



Slovakia

## Mediation in Member States - Slovakia

Rather than going to court, why not try to solve your dispute through mediation? This is an alternative dispute resolution (ADR) measure, whereby a mediator assists those involved in a dispute to reach an agreement. The government and justice practitioners of Slovakia are aware of the advantages of mediation.

### Who to contact?

The website of the [Slovak Ministry of Justice](#) has a [section dedicated to mediation](#), which is available only in Slovak.

### In which area is recourse to mediation admissible and/or most common?

Mediation mechanisms are described in Act No 420/2004 on mediation and amending certain laws, as amended, which governs:

- the performance of mediation,
- the basic principles of mediation, and
- the organisation and effects of mediation.

This Act applies to conflicts in relationships governed by civil law, family law, commercial contracts, and labour law.

Mediation is an out-of-court arrangement where the mediator seeks to help resolve a conflict arising from contractual or other legal relationships. It is a procedure whereby two or more parties to a dispute are assisted by a mediator to settle the dispute.

The third sentence of Section 99 (1) of Act No 99/1963 Rules of Civil Procedure, as amended, reads as follows: "The circumstances of the case permitting, prior to the first hearing and during the proceedings the court may invite the parties to attend an informative meeting with a mediator listed in the Register of Mediators in order to try and settle their dispute through mediation."

### Information and training

The section on [mediation](#) of the website of the Slovak Ministry of Justice provides information on mediation in Slovak. More information is available on the website of the [European Judicial Network](#).

### What is the cost of mediation?

Mediation is a paid service. The fee for the mediator is set on an individual basis and is usually based on an hourly rate or a flat fee. Mediation is a business activity and there are no preset costs.

### Is it possible to enforce an agreement resulting from mediation?

[Directive 2008/52/EC](#) allows those involved in a dispute to request that a written agreement resulting from mediation be made enforceable. Member States will communicate this to the courts and other authorities competent to receive such requests.

Mediation in Slovakia is an informal, voluntary and confidential procedure for resolving conflicts out of court by using a mediator. The aim of mediation is to reach an agreement that is acceptable to both parties.

The agreement resulting from the mediation procedure must be set down in writing. It applies primarily to the parties involved in the agreement and is binding on them. On the basis of the agreement, the entitled party may apply for judicial enforcement of the decision or for distraint, providing that the agreement is:

- drawn up in the form of a notarial act;
- endorsed as conciliation in court by an arbitral body.

If no mediation agreement is reached, the matter can be pursued in court.

## Related links

 [Ministry of Justice of the Slovak Republic](#)

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