

## Country report on the occasion of 54th European Conference of Presidents of Bar Associations and Law Societies in Vienna on 12<sup>th</sup> February 2026

Slovak Bar Association

### • Governing bodies and statistics

The Slovak Bar Association held a hybrid General Assembly Meeting in June 2025. The General Assembly takes place every four years and all members of the Bar can cast a vote. For the second time the Out of a total of 6726 eligible voters, 2125 lawyers participated in the elections and cast their votes, representing 31.58%. This is the highest turnout in history.

Until June 2025 the Presidency continued its mandate under the leadership of President Martin Puchalla, the General Assembly elected anew the members of the Presidency and Mr Tomáš Kamenec has become the President of the Slovak Bar Association.

Currently the number of registered lawyers is 6775 (increase by 78) and there are 1480 1553 trainee lawyers (decrease by 73). There are also about 250 registered lawyers with foreign status (EU lawyers, foreign lawyers from OECD countries and international practitioners from WTO countries) (increase by 14).

### • Interinstitutional dialogue

The Slovak Bar Association is an independent and apolitical organization. It aims to contribute to the improvement of the legal environment, respect for the law and effective protection of the rule of law in all circumstances. In order to meet these goals, the Bar strives to hold a professional dialogue with representatives of all relevant institutions with an impact on the rule of law (Ministry of Justice, Ministry of Interior, National Council of the Slovak Republic Constitutional and Legal Committee of the National Council, Supreme Court, Supreme Administrative Court, Constitutional Court, Prosecutor General, Ombudsman, etc.).

Slovak Bar Association organised a round table on AI in February 2025 with representatives of judicial bodies, ministry and academia. Those present agreed that, in addition to regulatory and application issues, an appropriate response in the field of education and training is equally (if not more) important. This must not be reduced only to the technical aspects of AI, but must also strengthen appropriate teaching of legal doctrines and ethics of the legal professions. Future judges, prosecutors and lawyers must never become uncritical users of AI, but must maintain independent legal reasoning in all cases they handle in the exercise of their profession. Practical mastery of AI tools, together with a strong emphasis on supporting classical education, needs to be appropriately reflected in the training programs of the Judicial Academy of the Slovak Republic and the Slovak Bar Association. The same conclusion applies to the continuous improvement of university education.

Slovak Bar organised another roundtable in November 2025 with representatives of Constitutional Court, Supreme Court, Supreme Administrative Court, Judicial Council, Public Defender of Rights, President's Office, Ministry of Justice and Prosecutor's Office. The representatives discussed the limits of confidentiality and legislative proposals that may endanger this rule of law principle and agreed on the following conclusion: "The consistent protection of lawyer-client confidentiality is one of the essential prerequisites for the effective protection of fundamental rights and freedoms. At the same time, the protection of confidentiality cannot be considered a self-serving privilege for lawyers, since it primarily serves to protect the rights of persons to whom lawyer provides legal assistance as an implementation of one of the fundamental rights. This is an important part of the right to judicial protection and the right to privacy, which results from the domestic and international obligations of the Slovak

Republic. This topic therefore deserves constant attention and the adoption of such measures at all necessary levels that minimize the risks of unlawful interference.”

- **Legislative activities**

Slovak Bar invited leading experts from the field of law, academia, business, and other professions to discuss all aspects of the proposed wording of the new Civil code. Slovak Bar thus coordinated preparation of 550 comments, organized working groups and exchange with the ministry and with the members of the codification commission.

As for the Criminal law, since the recodification of the criminal codes in 2005, the Bar has repeatedly criticized the fact that new criminal offenses were often created in direct response to currently discussed social topics. Criminal law has long been incorrectly used as a tool for resolving issues that should and could have been resolved by instruments of other legal branches. This has led to excessive use of criminal law and distort the principles on which modern criminal law should be built. In accordance with the long-standing positions of the Bar, we stated the same in relation to the proposed new criminal offenses (denial of the post-war settlement, violation of the ban on obstructing an election campaign) with equal criticism.

The Bar has always been equally critical of attempts to make non-systemic adjustments to criminal procedural law. In the past, we have had serious reservations about the excessive use of several criminal law institutes, whether it is the overuse of detention, but also, for example, the application of provisions regarding the cooperating accused, which is questioned by the professional community. The Bar agrees that criminal procedural law should be the subject of critical professional discussion and, if necessary, appropriate changes. However, as with substantive criminal law, amendments to basic codes should never be an ad hoc response to partial questions of application practice, but always the result of systemic and professional reform efforts.

- **Fast-track legislative procedure**

In the past years, Slovak Bar Association repeatedly and critically addressed the excessive application of fast-track legislative procedure. This practice is particularly problematic when applied to amendment procedures in the case of key legal codes.

- **Lawyer-client confidentiality**

Slovak Bar was informed of several cases of confidentiality breach: First case concerned the seizure of the phones of the lawyer's clients. The phones also contained communications between the lawyer and his six clients, two of whom handed over their smartphones to the Inspection Service Office after their detention. Apparently, these data were not deleted after extraction and after determination that they were confidential communications some of them appeared in the media. Secondly, suspicion of monitoring of meetings between lawyers and clients in custody. The published images (which are supposed to come from a room designated for meetings of persons in custody) show content of written materials, the lawyer's or trainee's ID card and other documents. Monitoring of meetings between lawyers and clients, even in a detention facility in a room expressly designated for meetings with a lawyer is an extremely serious interference with the rights of lawyers and defendants. Thirdly, a public campaign through billboards and advertisements in the press directed against a specific law firm in the district town. The campaign against the law firm is organized by a company suspected of fraud (it is one of the so-called debt collection companies, against which a criminal complaint is also filed by the Bar for unauthorized business).

- **Adequate remuneration**

Slovak Bar Association regularly raises the issues of the lawyers' tariff in civil legal aid cases. The last amendment of the Regulation no. 655/2004 Coll. on Remuneration and Compensation of Lawyers for the Provision of Legal Services (“Lawyers' Tariff”) in 2023 has not taken into account the need for the remuneration within legal aid system that more closely correspond to the real costs and to improve recoverability of compensations awarded to successful parties in the court proceedings. The issue of the lawyer's tariff determined in the Regulation related to the legal aid cases is not a question of lawyers' benefits, but it is in the interest of the citizens themselves, whose rights were violated. The Slovak Bar Association continues to strive for the necessary improvement in this area.

The Slovak Bar Association received a number of complaints about significant increase in the period of delays in the payment of costs to lawyers for mandatory defence in criminal proceedings. This is potentially a serious interference in the practice of legal profession and the proper functioning of the system of protection of rights in criminal proceedings. The Bar has thoroughly examined these complaints and learned that it was not an isolated case and significant delays in the payment of ex officio defence costs by the courts appeared in all Slovak regions. The Slovak Bar Association appreciates the

constructive approach of the Minister of Justice, but the situation has not been fully resolved by now. It appears that the current situation is a direct consequence of the insufficient coverage of the budget chapter of the Ministry of Justice of the Slovak Republic. The Slovak Bar Association is aware of the urgent need to consolidate public finances, but in our opinion, this must under no circumstances be at the expense of ensuring the fundamental activities of the state. This is all the more true when it comes to the protection of fundamental rights and freedoms. The common goal must therefore be sufficient budgetary coverage of all basic obligations of the Ministry of Justice of the Slovak Republic and proper financing for the rights protection system.

- **Artificial intelligence and legal practice**

In January 2025 Slovak Bar undertook a survey on the use of AI among its members. 250 respondents took part in the survey. The following questions were addressed: do you use AI in your practice, how often, which AI tool, paid or unpaid version, for what tasks, what are the benefits and what are the risks, how effective the use of AI tools is, etc. The survey showed that statistically more than one half of lawyers in Slovakia already use generative AI as a tool in their practice.

Slovak Bar Association issued an amended recommendation for lawyers related to the use of AI in legal practice. The changes to the rules themselves provide for exceptions to inputting data into AI, if the data does not leave the lawyer's infrastructure under his exclusive control, the lawyer has the client's explicit informed consent or contractually guaranteed data protection. The binding rules are accompanied by detailed methodological guidance, which offers a practical interpretation and establishes minimum standards for the use of AI tools in the lawyers practice while maintaining the fundamental principles of independence, confidentiality and the obligation to avoid conflicts of interest. The methodological guidance includes a decision-making methodological test before inserting any confidential information into an AI tool, as well as sample information clauses for the use of AI tools.

- **Supporting arbitration to unburden the courts**

Slovak Bar actively promotes arbitration by organising arbitration conferences and thanks to the functioning of the Arbitration Court of the Slovak Bar Association (<https://info.sak.sk/sud/>).

The Arbitration Court of the Slovak Bar Association organises several training events in English per year with foreign speakers open to public.

- **Awareness raising in the field of law at schools**

In order to raise awareness about rule of law issues among younger people, the Bar initiated a project of pro bono lectures at primary and secondary schools. The call for volunteer was published in December 2024 and 60 lawyers signed for this activity. 30 events were organised in 2025 with a highly positive feedback.

- **Protection of lawyers against threats and harassment**

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

Slovak Bar dealt with a situation of a lawyer who was facing unacceptable threats, including threats of physical violence. From the information submitted, it is clear that these threats are directly related to the performance of his legal profession in a specific client case. The Slovak Bar Association strongly rejects attacks on lawyers for the performance of their profession. Threats of physical violence are unacceptable in any social relations. However, if they are directed at the performance of a profession aimed at protecting fundamental rights, it is not only an attack on a specific person, but also on the system of independent protection of rights. Therefore, criminal law enforcement authorities should always pay maximum attention to such cases. We take this opportunity also to point out that there is no mechanism of protection of lawyers against threats, harassment or attacks that are in place in relation to other justice sector professions or even e.g. medical profession.

Slovak Bar Association initiated a proposal presented to the supreme judicial institutions and the Ministry of Justice aiming at unequivocal anchoring of the protection of independence of lawyers in the Constitution of the Slovak Republic in 2023. In 2025 the Bar continued in these efforts.