



NEWS REPORT

Date:	29 March 2011
Expert:	Janka Debrecéniová
Title:	Statutory Selection Procedure of Judges brought into line with the Directives and the Anti-Discrimination Act Slovakia
Country:	Slovakia
Context	
Issue at stake:	Introduction of an explicit provision to respect the principle of equal treatment as stipulated by the Anti-Discrimination Act.
Ground of discrimination:	All grounds covered by the directives + others
Source:	Legislation
Field:	Employment (in the field of judiciary)
Legislative provisions:	Section 28 para 4 (currently Section 28 para 3) of the Act No 385/2000 Coll. on Judges and Lay Judges and on Changing and Supplementing Certain Laws, as amended

Content

Law: As of 1 May 2011, an amendment to the Act No 385/2000 Coll. on Judges and Lay Judges and on Changing and Supplementing Certain Laws will become effective (the amendment was introduced by Act No 33/2011 Coll. from 1 February 2011) bringing the anti-discrimination provision on selection procedure of new judges contained in the current version of the act into compliance with the EC Directives and the Anti-Discrimination Act¹. Under Section 28 paragraph 3 of the current version of the Act. No. 385/2000 Coll. on Judges and Lay Judges, “selection procedure for the position of a judge shall be carried out without regard to sex, race, belief, religion, political or other opinion of the applicants, their national or social origin, or belonging to a nationality or an ethnic group”. Amendment No 33/2011 Coll. now states in Section 28 para 4 that “the selection procedure shall be carried out in compliance with the principle of equal treatment that is stipulated by a special regulation” and makes a reference to the Anti-Discrimination Act.

Internet link source and additional information: The amendment of the Act on Judges and Lay Judges No 33/2011 Coll. is available at <http://www.zbierka.sk/zz/predpisy/default.aspx?PredpisID=210099&FileName=zz2011-00033-0210099&Rocnik=2011> .

¹ Act No 365/2004 Coll. on Equal Treatment in Certain Areas and on Protection against Discrimination, as amended.