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Technological challenges, with particular attention being paid to the introduction of digital technology and artificial intelligence into the organisation of the administration and administrative justice

QUESTIONNAIRE

Responses from The Supreme Administrative Court of the Slovak Republic

This questionnaire has been prepared in anticipation of the seminar to be held in Turin on 23 and 24 November 2026. In accordance with point 2 of the guiding principles adopted by the Hellenic Presidency of ACA-Europe, it aims to explore the current challenges facing administrative judges, particularly those related to technology, and more specifically the introduction of digitalisation and artificial intelligence into the organisation and functioning of the administration and administrative justice.

In order to gain an in-depth understanding of the various dimensions of these technological challenges, the survey is split into three parts:

Part A - The digitalisation of administrative proceedings, with a focus on the experience of various supreme administrative jurisdictions and the impact of this transformation on the organisation and conduct of judicial activity.

Part B - Automated administrative decision-making and judicial review by administrative courts, particularly issues of technical discretion, automation and the delimitation of judicial powers.

Part C - The role of the administrative judge and the use of artificial intelligence in the performance of judicial functions and in the decision-making process, particularly in light of Regulation (EU) 2024/1689, known as the 'AI Act', as well as other European Union standards and regulations, such as Regulation (EU) 2016/679, known as the 'GDPR', Regulation (EU) 2022/2065, known as the 'DSA', and Regulation (EU) 2022/1925, known as the 'DMA'.

Part A

The digitalisation of administrative proceedings and the use of artificial intelligence tools by the administrative justice system

A.I – Infrastructure and technological organisation

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A.I.1 – Digital equipment and resources

1. What is the level of digital equipment available to judges and administrative staff?

☐ Non-existent
☐ Limited
☐ Intermediate
☐ High
☐ Complete
Please explain if necessary:

Each judge of the Supreme Administrative Court has access to hardware and software equipment that allows him to effectively perform his duties at work or from home. This equipment includes:

- Desktop computer and/or laptop
- Secure internet connection via VPN with 2FA authentication (two-factor authentication)
- Two monitors
- Shared network printer
- Remote digital signature
- Institutional email address and access to the cloud platform (OneDrive)
- Access to Microsoft Office 365

Administrative employees have access to the following devices:
- Laptop
- Network printer
- Two monitors (not available to all employees)
- Access to OneDrive and Microsoft 365
- Secure internet connection via VPN with 2FA authentication (two-factor authentication)
- Institutional email address

2. Is the technological infrastructure (networks, servers, equipment, connectivity) suited to the day-to-day operational needs of the administrative jurisdictions?

☐ Strongly disagree
☐ Somewhat disagree
☐ Neither agree nor disagree
☐ Somewhat agree
☐ Strongly agree

Please explain if necessary:

The technological infrastructure of the Chancellery of the Supreme Administrative Court of the Slovak Republic is designed to ensure reliable and secure operation of all information systems of the court. The infrastructure consists of redundant server and

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network components, a virtualized computing environment and centralized data storage.

The architecture includes a segmented network infrastructure and multi-layered security protection, which enables the secure operation of internal judicial systems, public services and administrative applications. The environment is designed to cover the current operational needs of the court and at the same time enable further development of digitalization.

A.I.2 – Cloud solutions, remote access and interoperability

3. To what extent does your jurisdiction use cloud-based solutions for its information systems?

☐ Not at all
☐ To a limited extent
☐ Moderately
☐ Extensively
☐ Completely

Please explain, where applicable, and, in the absence of cloud solutions, specify the alternative infrastructure solutions implemented:

The court uses cloud services mainly for office and collaboration tools. Specifically, these are Microsoft 365 services, which include:

• e-mail (Exchange Online),
• collaboration tools (Microsoft Teams),
• document storage and collaboration (SharePoint, OneDrive),
• centralized management of end devices.

In addition, employees use some external cloud or online services provided by third parties, in particular legal information systems, for example:

• ASPI,
• Slov-Lex,
• Beck-online.

Alternative infrastructure solutions

Key judicial information systems are operated in the court's internal data centre, while for security reasons they are isolated from users' end devices. Access to these systems is provided via terminal services, which allows for the secure processing of sensitive data without their direct transmission or storage on user workstations. We back up M365 data on the internal infrastructure and with a long-term archive.

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3a. Do the adopted technical solutions enable judges and staff to perform their duties remotely using the institutional equipment made available to them? If so, please specify any limitations.

Judges and court staff can perform their work remotely via secure remote access (VPN). Once connected, they have access to the same working environment as when working from the office. Thanks to the use of terminal services and centralized data processing, it is ensured that:

- sensitive data remains stored in the court infrastructure,
- users' end devices do not directly process court data,
- access to information systems is controlled and auditable.

3b. Are the applications being used interoperable with other national or cross-border judicial IT systems? If so, please specify the extent of this interoperability.

Currently, interoperability between judicial IT systems within the administrative justice system is only possible to a limited extent. However, the upcoming project "Centralized Judicial Management System CSSR" envisages a high level of interoperability (see answer to question 4).

A.II – Digitalisation and dematerialisation of judicial administrative proceedings

A.II.1 – Dematerialised administrative proceedings

4. Is a dematerialised judicial administrative proceedings system in place within your jurisdiction?

☐ No
☐ Yes, at an initial stage
☐ Yes, at an intermediate stage
☐ Yes, at an advanced stage
☐ Yes, on a fully integrated basis
Please explain if necessary:

The Supreme Court of the Slovak Republic has a digital court management system (court management), which was developed by the Ministry of Justice. This system is used for electronic management of court files and contains electronically sent documents, decisions of lower court instances, procedural and substantive decisions on proceedings conducted at the Supreme Administrative Court. If the documents are sent to the court in paper form, they can be digitized at the judge's instruction, but this is not an obligation. Despite the above, all files are also prepared in paper form.

We would like to note that the Ministry of Justice of the Slovak Republic has prepared a project for a new court management called "Centralized System of Court Management of the CSSR", which, as a comprehensive centralized information system, will be built

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modularly and will cover all existing as well as new required agendas and services of the justice sector and therefore the entire life cycle of court proceedings from filing a lawsuit to issuing a final decision. The new centralized solution will enable the implementation of modern architectural and technological principles as well as the introduction of the required level of security. The centralized solution will further enable the uniform building of integrations with external entities, speeding up and streamlining the provision of data to the outside. The centralized solution will enable the implementation and observance of uniform optimized processes and the introduction of the required rules for all courts in the Slovak Republic. The centralized court management system will include the following modules that will cover the entire life cycle of court proceedings:

Court register management module;
Integrated receipt of submissions to court files module;
Procedural support module for court proceedings;
Allocation of received submissions module;
Court administration module;
Data and content publication support module;
CSSR system process automation module;
Operational reports module;
Interfaces for external systems computerization module;
External integration module;
Court management data consolidation tool;
Court management data migration tool

Excerpt from the project description:

Judges will receive tools for the effective preparation of hearings. Tools for recognizing similar common features will be deployed to identify similar court proceedings and issued decisions. The system will serve as a "judge's assistant", which will allow him to more quickly navigate the cases assigned to him for proceedings and decisions. Templates of frequently used documents will also be available. Judges will be able to work from home, or they will be able to process documents offline. The result will be an improvement in the decision-making process, and thus faster processing of cases and a reduction in the risk of changes to judgments.

However, we would like to add that the above-mentioned facts are still in the phase of a project in progress, which may not be implemented.

4a. When this system exists at least at an initial stage, do judges and staff process and sign documents exclusively in digital format in their everyday working practice?

☐ Never
☐ Rarely
☐ Occasionally
☐ Frequently
☐ Always

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Please explain if necessary:

Judges of the Supreme Court of the Slovak Republic have the option of signing documents in digital or paper form, and it is up to the judge which option they choose. Most of our judges prefer to sign documents digitally.

4b. Percentage of paper files prior to the implementation of dematerialised administrative proceedings that have been digitised:

☐ 0–20%

☐ 20–40%

☐ 40–65%

☐ 60–80%

☐ 80–100%

A.II.2 – Digital services for members of the public, lawyers and public authorities

5. Are digital services available for filing documents, consulting files, notifications, payments or other related services? If so, please specify which ones.

The implementation of electronic services by public authorities is generally regulated in Act No. 305/2013 on the electronic form of the exercise of powers by public authorities and on amendments and supplements to certain acts (the e-Government Act). Under this Act, a public authority is obliged to exercise public authority electronically, taking into account the exceptions specified in this Act. The following legal institutions were introduced within the framework of this Act, among others:

- electronic mailboxes,
- identification and authentication of persons,
- payment of payments paid to a public authority by law or on the basis of law,

Since 1 July 2017, under the e-Government Act, all legal entities registered in the Commercial Register are obliged to communicate with state authorities exclusively electronically via the public administration portal, which also includes an electronic mailbox. However, the obligation to communicate exclusively electronically with state institutions is not mandatory for natural persons.

From the above it follows that the party to the proceedings can also communicate with the court electronically via the court's electronic mailbox. When submitting electronically via the central public administration portal, it is also possible to pay the court fee based on the generated payment order.

In addition, the Supreme Administrative Court is currently working on a new version of the decision search engine with advanced functions such as searching using full text or

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other metadata. We expect this search engine to be launched for the public during this year.

6. Do these digital services guarantee an adequate level of accessibility for people with disabilities?

☐ 0–20%

☐ 20–40%

☐ 40–65%

☐ 60–80%

☐ 80 - 100%

7. Are lawyers involved in the design, development and implementation of digital platforms and tools intended for their use?
If so, please specify the terms of this involvement.

Yes, lawyers are part of internal working groups that are working on developing an internal information system and an advanced search engine for court decisions that will be available to the public, and the role of lawyers in this regard is important, especially in relation to personal data protection and other legislative requirements.

8. Are there any support and training measures in place for users outside the court system (lawyers, members of the public, government agencies) regarding the use of the digital tools available to them?
☐ YES
☐ NO

If so, please specify which ones

A.III – Security of information systems and data protection

A.III.1 – Compliance with the regulatory framework

9. Do your jurisdiction's information systems comply with European and national standards on security, data protection and digital preservation?

☐ Strongly disagree
☐ Agree only slightly
☐ Indifferent
☐ Somewhat agree
☐ Strongly agree

Please explain if necessary:

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The court's information systems are operated in accordance with European and national data protection and cybersecurity requirements (NIS2/GDPR).The technical architecture includes a multi-layered security model, which includes in particular:

• web application firewall (WAF),
• proxy infrastructure and secure mail gateway,
• multi-level firewall protection,
• strict micro-segmentation of network infrastructure,
• solutions for protecting endpoints and servers (EDR/XDR),
• communication encryption and document protection, including classification and marking of sensitive information.

Data backup is implemented through two independent backup solutions, which also include malware protection and backup encryption.

A.III.2 – Incident management and business continuity

10. Are IT security incidents dealt with promptly and effectively?
☐ Never
☐ Rarely
☐ Occasionally
☐ Frequently
☐ Always

11. Are business continuity and disaster recovery plans regularly updated and tested?

☐ Never
☐ Rarely
☐ Occasionally
☐ Frequently
☐ Always

A.III.3 – Publicity and dissemination of court decisions

12. Are court decisions available online in their entirety?

☐ Never
☐ Rarely (only for the most significant decisions)
☐ Occasionally
☐ Frequently
☐ Always

Please add any additional information and explain if necessary:

All decisions of the Supreme Administrative Court are publicly available on the official website in full text in an anonymized form in accordance with Section 82a of Act No. 757/2004 Coll. on Courts, with the exception of the decision on an administrative appeal

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against the decision of the Committee of the National Council of the Slovak Republic for the Review of Decisions of the National Security Office, a court decision issued in proceedings in which the public was excluded from the hearing for the entire hearing or for part of it, and specific types of procedural decisions specified in the instruction of the President of the Supreme Administrative Court of the Slovak Republic. In addition to the official website of the Supreme Administrative Court of the Slovak Republic, the decisions are also published on the official website of the Ministry of Justice of the Slovak Republic.

13. Where a system for publishing decisions online is in place, is there an internal policy to ensure the protection of personal data and respect for the right to be forgotten?

☐ No
☐ No formalised policy; anonymisation is carried out by the registry services on a case-by-case basis
☐ No formalised policy; anonymisation is decided on a case-by-case basis on the instructions of judges
☐ Yes, personal data are systematically anonymised
☐ Yes, personal data are anonymised in accordance with an internal policy providing for targeted exceptions
☐ Other (please specify)

The obligation to anonymize decisions is stipulated in Section 82a, paragraph 3 of the Courts Act, which states: "Before publishing a decision pursuant to paragraph 1, the data therein shall be anonymized, the anonymization of which will ensure the protection of rights and legally protected interests upon publication." The anonymization of court decisions is regulated in more detail in the Decree of the Ministry of Justice of the Slovak Republic No. 482/2011 on the publication of court decisions, which determines the scope of data subject to anonymization. At the same time, the Office of the Supreme Court of the Slovak Republic issued an internal instruction on the procedure for anonymizing decisions, which sets out the procedural procedure and deadlines in connection with anonymization. All decisions published on the court website are anonymized (question 12), while anonymization is carried out through court management it still requires human intervention, so, it is not fully automatic.

A.IV – Training and digital skills

14. Does your jurisdiction offer structured and regularly updated digital technology training courses for judges and staff?

If so, please specify which ones.

The Chancellery of the Supreme Administrative Court provides employees and judges with the opportunity to participate in internal training in the field of cybersecurity, as well as the opportunity to participate in external training in various IT areas. Also, each new

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employee is required to complete IT training provided by our IT department as part of the adaptation training plan.

A.V – Involvement of judges in digital transformation

15. To what extent are judges involved in decision-making and design processes relating to technological innovation and digital transformation in the judiciary? If applicable, please provide details.

Judges can be part of working groups regarding the modernization of information systems and other projects regarding the digital transformation of the judiciary. Within the Supreme Administrative Court, judges participate in testing the new version of the court decisions search engine and work closely with the IT department on proposals for improvements and identification of errors, while their practical knowledge is a valuable contribution to the development of this system.

A.VI – Use of AI systems in administrative justice

A.VI.1 – Tools and level of deployment

16. Are artificial intelligence systems currently used to assist in judicial or administrative activities?

The Supreme Administrative Court of the Slovak Republic currently does not use artificial intelligence systems in its decision-making activities.

16a. If so, which ones are used? (Please tick all that apply)

☐ Chatbots

☐ Semantic search tools

☐ Automated anonymisation of decisions

☐ Text analysis and assistance with legal research

☐ Tools to assist with organisation and court management

☐ Other (please specify)

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16b. Overall level of internal deployment of AI systems:

☐ Occasional or isolated use
☐ Trial phase
☐ Development phase
☐ Widespread use
☐ Full integration

Please explain if necessary:

The use of AI systems at the Supreme Administrative Court of the Slovak Republic is currently prohibited.

A.VII – Governance, regulation and ethical framework for AI

A.VII.1 – Internal guidelines and regulatory compliance

17. Has your jurisdiction adopted any internal guidelines, charters or policies governing the use of AI systems, in particular in application of Regulation (EU) 2024/1689 (the AI Act), the GDPR and other relevant European instruments?

☐ YES

☐ NO

If so, please specify which ones.

The Chancellery of the Supreme Administrative Court of the Slovak Republic has issued an internal directive on personal data protection to ensure a uniform procedure in the performance of tasks arising from Regulation (EU) 2016/679 of the European Parliament and of the Council and Act No. 18/2018 Coll. on the Protection of Personal Data. The purpose of this directive is mainly to regulate the principles, framework of rules and procedures for the processing of personal data in the conditions of the office, the rights and obligations that apply to the employees of the office in the area of personal data protection and to ensure the performance of the tasks of the office arising from the Regulation and the Act on the Protection of Personal Data.

The Chancellery of the Supreme Administrative Court of the Slovak Republic is currently preparing an internal guideline on the use of AI systems by employees, with the aim of ensuring the use of AI systems in accordance with ethical principles and in compliance with cybersecurity and personal data protection rules.

18. Are AI systems subject to prior risk assessments?
☐ YES

☐ NO

If so, please specify the terms of these assessments

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19. Are there specific requirements in terms of transparency for the use of AI systems? If so, please provide details.

As was mentioned above, the Chancellery of the Supreme Administrative Court is currently preparing an internal directive on the use of AI, so there is currently no internal directive that would regulate the use of AI systems, therefore we cannot comment on this issue.

20. Is the use of AI systems accompanied by human oversight mechanisms?

☐ YES

☐ NO

If so, please provide details

21. Are specific methodologies implemented during the design, development and deployment of AI systems to ensure their traceability, reliability, integrity and accuracy? If so, please provide details.

As was mentioned above the use of AI systems at the Supreme Administrative Court of the Slovak Republic is currently prohibited, so there is no methodology implemented in this matter.

A.VIII – Innovation, prospects and future needs

A.VIII.1 – Current innovation projects

22. Are there any innovation projects currently under way in the following areas? (please tick all that apply)

☐ Process automation
☐ System interoperability
☐ Modernisation of existing systems
☐ Advanced digital services for external users
☐ AI systems
☐ Other (please specify)

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A.VIII.2 – Barriers to digital transformation

23 What do you consider to be the main barriers to the digital transformation of administrative justice? (please tick all that apply)

☐ Complexity of the regulatory framework
☐ Insufficient financial resources
☐ Lack of specialised human resources
☐ Organisational complexity
☐ Resistance to change and digital skills gap
☐ Cybersecurity risks and challenges
☐ Other (please specify)

A.VIII.3 – Investment priorities

24. What do you think should be the priority areas for investment over the next few years? (please tick all that apply)

☐ Modernisation of infrastructure
☐ Cybersecurity
☐ Training and skills development
☐ Deployment of AI systems
☐ Interoperability at European level
☐ Complete digitalisation of administrative procedures
☐ Other (please specify)

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25. Please describe one or more good practices in digitalisation that have been implemented or are planned within your jurisdiction.

Good practices which were implemented include, for example, regular training of employees in the field of cybersecurity, which is one of the important pillars of protecting IT systems, as an employee who does not have the necessary knowledge and training in this area can be considered a weak link in this system and an easy target for a potential intruder of these systems.

Part B
Automated administrative decisions and judicial review

B.I – Automated administrative decisions: substantive legality and procedure

1. Are there provisions in your legal system that authorise public administrations to use digital or algorithmic technologies in the exercise of their powers?

☐ YES
☐ NO

If so:

1.a. According to these provisions, what are the authorised tools and the objectives pursued by their use?

The use of digital or algorithmic technologies by public administrations is enshrined in the following legal provisions:

• Act No. 95/2019 on information technologies in public administration
• Act No. 305/2013 on the electronic form of the exercise of powers of public authorities (e-Government Act)
• Act No. 272/2016 on trusted services for electronic transactions
• Act No. 69/2018 on cybersecurity

The digitalization/informatization of public administration is also addressed in the strategic document National Concept of Informatization of Public Administration for 2026-2030.

The main purpose of the digitalization of public administration as such is to provide secure and better services to citizens and entrepreneurs while using resources more efficiently and economically. The vision is to create a modern digital environment that ensures accessible, user-friendly, high-quality and long-term sustainable services for all citizens and entrepreneurs.

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The Act on Information Technologies in Public Administration is a basic framework regulation that defines the rules for the management, operation and development of IT in public administration. It regulates the obligations of management bodies, cybersecurity within state systems.

The essence of the Act on e-Government was the codification of electronic communication as the main form of communication with public authorities and between public authorities themselves in such a way as to simplify, accelerate, make transparent, unify and increase the security of this communication. Another important factor is the introduction of completely new institutes (for example, document conversion, electronic mailboxes), which were missing in the legal environment and are necessary for the proper functioning of electronic processes. The following legal institutions were introduced under this Act:

- electronic mailboxes,
- identification and authentication of persons,
- authorization,
- guaranteed conversion,
- payments paid to a public authority by law or on the basis of law,
- reference registers.

Act No. 272/2016 on trust services for electronic transactions in the internal market regulates the provision of electronic signatures, seals, time stamps and other services in accordance with the eIDAS Regulation.

Act No. 69/2018 on cybersecurity is the basic legal regulation of the Slovak Republic, which regulates the organization, management and protection of cyberspace.

1.b. What types of acts can be adopted using these technologies?

According to the e-Government Act, technologies are used to carry out a wide range of acts within the electronic exercise of public authority. These are acts relating to identification (Sections 19 and 20), authentication (Sections 19, 21 and 22), authorisation (Section 23), electronic submission (Sections 24, 25 and 28), electronic official document (Sections 26, 27 and 28), electronic delivery (Sections 11 to 16 and Sections 29 to 34), guaranteed conversion (Sections 35 to 39) and reference registers and reference data (Sections 49 to 55). The e-Government Act essentially allows any act of public authority to be taken electronically that is not expressly excluded by law from being taken electronically (e.g. in the case of classified information).

In particular, is the use of algorithms permitted for the adoption of administrative decisions involving discretionary powers?

According to the Constitution of the Slovak Republic, state bodies may act only within the limits of the law. The Slovak legal system does not yet contain a norm that would allow an algorithm to issue administrative decisions.

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Currently, automation can be used as a support tool, but not for final decision-making in administrative proceedings when issuing administrative decisions.

2. Are there provisions in your legal system governing the design, deployment and use of artificial intelligence systems employed by public administrations?

☐ YES

☐ NO

If so,

2.a. what type of implementation measures are these? (for example, legislative or soft law):

Although we do not yet have our own legal regulation governing the design, deployment and use of artificial intelligence systems employed by public administrations in the Slovak Republic, the Artificial Intelligence Act (Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence and amending Regulations (EC) No 300/2008, (EU) No 167/2013, (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1139 and (EU) 2019/2144 and Directives 2014/90/EU, (EU) 2016/797 and (EU) 2020/1828 (Artificial Intelligence Act)) is binding on us. For the sake of completeness, we would like to state that the Ministry of Investments, Regional Development and Informatization of the Slovak Republic has submitted two draft laws to the interdepartmental comment procedure, which are intended to ensure the application of the Artificial Intelligence Act. The Act on Artificial Intelligence is intended to determine the framework for the institutional organization and supervision of AI systems in Slovakia. The second draft is the Act on the Management of Selected Categories of Public Sector Data, which creates a legal framework for the reuse of certain types of public administration data that cannot be made available as open data. The interdepartmental comment procedure is still ongoing. However, neither of these drafts concerns the use of artificial intelligence specifically in judicial practice.

The National Concept of Public Administration Informatization for 2026-2030, as a legally non-binding document, also pays attention to artificial intelligence in public administration. The strategy also aims at the ethical and transparent use of artificial intelligence in public administration: solutions supported by artificial intelligence will be implemented in priority public administration processes in accordance with the Artificial Intelligence Act and the Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law. For example, the automation of routine administrative tasks through artificial intelligence solutions, the implementation of digital tasks and files for paperless agenda processing and the introduction of analytical tools supporting data-driven decision-making are also envisaged. The transformation also concerns the organizational culture, processes and competencies of public administration employees.

2.b. Is there an obligation for public administrations to inform the public or individuals about the use of AI systems?

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The currently proposed wording of the Act on Artificial Intelligence also stipulates the following: "Under the conditions established by a special regulation, the deploying entity, which is a public authority, is obliged to provide information in the individual legal act issued based on the output from a high-risk AI system on the extent and in relation to which part of the individual legal act and the procedure that preceded its issuance, the output from the high-risk AI system was used."

2.c. Are any authorities or bodies responsible for developing general rules or standards for the use of artificial intelligence within public administrations?

Currently, the main coordinator of the digital transformation is the Ministry of Investments, Regional Development and Informatization of the Slovak Republic and the Standing Commission for Ethics and Regulation of Artificial Intelligence, which is an independent advisory body of this ministry. The role of the commission is to assess ethical, socio-social and legal issues related to the research, development, deployment and use of technologies using AI elements and systems. The National Security Office (NBÚ) is the central authority of the Slovak Republic for cybersecurity.

3. What conditions must be met to ensure the legality of administrative procedures involving the use of artificial intelligence systems?

In general, administrative authorities must act in accordance with the principle of legality, i.e. they must act only on the basis, to the extent and in the manner established by law. This is enshrined in the Constitution of the Slovak Republic and in other laws, whether in the Administrative Code or the Administrative Judicial Code. The legality of the use of artificial intelligence in administrative proceedings is currently not regulated in any specific legal regulation.

As mentioned above, the proposed text of the Act on Artificial Intelligence establishes the obligation of the operator of a high-risk system to provide information on the extent and in relation to which part of the individual legal act and procedure that preceded its issuance, the output from the high-risk AI system was used.

In particular:

3.a. Is the decision-making administration required to indicate the type of algorithmic system used and its principal characteristics?

3.b. At what stage of the procedure must the administration provide information about the use of an algorithmic system and its characteristics?

3.c. Does the interested party have the opportunity to comment on or challenge the use or operation of the AI system before the final decision is made?

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4. Are specific areas of administrative law in your country subject to express authorisation for the use of administrative decisions based on artificial intelligence systems?

Nie.

5. Are there specific areas of administrative law in which the use of artificial intelligence systems for issuing administrative decisions is expressly prohibited?

Nie.

B.II – Judicial review of automated administrative decisions

6. Does national case-law recognise the legality of automated administrative decisions?

☐ YES

☐ NO

Please explain if necessary:

The use of AI tools is not expressly prohibited by any legal regulation in the Slovak Republic. However, the adjudication of legal disputes falls within the jurisdiction of the courts, while judges are independent in the performance of their functions and are bound by the constitution, constitutional law, international treaties pursuant to Art. 7, para. 2 and 5, and the law. The adjudication of disputes by judges is a guarantee of compliance with the right to a fair trial and other human rights and freedoms, since the aspect of empathy and consideration of all individual circumstances in a dispute is an irreplaceable ability of human beings. No judge should function in the performance of his or her profession as a computer or automaton and should not perform his or her function mechanically. The above would lead to excessive formalism and a violation of the principle of justice. The use of artificial intelligence can be beneficial in the work of the judiciary, but it cannot replace the mental activity of a judge who has been entrusted with deciding on individual disputes, who comprehensively perceives all the contexts and nuances of a particular case. (judgment of the Regional Court in Trenčín 19CoPr/2/2024)

The Supreme Court of the Slovak Republic also commented on the use of artificial intelligence in file no. 1 Sžf/97/2016, stating that it can imagine that in the future part of the decision-making power that today belongs to the public administration will also be left to computer technology and its artificial intelligence, if the complexity and comprehensiveness of the issue requires it. However, even in such a case, it seems necessary in a constitutional state for such a procedure to have a special and sufficiently detailed legal basis and at the same time the real reviewability of the conclusions thus obtained must be ensured. In a state governed by the rule of law, it is impossible to resign

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from the requirement to correct possible errors and inaccuracies that would cause a decision to be in conflict with the law.

The Constitutional Court of the Slovak Republic in its ruling PL. ÚS 25/2019 in paragraph 142., beyond the reasoning of the operative part, pointed out that if an administrative body wanted to use automated systems in terms of personal data, this assumes the fulfillment of such constitutional guarantees as are stated in this ruling. This text shows that the Constitutional Court of the Slovak Republic addressed the issue of the legality of automatically issued administrative decisions only to the extent of "obiter dictum". The Constitutional Court of the Slovak Republic, however, further points out that the consequence of the application of technological progress in public administration cannot be an impersonal state, whose decisions are inexplicable, unexamined and at the same time no one is responsible for them. In most cases, an algorithm is used to derive something from the data, to propose a certain arrangement or provide a recommendation for an employee of a public authority or even to prepare a decision or part of it for him. Automated risk assessment cannot be only the result of a managerial decision of a public administration body but should be the subject of public debate reflected in the legislative process. The lack of explicit approval by the legislator is also reflected in the lack of regulation of the infrastructure for supervising such assessment.

If so:

6.a. What principles and conditions have been identified by national case-law as necessary for these decisions to be legally valid?

6.b. Have any limitations been identified with regard to the possibility of delegating the administration's decision-making power to algorithmic systems?

6.c. In particular, which of the following principles must be respected, according to national case-law, when adopting an automated administrative decision? (Please tick all that apply)

☐ Principle of transparency
☐ Principle of non-exclusivity of human intervention ('human in the loop')
☐ Principle of non-discrimination
☐ Principle of knowledge and comprehensibility of algorithmic functioning
☐ Principle of attributing the decision to an authority vested with power

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☐ Other (please specify)

From the current case law, which we present and quote above, general principles can be deduced, which are first of all that the use of artificial intelligence or algorithms should be defined in detail in the legal order (principle of legality). Furthermore, the need for "human supervision" in the use of these tools, whether by judges or public administration employees, is emphasized. Decisions and processes in which such tools were used must be properly justified and reviewable. Judges must be independent in the performance of their duties and, in making decisions, are bound by the Constitution, the Constitutional Act, an international treaty pursuant to Art. 7, paragraphs 2 and 5, and the law. Likewise, public administration bodies may act only on the basis of the Constitution, within its limits and to the extent and in the manner established by law, including when using artificial intelligence or other technologies.

7. Has national case-law ruled on the nature and legal classification of the algorithm or AI system used for administrative decision-making?
Nie.

8. What are the limits of the judicial review that administrative judges can exercise over automated administrative decisions?

Since, according to Section 7 of the Code of Administrative Procedure, administrative decisions that were taken automatically are not excluded from judicial review, which will probably apply even after the adoption of the Act on Artificial Intelligence and European Data Regulation and on Amendments to Certain Acts, it can be assumed that the judicial review of such decisions will be governed by the same principles as the judicial review of other administrative decisions, taking into account the characteristics of the use of AI.

9. According to national case-law, is the right of access to the algorithmic process that led to the automated administrative decision recognised?

☐ YES
☐ NO

If so:
9.a. What information relating to the AI system (data, logic, key parameters) must be made available to the party concerned?

Part C
Administrative judges and the use of artificial intelligence in the performance of judicial functions and in the decision-making process, in light of Regulation (EU) 2024/1689 (the 'AI Act') and other European Union standards and regulations, such as the GDPR, the DSA, the DMA, etc.

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1. Does your country recognise, at constitutional level, principles that expressly refer to the use of artificial intelligence in the performance of judicial functions?

☐ YES

☐ NO

If so, please specify which ones

2. Has your country adopted or is it in the process of adopting national measures to implement Regulation (EU) 2024/1689 (the AI Act) concerning the use of artificial intelligence to support judicial decision-making, which is classified as a 'high-risk' activity (Annex III, point 8(a))?

☐ YES

☐ NO

If so:

2.a. What is the nature of these measures (legislative, regulatory, guidelines, soft-law instruments)?

For the sake of completeness, we would like to state that the Ministry of Investments, Regional Development and Informatization of the Slovak Republic has submitted two legislative proposals concerning Regulation (EU) 2024/1689 to the inter-ministerial comment procedure. The Act on Artificial Intelligence is intended to determine the framework for the institutional arrangement and supervision of AI systems in Slovakia. The second proposal is the Act on the Management of Selected Categories of Public Sector Data, which creates a legal framework for the reuse of certain types of public administration data that cannot be made available as open data. The inter-ministerial comment procedure is still ongoing. However, neither of these proposals concerns the use of artificial intelligence in judicial practice.

2.b. For what purposes is the use of AI permitted? (Please tick all that apply)

☐ Research and interpretation of the law

☐ Research and assessment of the facts

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☐ Application of the law to a specific factual situation

☐ Administrative activities that are purely ancillary (recital 61 of Regulation (EU) 2024/1689)

Please explain if necessary:

2.c. What measures are taken to ensure human oversight (Article 14 of Regulation (EU) 2024/1689)? In particular, under what conditions is the user able to ignore, cancel or override the result produced by the artificial intelligence system (Article 14(4)(d) of the AI Act), or to suspend or interrupt its use (Article 14(4)(d) of the AI Act)?

2.d. What regulatory measures have been adopted to ensure the transparency, accuracy and robustness of the artificial intelligence system used (Articles 13 and 15 of Regulation (EU) 2024/1689 – the AI Act)?

3. Are there any official forms of testing or use of artificial intelligence systems for decision-making or generating judicial decisions currently in place in your country?

☐ YES

☐ NO

Please explain if necessary:

In general, we would like to add that the development of artificial intelligence in the public sector in Slovakia is shaped by national strategies, such as the Digital Transformation Strategy of Slovakia 2030, or the National Digital Skills Strategy of the Slovak Republic and the Action Plan for 2023-2026. On the one hand, the use of artificial intelligence in public administration is a dynamically developing sector, but it remains fragmented and is often limited to pilot projects or experimental solutions.

If so:

3.a What do they consist of?

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3.b. What data sets are used?

3.c. Is the software used publicly owned or provided by private operators?

3.d. Have any biases been identified in its operation? If so, what kind?

4. Are measures planned in your country to ensure a sufficient level of artificial intelligence literacy specifically for judges (Article 4 of Regulation (EU) 2024/1689)?
☐ YES

☐ NO

If so:

4.a. What do these measures consist of?

The Slovak Bar Association, as an independent self-governing professional organization associating lawyers and law trainees, organized a workshop in Bratislava last year (February 19, 2025) focused on the use of AI by the legal professions. The meeting was also attended by the Minister of Justice of the Slovak Republic, the President of the Supreme Court of the Slovak Republic, the President of the Supreme Administrative Court of the Slovak Republic, the Deputy (judge) of the Constitutional Court of the Slovak Republic, the Deputy (prosecutor) of the General Prosecutor's Office of the Slovak Republic, the State Secretary of the Ministry of Justice of the Slovak Republic, the Rector of Comenius University in Bratislava and the Director of the Judicial Academy of the Slovak Republic. Based on the expert discussion, the participants of the workshop agreed on the importance of using AI in the judicial system "as an assistant" for the purpose of performing usual (routine) tasks in a way that does not disrupt the essence of judicial professions and functions and does not threaten the system of protection of fundamental rights and freedoms and the principles of the rule of law. In connection with the use of AI in application practice, the participants of the working meeting emphasized

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the need for consistent regulation of AI, especially in the area of information security, personal data protection, the procedure for evaluating evidence and ensuring the confidentiality of the relationship between a lawyer and a client. The aim of the meeting was also to educate lawyers at law faculties and subsequently through lifelong learning, through the Judicial Academy and other professional associations.

The Judicial Academy is a statutory budgetary organization of the Ministry of Justice of the Slovak Republic, also intended for the education of judges, prosecutors, court officials, assistant judges of the Supreme Court of the Slovak Republic, assistant judges of the Supreme Administrative Court of the Slovak Republic, professional judicial interns, legal trainees of the prosecutor's office, assistant prosecutors, advisors to judges of the Constitutional Court of the Slovak Republic and other persons. The Judicial Academy is currently implementing educational events focused on artificial intelligence in legal practice. Among the duties of judges under the Courts Act is to deepen their professional knowledge and take advantage of the educational opportunities offered.

4.b. Is specific training planned to prevent or limit the phenomenon known as 'automation bias' (Article 14(4)(b) of the AI Act)?

☐ YES

☐ NO

Please explain if necessary:

We are not aware that the Judicial Academy currently provides training of this nature. The Office of the Supreme Administrative Court of the Slovak Republic has prepared training for its employees and judges of the Supreme Administrative Court of the Slovak Republic focused on the safe use of AI. In accordance with the conclusions adopted by the Security Committee, it is currently not possible to use AI tools on the premises of the Chancellery of the Supreme Administrative Court of the Slovak Republic.

5. Is the use of generative or agentic artificial intelligence systems permitted in your country to assist in the drafting of procedural documents or court decisions?

To help you understand the question better: **generative artificial intelligence (AI)** is a category of AI models which, thanks to machine learning and training on vast amounts of data, are capable of creating original content (text, images, videos, music, etc.). **Agentic AI** is described as a system capable of autonomously planning, making decisions and executing complex tasks with minimal human intervention to achieve a defined objective [source: OECD].

The use of AI tools is not expressly prohibited by any legal regulation in the Slovak Republic. However, the adjudication of legal disputes falls within the jurisdiction of the courts, while judges are independent in the performance of their functions and are bound by the Constitution, constitutional law, international treaties pursuant to Art. 7, para. 2 and 5 of the Constitution and the law. The adjudication of disputes by judges is a

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guarantee of compliance with the right to a fair trial and other human rights and freedoms, since the aspect of empathy and consideration of all individual circumstances in a dispute is an irreplaceable ability of human beings. No judge should function in the performance of his or her profession as a computer or automaton and should not perform his or her function mechanically. The above would lead to excessive formalism and a violation of the principle of justice. The use of artificial intelligence can be beneficial in the work of the judiciary, but it cannot replace the mental activity of a judge who has been entrusted with deciding on individual disputes, who comprehensively perceives all the contexts and nuances of a particular case. (judgment of the Regional Court in Trenčín 19CoPr/2/2024)

The Supreme Court of the Slovak Republic also commented on the use of artificial intelligence, case no. 1 Sžf/97/2016, stating that it can imagine that in the future part of the decision-making power that today belongs to the public administration will also be left to computer technology and its artificial intelligence, if the complexity and comprehensiveness of the issue requires it. However, even in such a case, it seems necessary in a constitutional state for such a procedure to have a special and sufficiently detailed legal basis and at the same time the real reviewability of the conclusions thus obtained must be ensured. In a state governed by the rule of law, it is impossible to resign from the requirement to correct possible errors and inaccuracies that would cause a decision to be in conflict with the law.

The Constitutional Court of the Slovak Republic, however, warns that the consequence of the application of technological progress in public administration cannot be an impersonal state whose decisions are inexplicable, unexamined and at the same time no one is responsible for them. In most cases, an algorithm is used to derive something from the data, propose a certain arrangement or provide a recommendation for an employee of a public authority or even prepare a decision or part of it for him. Automated risk assessment cannot be just a consequence of a management decision of a public administration body, but should be the subject of public debate reflected in the legislative process. The lack of explicit approval by the legislator is also reflected in the lack of regulation of the infrastructure for supervision of such assessment. ... From the description by the financial administration, it is clear that at least in the intermediate step it uses an analytical system that automatically attributes a certain risk to a specific entrepreneur. (case no. PL. ÚS 25/2019)

6. Has the national case law of your country addressed issues concerning the interpretation and application of EU Regulation 2024/1689?

☐ YES

☐ NO

Please explain if necessary:

6.a. If yes, which principles have been established?

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7. Have national courts of your country submitted preliminary rulings to the Court of Justice of the European Union regarding EU Regulation 2024/1689?

☐ YES

☐ NO

Please explain if necessary:

7.a. If yes, which questions were referred? What answers has the Court of Justice of the European Union provided?

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