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Member States' best practices on the Charter

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Slovakia



Slovakia

The Constitutional Court of the Slovak Republic [Ústavný súd Slovenskej republiky] ruled on the applicability of the Charter in Slovakia in case PL. ÚS 10/2014, where it explicitly concluded that the Charter must have the same position within Slovakia's constitutional order as other international agreements concerning human rights and fundamental freedoms governed by Article 7(5) of the Slovak Constitution. This means it takes precedence over national legislation. In the legislative process, each new piece of legislation contains a clause on its compatibility with European Union law and must also state its compatibility with the Charter if the legislation concerns rights conferred by the Charter.

Use and awareness of the Charter in your country

Government policies that promote the use and awareness of the Charter among the legislator, the administration, law enforcement bodies and the judiciary

The documents below contain references to the Charter and its importance in terms of international and European human rights legislation.

- [Action Plan for Prevention of all Forms of Discrimination for 2016-2019 \[Akčný plán predchádzania všetkých foriem diskriminácie na roky 2016-2019\]](#) refers to the Charter and incorporates it into the fundamental anti-discrimination legal framework in relation to its international context and Slovakia's obligations
- [Slovak National Gender Equality Strategy for 2014-2019 \[Celoštátna stratégia rodovej rovnosti v Slovenskej republike rok 2014-2019\]](#)
- [Strategy for Labour Mobility of Foreigners in Slovakia \[Stratégia pracovnej mobility cudzincov v Slovenskej republike\]](#)
- [National Strategy for the Protection of Children from Violence \[Národná stratégia na ochranu práv detí pred násilím\]](#)
- [National Programme for the Development of the Living Conditions of Citizens with Disabilities in all Areas of Life for 2014-2020 \[Národný program rozvoja životných podmienok osôb so zdravotným postihnutím na roky 2014-2020\]](#)
- [National Programme for Active Ageing for 2014-2020 \[Národný program aktívneho starnutia na roky 2014-2020\]](#)
- [National Priorities for the Development of Social Services for 2015-2020 \[Národné priority rozvoja sociálnych služieb na roky 2015-2020\]](#)
- [Strategy for Deinstitutionalisation of the System of Social Services and Substitute Care in Slovakia \[Stratégia deinštitucionalizácie systému sociálnych služieb a náhradnej starostlivosti v Slovenskej republike\]](#)

[republike\]](#)

- [National Framework for Protection of Children in Digital Space and the Action Plan for Implementation of the National Framework for Protection of Children in Digital Space for 2020-2021 \[Národná koncepcia ochrany detí v digitálnom priestore a Akčný plán k národnej koncepcii ochrany detí v digitálnom priestore na roky 2020-2021\]](#)

The EU Charter is included in the Training Framework [*koncepcia vzdelávania*] of the Judicial Academy of the Slovak Republic [*Justičná akadémia Slovenskej republiky*]. The Training Framework of the Slovak Judicial Academy (the 'Judicial Academy') is a document specifying the procedure for the Judicial Academy's role in training the target groups specified by Act No 548/2003 on the Judicial Academy, as amended, at the Ministry of Justice and the Prosecutor-General's Office [*Generálna prokuratúra Slovenskej republiky*]. As part of lifelong learning referred to below, this means training for judges, assistant judges and judicial officers in the field of their specialisation and competences.

- The Training Framework of the Judicial Academy of the Slovak Republic (effective since 25 September 2019)
 - is part of lifelong learning; EU law is included as part of 'Current issues concerning application of law by courts in various fields of law'.
 - The learning pathway reflects current European trends. It is based on the three pillars of education, respect for the law and justice, and the rule of law.
 - The training activities emphasise panel discussions, workshops, and knowledge and experience from practical application of law imparted by Slovak and international lecturers. Events are interactive and include analyses of case studies and specific real-world cases.
- In the area of EU and international law, emphasis is placed on:
 - the application of EU law by national courts, the case-law of the Court of Justice of the European Union and the case-law of EU Member States' constitutional courts;
 - the procedure regarding questions referred for a preliminary ruling and the preliminary ruling procedure;
 - human rights protection in the EU – the Charter of Fundamental Rights of the European Union of 2009 and its use in practice (case-law of the Court of Justice of the European Union);
 - compensation for damage in the context of the case-law of the Court of Justice of the European Union and the European Court of Human Rights;
 - EU consumer law;
 - [EU labour law in the single market](#), especially anti-discrimination and gender equality law and social security.

Tools that help better understand the Charter and when it applies

- for practitioners (legislator, administration, law enforcement, judiciary, legal practitioners)
 - Publications by the European Commission and the European Union Agency for Fundamental Rights; a detailed list is provided below
- for citizens
 - [The website](#) on gender equality operated by the Ministry of Labour, Social Affairs and Family of the Slovak Republic
 - [Factsheet](#) containing basic information about the Charter
 - [Your rights in the EU](#) – European Commission information website

Use and promotion of Charter tools developed by other EU countries or by other stakeholders in the EU

Various materials of the European Union Agency for Fundamental Rights (FRA) are freely available, many in Slovak. The fundamental documents and tools include:

The [Fundamental Rights Report 2019](#), Chapter 2 EU Charter of Fundamental Rights and Its Use by Member States

[Charterpedia](#) is an online tool which provides easy-to-access information about the whole range of fundamental

rights under the various articles of the Charter and contains the full text as well as legal explanations of the individual articles, related European and national case-law and related FRA publications. It is also available in the form of a mobile app.

- [The EU Charter of Fundamental Rights in Slovakia](#), which provides a comprehensive explanation of the importance, applicability and the entire broader concept of protection of rights conferred by the Slovak Constitution and the European Convention on Human Rights
- [Applying the Charter of Fundamental Rights of the European Union in Law and Policymaking at National Level - Guidance](#)
- [Available resources](#) including legal opinions and examples of practical application
- [The EU Charter of Fundamental Rights on its 10th anniversary: views of civil society and national human rights institutions](#)

Also, for example, the European Parliament's [Report on the implementation of the Charter of Fundamental Rights of the European Union in the EU institutional framework](#) of 30 January 2019.

- The European Commission's report on monitoring the application of European Union law
- [The European Commission's annual report on the application of the Charter](#)
- European Network of National Human Rights Institutions (ENNHRI) publication: [Implementation of the EU Charter of Fundamental Rights](#).

Cooperation with stakeholders to promote the use and awareness of the EU Charter of Fundamental Rights

Examples of cooperation between rights defenders and national authorities that contribute to a better awareness and use of the Charter

- Publication of the Slovak National Centre for Human Rights [*Slovenské národné stredisko pre ľudské práva*]: Guide on Human Rights Topics regarding the Membership of the Slovak Republic in the European Union [*Spríevodca ľudskoprávnymi témami súvisiacimi s členstvom Slovenskej republiky v Európskej únii*]
- Professional websites providing information on practical application of law and expert and scholarly articles
 - The website of the Slovak Bar Association [*Slovenská advokátska komora*] and the Slovak Chamber of Tax Advisors [*Slovenská komora daňových poradcov*]
 - Slovak Bar Association Bulletin [*Bulletin Slovenskej advokátskej komory*]
 - Online professional legal journal at pravnelisty.sk
 - The epravo.sk website

Examples of cooperation between national authorities and academia that contribute to a better awareness and use of the Charter

This information is not available.

Examples of non-governmental initiatives that promote the use and awareness of the Charter in your country

- [The website](#) of the EUROIURIS European Legal Center, a civic association – Human rights legislation in the European Union and the Council of Europe and its application in Slovakia [*Právna úprava ochrany ľudských práv v Európskej únii a v Rade Európy a ich aplikácia v podmienkach Slovenskej republiky*].
- The euractiv.sk news portal focusing on EU affairs, especially in relation to Slovakia.

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