



Last update: 04/10/2018

Slovak Republic

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| Membership to the Council of Europe | 30 June 1993 |
| Entry into force of the European Convention on Human Rights | 1 January 1993 |
| First case under supervision of execution | Lauko (26138/95) Judgment final on 2 September 1998 |
| Total number of cases transmitted for supervision since the entry into force of the Convention | 489 |
| Total number of cases closed by final resolution | 457 |

MAIN ISSUES BEFORE THE COMMITTEE OF MINISTERS - ONGOING SUPERVISION*

> Efficiency of justice

Excessive length of civil proceedings.

Maxian and Maxianova group
(44482/09)
Judgment final on 24/07/2012

Status of execution
Standard supervision

Civil claims joined to criminal proceedings not protected by the right to trial within a reasonable time until charges have been brought against a specific person (even if the lodging of such claims prevents the lodging of separate civil proceedings).

Javor and Javorová (42360/20)
Judgment final on 01/02/2016

Status of execution
Standard supervision
(see Maxian and Maxianova group)

> Protection of property rights

Rent control scheme affecting a small group of landowners and maintained for an excessive period because of shortcomings in the housing planning and policy.

Bittó and Others (30255/09)
Judgment final on 28/04/2014

Status of execution
Enhanced supervision

* Detailed information concerning the Committee of Ministers' supervision of the execution of judgments and decisions of the European Court of Human Rights, notably the distinction between enhanced and standard supervision, are available on [the website of the Department for the Execution of Judgments](#).

**SUPERVISION CLOSED - MAIN REFORMS ADOPTED******> Action of security forces : Racially motivated crimes**

In 2014 an offence of extremism was introduced, notably to improve the capacity to react to racially motivated crime. Amendments to the Code of Criminal Procedure and the Criminal Code in 2017 secured more efficient investigation of such crimes, the jurisdiction for such crimes being transferred from the District Courts to the Specialized Criminal Court.

Koky and Others (13624/03)
Judgment final on 12/09/2012

Final Resolution
CM/ResDH(2017)86

> Expulsion

Judicial appeals with suspensive effect have been put in place allowing a full examination of all risks of ill-treatment before expulsion – changes in 2015 of the Asylum Act and the Act on Residence of Foreigners. Official undertaking that Ministry of the Interior will respect interim measures indicated by the Court under Rule 39.

Labsi (33809/08)
Judgment final on 24/09/2012

Final Resolution
CM/ResDH(2017)87

> Lawfulness of detention and related issues

Introduction of an accelerated procedure to handle requests for release - New Code of Criminal Procedure of 2005.

Kučera and Haris (48666/99 and 14893/02)
Judgments final on 17/10/2007 and
06/12/2007

Final Resolution
CM/ResDH(2011)158

Improved guarantees that adequate reasons are given in decisions regarding detention on remand: The right for individuals to lodge a constitutional complaint was recognised if domestic courts fail to provide sufficient reasons for the continued detention on remand; modifications of the Code of criminal procedure and case-law of Constitutional Court in 2005 stressing also the need to order release as soon as detention is no longer justified.

Improved safeguards for the respect of the adversarial principle in proceedings regarding detention on remand, notably a right to be heard in person by the court deciding on detention and a right of access to the investigation file.

Nešták (65559/01)
Judgment final on 27/05/2007

Final Resolution
CM/ResDH(2009)136

Lexa (34761/03)
Judgment final on 05/04/2010

Final Resolution
CM/ResDH(2012)53

> Functioning of justice

Guarantees against interferences in case-distribution through the introduction of a system for the random assignment of cases to judges, chambers and court officers, exception made for urgent cases, assigned according to the possibilities of the court's work schedule and internal regulations - new court regulations of 2006.

DMD Group, A.S (19334/03)
Judgment final on 05/01/2011

Final Resolution
CM/ResDH(2012)51

** This section may also include certain major reforms already implemented in the context of cases still pending.

For a thorough overview of reforms adopted since the entry into force of Protocol No. 11 in 1998 see the [Annual Report 2015](#), Part IV "Main achievements". As regards the period 1959-1998, see the overview provided by the European Court in its special publication "Survey : 40 years of activity", section IV "Effects of judgments and decisions" – both documents, together with a number of additional ones, are available also on the website of the Department for the Execution of Judgments of the European Court of Human Rights.



SUPERVISION CLOSED - MAIN REFORMS ADOPTED**

Improved access to court: abrogation of the requirement, imposed in the practice of the Constitutional Court, according to which appeals on points of law should be lodged simultaneously with a constitutional complaint. Constitutional complaints are henceforth only admissible after the decision of the Supreme Court on the appeal on points of law.

Đurdovič and Trančíková (16639/11)
Judgment final on 07/01/2015

Final Resolution
CM/ResDH(2016)34

Kovárová (46564/10)
Judgment final on 23/09/2015

Final Resolution
CM/ResDH(2016)138

Setting up of an effective remedy before the Constitutional Court in cases of unreasonably lengthy judicial proceedings, following amendment of the Constitution in 2002; the Constitutional Court has been given the power to order the competent court or authority to proceed with a case without delay and grant compensation in case of excessive length of proceedings.

Jóri group (34753/97+)
Judgment final on 09/02/2001

Final Resolution
CM/ResDH(2005)67

Development of Constitutional Court practice to ensure the efficiency of the constitutional complaint (notably to remedy certain inconsistencies of practice and the separation of proceedings into segments when analysing their length).

Komanický (40437/07)
Judgment final on 22/10/2012

Status of execution
Standard supervision

Measures to ensure the conclusion of judicial proceedings within a reasonable time:

- **Legislative amendments and administrative measures improving the functioning of courts,** notably on allocation of powers, procedures for the service of documents, management of case files in courts of appeal and simplification/reduction of court costs. Also increased number of judges and intensified use of IT tools in case management.
- **Adoption of legislative amendments to reduce the courts' workload and accelerate civil and bankruptcy proceedings.**
- **Adoption of the new Code of Criminal Procedure in 2006 with a view to accelerate criminal proceedings,** notably by setting up maximum duration of pre-trial detention to four years. Introduction of an additional remedy to complain against the length of proceedings.
- **Special measures to allow the acceleration of pre-trial proceedings: these shall be directed by the Prosecutor's office to ensure the legality and efficiency of the proceedings;** possibility introduced to have actions of investigators reviewed by any party to the trial (amendment of the Criminal Procedure Code)

Jakub group (2015/02+)
Judgment final on 28/05/2006

Final Resolution
CM/ResDH(2012)59

Jóri group (34753/97+)
Judgment final on 09/02/2001

Final Resolution
CM/ResDH(2005)67

Krumpel and Krumpelová (56195/00)
Judgment final on 05/10/2005

Final Resolution
CM/ResDH(2007)10

Masár (66882/09)
Judgment final on 03/05/2012

Final Resolution
CM/ResDH(2013)126

**SUPERVISION CLOSED - MAIN REFORMS ADOPTED******> Access to a court – disciplinary proceedings**

Disciplinary decisions are not automatically excluded from judicial review, following the adoption of the new Code of administrative procedure in 2016. If a decision or measure of a disciplinary nature adopted by administrative authorities inflict injury for subjective rights of the person concerned, this decision or measure can be subject to judicial review.

Paluda (33392/12)
Judgment final on 24/07/2007

**Final Resolution
CM/ResDH(2018)97**

> Protection of private and family life

The practice of using administrative injunctions to order the urgent placement of children in public care, without possibility to seek judicial review, was declared incompatible with the Constitution.

New provisions in this respect were introduced in 2005 providing that a temporary placement in institutional care may be ordered by a court for a maximum period of six months.

Berecová (74400/01)
Judgment final on 24/07/2007

**Final Resolution
CM/ResDH(2009)11**

Possibility to reopen paternity proceedings, notably with the use of new scientific methods (DNA tests) unavailable at the time of the original proceedings, provided by the amendment of the Code of Civil Procedure in 2013.

Paulík (10699/05)
Judgment final on 10/01/2007

**Final Resolution
CM/ResDH(2013)195**

The Code of Civil Non-Contentious Procedure 2015 ensures **more efficient compliance with European and international rules in the context of international parental child abductions.**

Frisancho Rerea (383/13)
Judgment final on 21/10/2015

**Final Resolution
CM/ResDH(2018)95**

> Protection of property

Fairer regulation of lease and transfers of garden allotments: Legislative and regulatory amendments adopted in 2011 to (i) to remove any obstacles to the lease of land in garden allotments under conditions respecting the real value of the land and the current market conditions in the location concerned and (ii) to eliminate all obstacles to the transfer of, or compensation for, ownership rights related to the market price y on the day of transfer.

**Urbárska Obec Trenčianske Biskupice,
Jenisova, Salus and Sefcikova**
(74258/01+)
Judgment final on 02/06/2008

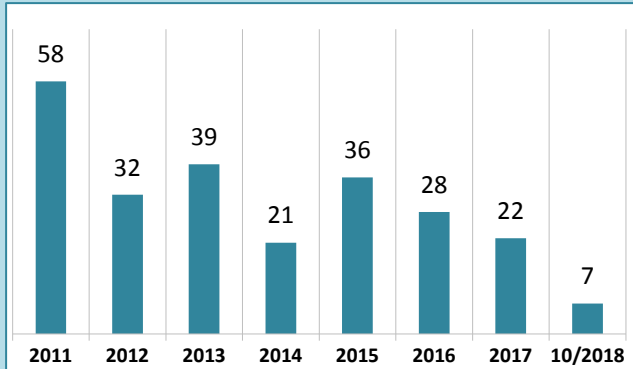
**Final Resolution
CM/ResDH(2013)87**



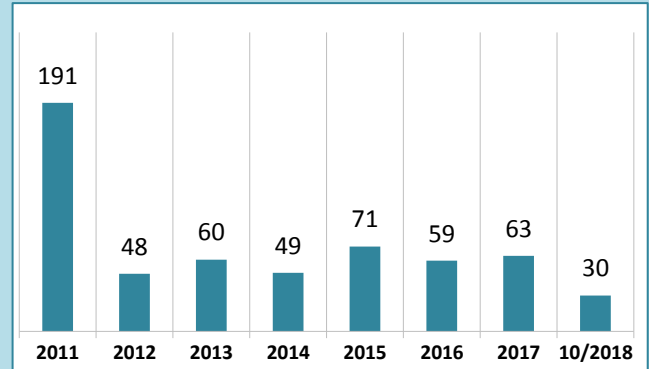
STATISTICS***

New cases

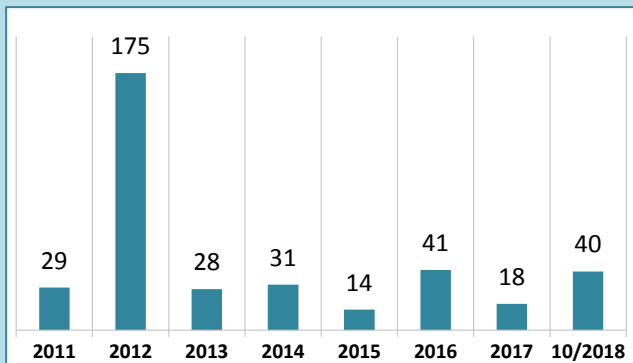
(judgments transmitted for supervision of their execution during the year)



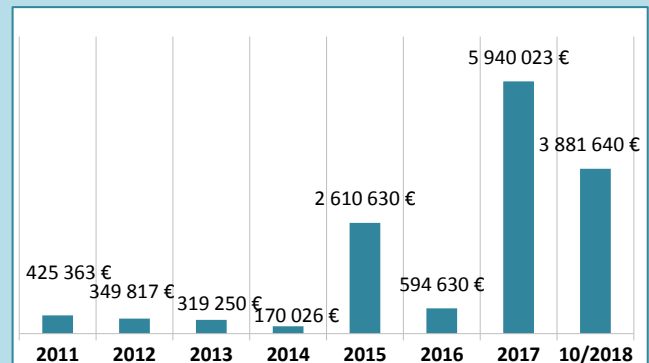
Total of pending cases



Cases closed by final resolution



Just satisfaction awarded



*** Detailed statistics are available in the [annual reports](#) of the Committee of Ministers. Figures are reported as they appear in the annual report for each year.