐ Kiribati
- ☐ Kuwait
- ☐ Kyrgyzstan
- ☐ Laos
- ☐ Latvia
- ☐ Lebanon
- ☐ Lesotho
- ☐ Liberia
- ☐ Libya
- ☐ Liechtenstein
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Madagascar
- ☐ Malawi
- ☐ Malaysia
- ☐ Maldives
- ☐ Mali

- ☐ Malta
- ☐ Marshall Islands
- ☐ Mauritania
- ☐ Mauritius
- ☐ Mexico
- ☐ Micronesia
- ☐ Monaco
- ☐ Mongolia
- ☐ Montenegro
- ☐ Morocco
- ☐ Mozambique
- ☐ Myanmar
- ☐ Namibia
- ☐ Nauru
- ☐ Nepal
- ☐ Netherlands
- ☐ New Zealand
- ☐ Nicaragua
- ☐ Niger
- ☐ Nigeria
- ☐ North Korea
- ☐ North Macedonia
- ☐ Norway
- ☐ Oman
- ☐ Pakistan
- ☐ Palau
- ☐ Panama
- ☐ Papua New Guinea
- ☐ Paraguay
- ☐ Peru
- ☐ Philippines
- ☐ Poland
- ☐ Portugal
- ☐ Qatar
- ☐ Republic of Moldova
- ☐ Romania
- ☐ Russian Federation
- ☐ Rwanda
- ☐ Saint Kitts and Nevis
- ☐ Saint Lucia
- ☐ Saint Vincent and the Grenadines
- ☐ Samoa
- ☐ San Marino
- ☐ Sao Tome and Principe
- ☐ Saudi Arabia
- ☐ Senegal
- ☐ Serbia

- ☐ Seychelles
- ☐ Sierra Leone
- ☐ Singapore
- ☒ Slovakia
- ☐ Slovenia
- ☐ Solomon Islands
- ☐ Somalia
- ☐ South Africa
- ☐ South Korea
- ☐ South Sudan
- ☐ Spain
- ☐ Sri Lanka
- ☐ Sudan
- ☐ Suriname
- ☐ Sweden
- ☐ Switzerland
- ☐ Syrian Arab Republic
- ☐ Tajikistan
- ☐ Tanzania
- ☐ Thailand
- ☐ Timor-Leste
- ☐ Togo
- ☐ Tonga
- ☐ Trinidad and Tobago
- ☐ Tunisia
- ☐ Turkey
- ☐ Turkmenistan
- ☐ Tuvalu
- ☐ Uganda
- ☐ Ukraine
- ☐ United Arab Emirates
- ☐ United Kingdom
- ☐ United States of America
- ☐ Uruguay
- ☐ Uzbekistan
- ☐ Vanuatu
- ☐ Venezuela
- ☐ Viet Nam
- ☐ Yemen
- ☐ Zambia
- ☐ Zimbabwe

First name

Surname

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

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

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

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

☒ I agree with the personal data protection provisions.

[Specific privacy statement targeted stakeholder consultation 2024 rule of law report.pdf](#)

## Questions on horizontal developments

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

Overview topics for contribution

[List of topics 2024 RoL Report.pdf](#)

Please provide any relevant information on horizontal developments here

*5000 character(s) maximum*

## Questions for contribution

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The following four pillars (I.-IV.) are sub-divided into topics (A., B., etc.) and sub-topics (1., 2., 3., etc.). For each of the topics and sub-topics, you are invited to provide (1) information on measures taken to implement the recommendations addressed to the Member State in the 2023 Rule of Law report, as well as



developments with regard to the points raised in the respective country chapter of the 2023 Rule of Law Report and (2) any other significant developments since January 2023[3]. 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.

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

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.

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

Member State covered in contribution [only one choice possible]

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

- ☐ 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

## I. Justice System

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Please provide information on measures taken to follow-up on the recommendations received in the 2023 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*

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*

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*

In 2023, after two years, the Slovak Bar Association (SBA) conducted another survey among lawyers regarding the legality of the procedures of law enforcement authorities (LEA). The survey confirmed that illegal coercion is often part of the practice of law enforcement authorities, especially in pre-trial and preliminary proceedings. According to 64 percent of respondents, illegal coercion is part of the practice of LEA. Compared to the internal survey from 2021, when 72 percent of survey participants confirmed such a practice, this is only a slight decrease in the perception of this undesirable phenomenon. The SBA conducted this survey in an attempt to collect the practical experience of defence lawyers in the context of the continuing concern of the professional public about the illegal procedures of the LEA. SBA conducted the first survey in 2021. 110 lawyers participated in the second survey this year, i.e. almost 40 more people than in the pilot survey. Defence lawyers most often encounter practices of illegal coercion at the stage of pre-trial and preliminary proceedings (more than 98% of respondents marked these answers). Compared to 2021, there was almost no improvement in this area. On the contrary, while in 2021 more than half of the respondents confirmed the existence of illegal coercion even after the first-instance verdict, in the new survey more than 65% of the respondents answered negatively. The survey further examined the experiences of lawyers with selected specific forms of illegal coercion. According to the survey, lawyers in practice less often encounter the practice, when the non-submission of a motion for detention is conditioned or stimulated by the confession of the accused (48% said that their client had such an experience, which is 15% less than in 2021). More than half of the respondents (as in 2021) said that the LEA promised their client certain benefits if he/she provided a statement that would be incriminating evidence against a co-accused person. 60% of respondents confirmed that they had encountered a situation when the court had initiated an informal negotiation regarding the form and amount of the punishment, on the condition of admitting guilt in its entirety, before the main hearing. The lawyers interviewed were also given the opportunity to describe what other illegal practices they encountered during their practice. The answers indicate that sometimes the procedures of LEA directly violate the right to defence guaranteed by the Constitution of the Slovak Republic. According to the answers, LEA bypasses the lawyer and negotiates directly with the client without the lawyer's knowledge. The respondents gave several answers, according to which LEA directly encouraged the accused to cancel the power of representative to their defence lawyer, sometimes even for the promise of facilitating certain benefits. According to responding lawyers, evidence obtained in this way is recognized and, in violation of the law, it is taken into account in the decision-making process. The Slovak Bar Association also reiterates in the context of this survey that any criminal activity can only be detected by legal means. Otherwise, there is a risk that not only specific proceedings will be thwarted, but ultimately also a deepening of people's mistrust of the rule of law.

Remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year), transparency on the system and access to the information

*5000 character(s) maximum*

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*

Slovak Bar Association organised a round table with the representatives of Ministry of Justice, constitutional and supreme judicial institutions, prosecution office and ombudsman office on 27th April 2023. In this regard, those present agreed that: "Free and independent legal profession is one of the necessary prerequisites for the effective protection of fundamental rights and freedoms, as well as the functioning of a democratic and rule of law state as such. In order to protect these rights and freedoms, it is necessary to protect the basic pillars of the rule of law, such as, in addition to the independence of the judiciary, a free legal profession independent of state power."

Slovak Bar Association considers it of crucial importance that all legal professionals are free of attacks, harassment and threats.

The Bar condemned the attack on the Special Prosecutor (see the press release of 4th February - <https://www.linkedin.com/feed/update/urn:li:activity:7027562865217675264>) and a judge (see the press release of 27th October - <https://www.linkedin.com/feed/update/urn:li:activity:7123659717637287936>).

In cooperation with CCBE, the Slovak Bar Association undertook a survey in 2023 among its members on the attacks they face due to provision of professional services. We received 42 responses out of which 30 persons experienced verbal aggression, 18 persons threatening behaviour, 22 persons harassment and 10 persons physical attacks.

4 respondents replied they knew more than two lawyers who ceased providing legal services due to attacks and 4 respondents replied they knew at least 1 lawyer who quitted legal profession. 26 respondents claim that the situation got worse in last five years.

Press release of 4th February 2023

The Bar regularly defends its members if they are the target of public humiliation or other attacks just for doing their job. Unfortunately, such unjustified attacks on lawyers often came from some representatives of law enforcement agencies. In practice, we have even witnessed that lawyers were prosecuted for the performance of their profession, while they found protection only before the Constitutional Court of the Slovak Republic.

However, if we see that representatives of other judicial professions (judges, prosecutors, other constitutional officials) are also targets of unacceptable attack and intimidation, our position remains the same, and we consider it necessary to express our full support to them.

This also applies to the last incident of the explosives report at the residence address of the special prosecutor Daniel Lipšic. If it is proved that this incident is related to the exercise of his powers, it would be a blatant attack on justice. We are therefore in full solidarity with D. Lipšic in this matter. We trust that the matter will be properly inspected, and the possible perpetrator(s) will be revealed (the same applies to the incident in the case of a member of the Parliament of the Slovak Republic).

At the same time, as in any other matter, it would be advisable to refrain from any blanket and unfounded accusations. This also applies to the special prosecutor, who should refrain from blanket attacks on defense lawyers, as he did during the reporting of the latest incident.

Press release of 27th Octobre 2023

The Slovak Bar Association received with concern the report of a physical attack on a female judge of the City Court of Bratislava II. In this context, we express our full support and solidarity to the concerned judge and the entire judiciary.

"An attack on any judge is always an attack on justice, and thus also an attack on the system protecting the rights of all of us. Judges, as well as representatives of all other judicial professions, must feel safe in the performance of their profession. Otherwise, it is not possible to effectively protect basic rights and freedoms," said SBA President Martin Puchalla. Together with judges, the Slovak Bar Association therefore called on the public and politicians to always keep their public statements towards judges and the judiciary within the bounds of objectivity and decency, and never have the character of personal attacks.

5000 character(s) maximum

The Slovak Bar Association (SBA) welcomed the adoption of the amendment related to the law office search. We believe this could help prevent violations of the fundamental rights of clients. Confidentiality of communication between lawyer and client is a basic prerequisite for the proper provision of legal services. While there were statutory guarantees for protection of confidentiality during searches of offices, in practice this was often breached by police and prosecutors and there are also cases of search without a written warrant. In 2022 we have observed this practice to increase in quantity as well as intensity. The possible scope of the violation of the law in these cases was alarming. The Slovak Bar Association fully respects the power of authorities to investigate criminal activity among lawyers. However, in a democratic country, it cannot be accepted if gross illegal practices are used in the detection of criminal activity, which are in direct contradiction to the jurisprudence of the Constitutional Court of the Slovak Republic.

Since the adoption of the amendment, we are not aware of any violations of the law. However, the Slovak Bar was informed of the breach of confidentiality in police custody cells. Defence lawyer informed the Bar of the approval of judge to monitor the consultation of the accused with the defence counsel in the premises used for the custody of the suspect or accused.

Press release – 16th March 2023 ([https://www.sak.sk/web/sk/cms/news/form/link/display/1651592/\\_event](https://www.sak.sk/web/sk/cms/news/form/link/display/1651592/_event))  
Today, the National Council of the Slovak Republic approved a draft amendment to the Criminal Procedure Code, which introduces rules to protect the confidentiality of client-lawyer communication during inspections of the lawyer's premises. The Slovak Bar Association (SBA) welcomes the adoption of this amendment, which could help prevent violations of the fundamental rights of clients. "The adoption of this amendment is good news for the protection of people's fundamental rights. We see it as a reaction to repeated violations of clients' rights, which should have no place in a democratic and legal state. Therefore, we thank every member of the parliament who today took the side of protecting the rule of law," responded SBA President Martin Puchalla. In this context, SBA reiterates that it fully respects the powers of law enforcement authorities to investigate criminal activity, including among lawyers. The Bar supports the effective detection of criminal activity, but this must also be done with the necessary respect for legality and constitutional rights. In the past, unfortunately, we have repeatedly recorded cases when, as part of the investigation of a specific act, during searches of a law office, practically the entire computing equipment (hard drive) was seized, on which the data of potentially hundreds of clients could be stored. The court therefore authorized the search in a specific matter, but the illegal procedures of the law enforcement authorities repeatedly jeopardized the communication of a number of ordinary clients who had nothing to do with the investigated matter. The amendment to the law therefore introduces the necessary judicial review into the process of inspections of other premises. This means that in case of doubt about the extent of the seized documents, the matter will be submitted to an independent court.

Press release – 16th March 2023 - [https://www.sak.sk/web/sk/cms/news/form/list/form/row/1791814/\\_event](https://www.sak.sk/web/sk/cms/news/form/list/form/row/1791814/_event)  
As a rule, the Bar does not get involved in the individual cases of defense in specific proceedings by issuing its statements. It is the duty of the advocates to protect the rights of clients by all available legal means, including the filing of criminal reports or constitutional complaints. The Bar notes that part of the relevant submission is information about the statement of the Police investigator, according to which the court ordered, at the initiative of this investigator and the proposal of the Special Prosecutor's Office, the monitoring of premises that are directly reserved for consultations with the defense lawyer. The Bar has consistently and for a long time emphasized that the right to confidentiality of communication between the defense lawyer and the client (whoever it may be) belongs to basic procedural rights and also follows from our international obligations. If it turns out that in specific criminal proceedings the right to confidentiality of communication between the accused and the lawyer is violated, even by the direct deployment of ITP in a room expressly intended for a confidential conversation with the client (!), this would be a very serious and unprecedented violation of basic human rights rights (which SAK cannot claim a priori in a specific case without further ado, but it is necessary that this information be properly clarified). Any criminal activity can only be detected by legal means. Otherwise, there is a risk that no

## 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 under section 2)*

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

*5000 character(s) maximum*

In January 2023 the Slovak Bar Association submitted to the Ministry of Justice a proposal to amend the Regulation no. 655/2004 Coll. on Remuneration and Compensation of Lawyers for the Provision of Legal Services ("Lawyers' Tariff"). The aim of the proposed amendment was (among other issues) to achieve that compensations for ex offa defence and remuneration within legal aid system more closely correspond to the real costs and to improve recoverability of compensations awarded to successful parties in the court proceedings. We expected to hold a meeting with the Ministry to discuss the comments provided in official legislative procedure. However, at the agreed meeting, we were informed that the amendment to the Regulation has already been signed and will be published in the Collection of Laws. As a result, despite many clear positives amendments, the regulation will not adequately reflect the development of inflation and the real increase in the costs of legal representation. The parties who successfully claim their rights will continue to not have the real costs of legal representation sufficiently covered. Continuation of negotiations on important aspects of the rights protection system was thus not possible. Let it be reminded that the issue of the lawyer's tariff determined in the Regulation is not a question of lawyers' benefits, but it is in the interest of the citizens themselves, whose rights were violated and had to claim them. The Slovak Bar Association will therefore continue, regardless of political developments, to strive for the necessary improvement in this area.

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

*(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*

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

*5000 character(s) maximum*

Slovak Bar Association provides training to its members on voluntary (qualified lawyers) and mandatory basis (trainee lawyers). Lawyers can undertake additional training choosing from among private providers depending on their area of expertise.

In 2023 the Bar organised more than 100 internal training events for circa 4700 participants.

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, intention of which was to train not only the theory of law, but equally the legal practice. The new training system was put to test by COVID restrictions but in the past year it was possible to fully apply it again. The previous training system was oriented towards an informative way of describing the current legal situation. The new concept of training expands this basis with practical seminars, where trainees in small groups can practice their ability to solve a legal problem on the basis of a case study under the supervision of a lecturer and by preparing proposals for submissions. Creativity and active approach are expected from the lecturer and trainees so that the practical exercise fulfils its purpose - to point out frequent problems in the application of legal regulations and to teach trainees to express themselves, argue their problems objectively and find solutions, manage the situation within the limits of lawyer ethics.

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

- Cooperation with Council of Europe within HELP (Human Rights Education for Legal Practitioners) Programme: on top of the already implemented 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) implementation of two new courses was introduced, Domestic Violence and Violence against Women, Cybersecurity and Electronic Evidence. Up to this day the Slovak Bar implemented 10 different HELP course and trained 426 persons.
- Cooperation with Academy of European Law (ERA) in organising and implementing projects Young European Lawyers Academy (YELA) – 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 YLC semi-finals in Bratislava in June 2022 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.
- As ERA partner in the EU Litigation project, the Slovak Bar Association promoted and made available to its members ERA EU Litigation Project study materials on its website and via social media.
- In cooperation with CCBE the Slovak Bar Association participated in the project BREULAW that enabled the Bar to send its representative to study visit in EU institutions.

Slovak Bar Association continued to organise or co-organise training to Ukrainian nationals in legal matters:

- Open seminar in employment and labour law organised in April 2023 at the premises of the Slovak Bar Association
- Series of webinars in cooperation with Human Rights League on family law and related legal matters
- On June 8, 2023, a seminar organized in cooperation with the HELP Secretariat on the current challenges associated with the implementation of the directive on temporary protection in EU countries took place on the grounds of the SAK. The co-organizers of the event were UNHCR and the European Commission. International organizations (UNHCR, Council of Europe, IOM Slovakia), European institutions [European Commission, EU Asylum Agency (EUAA), non-governmental organizations in Slovakia (League for Human Rights, TENENET, EQUITA o.z.)], bar associations, as well as Ukrainian lawyers living in Slovakia and other EU countries. Numerous participants joined online. The content of the seminar was the identification of best practices and shortcomings in the area of access to information, legal assistance and rights arising from the institution of temporary protection in the sense of the EU directive.



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Digitalisation (e.g. use of digital technology, particularly electronic communication 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 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 specialization, in particular specific courts or chambers within courts to deal with fraud and corruption cases

5000 character(s) maximum

The Slovak courts are undergoing changes in the context of the recent Court map reform. In connection with the implementation of the court map, SBA representatives agreed with the Minister of Justice in June 2023 to conduct a joint survey of expert public opinion on the first experiences with the functioning of the court map. The goal of the survey, which the Ministry of Justice of the Slovak Republic is conducting among judges and SBA should conduct among its members, will be to identify areas for practical improvement of the functioning of the judicial system. After the changes at the ministry due to parliamentary elections it was confirmed that the Bar would participate in the survey. It is yet difficult to assess whether the changes contributed to the objectives of the court map reform, such as higher expertise and efficiency.

## 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 under section*

*2)*

Length of proceedings

5000 character(s) maximum

Other - please specify

5000 character(s) maximum

## II. Anti-Corruption Framework

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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 2023 Report regarding the anti-corruption framework (if applicable)

*5000 character(s) maximum*

## 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 resources as relevant), including the cooperation among domestic and with foreign authorities. Indicate any relevant measure taken to effectively and timely cooperate with OLAF and EPPO (where applicable)

*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 and their application (including as regards incompatibility rules, revolving doors, codes of conduct, ethics training)

*5000 character(s) maximum*

General transparency of public decision-making (including rules on lobbying and their enforcement, asset disclosure rules and enforcement, gifts policy, transparency of political party financing)

*5000 character(s) maximum*

Rules and measures to prevent and address 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*

If available to you, for the three preceding questions, you are also invited to provide figures on their application, such as number of detected breaches/irregularities of the various rules in place and the follow-up given (investigations, sanctions, etc.).

Measures in place to ensure whistleblower protection and encourage reporting of corruption, including the number of reports received and the follow-up given

*5000 character(s) maximum*

Sectors with high-risks of corruption in your Member State:

- Measures taken/envisaged for monitoring and preventing corruption and conflict of interest in public procurement
- List other sectors with high risks of corruption and the relevant measures taken/envisaged for monitoring and preventing corruption and conflict of interest in these sectors (e.g. healthcare, citizen /residence investor schemes, urban planning, risk or cases of corruption linked to the disbursement of EU funds, other), and, where applicable, list measures to prevent and address corruption committed by organised crime groups (e.g. to infiltrate the public sector)

*5000 character(s) maximum*

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

*5000 character(s) maximum*

## C. Repressive measures

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

*5000 character(s) maximum*

Data on the number of investigations, prosecutions, final judgments 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

*5000 character(s) maximum*

Potential obstacles to investigation and prosecution as well as to the effectiveness of criminal sanctions 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*

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

*5000 character(s) maximum*

Other - please specify

*5000 character(s) maximum*

### III. Media pluralism and media freedom

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Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding media pluralism and media freedom (if applicable)

*5000 character(s) maximum*

#### A. Media authorities and bodies

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

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

*5000 character(s) maximum*

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

*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

Measures taken to ensure the fair and transparent allocation of state advertising (including any rules regulating the matter)

*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 operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions
- 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*

Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners, as well as any rules regulating the matter

*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*

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*

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*

Other - please specify

*5000 character(s) maximum*

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

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Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding the system of checks and balances (if applicable)

*5000 character(s) maximum*

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

Framework, policy and use of impact assessments and evidence based policy-making, stakeholders'[1] /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

[1] This includes also the consultation of social partners

*5000 character(s) maximum*

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

As regards the revision of Criminal Code and Criminal Procedure Code, the process was marked with several deficiencies. At first, there was lack of professional debate and transparency of the drafting process, later this was remedied by creation of working groups under the auspices of the minister of justice. However, the draft approved by the government was ignored by the National Council that omitted to vote on it. The new draft was introduced without a possibility to comment on its content in the regular legislative procedure and it was proposed to be voted in a fast-track procedure.

Press release – 28th June 2023 ([https://www.sak.sk/web/sk/cms/news/form/list/form/row/1810002/\\_event](https://www.sak.sk/web/sk/cms/news/form/list/form/row/1810002/_event))  
"Members of the National Council of the Slovak Republic today (June 28, 2023) threw out the government's proposal for an amendment to the Criminal Code, which could have at least partially brought this code closer to the parameters common in advanced European legal systems. The Slovak Bar Association had several reservations about the presented legislative proposal, which was, in our opinion, unambitious in correcting the crooked setting of the Criminal Code. Nevertheless, if the proposal were to be approved by the MPs in the presented form, it would be a significant correction of Slovakia's criminal policy, which was incorrectly set by the law reform in 2005. This amendment could therefore undoubtedly help Slovakia in the field of criminal law to finally bring its politics closer to European standards. For the next indefinite period, the only chance to correct at least some of the excesses of the current Criminal Code will be the decision-making activity of the Constitutional Court of the Slovak Republic. However, this cannot replace the need for systemic and expertly prepared reform, which the entire professional public has been calling for many years.

Press release – 6th December 2023

([https://www.sak.sk/web/sk/cms/news/form/link/display/2014644/\\_event](https://www.sak.sk/web/sk/cms/news/form/link/display/2014644/_event))

As for the proposal itself, it is a fairly extensive legislative material that will require careful study. In this context, on the one hand, we appreciate that the Ministry of Justice of the Slovak Republic has also invited, just like in the past, representatives of the Slovak Bar Association to consultations on some parts of the amendment. On the other hand, however, we note that we do not consider it the best idea to introduce the proposal containing such fundamental changes to the key codes of criminal law in abbreviated (fast-track) legislative procedure. We understand that most of the topics have already been the subject of expert discussions in various commissions and at the Ministry of Justice of the Slovak Republic, including the recent amendment proposal presented at the end of the last election period. Despite this, the Bar has long been promoting the opinion that fundamental changes in the codes should always be dealt with in a standard procedure.

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

## 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

(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 of recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies and supreme audit institutions in the past two years

5000 character(s) maximum

## C. Accessibility and judicial review of administrative decisions

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

5000 character(s) maximum

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

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

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

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 and dissolution rules)

*5000 character(s) maximum*

Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures for protection 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

*5000 character(s) maximum*

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*

Rules and practices on the participation of civil society organisations and human rights defenders to the decision-making process (e.g. measures related to dialogue between authorities and civil society, participation of civil society in policy development and decision-making, consultation, dialogues, etc.)

*5000 character(s) maximum*

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

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

*5000 character(s) maximum*

Other - please specify

*5000 character(s) maximum*

## Contact

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