

Independent Reporting Mechanism

Results Report:
Slovak Republic 2022-2024

Open
Government
Partnership



Independent
Reporting
Mechanism

Executive Summary

The 2022-2024 action plan saw early results in two policy areas, with four out of seven commitments completed. The most successful were the commitments on whistleblower protection and open data policy, driven by strong institutional support and cross-sector collaboration. However, political changes in 2023 disrupted the progress of several commitments, highlighting the need for consistent political backing to achieve meaningful implementation.

Early Results

Two out of seven commitments achieved moderate early results. Notably, Commitment 1 on strengthening internal systems for reporting antisocial activities and protection of whistleblowers within central state institutions resulted in more than 200 contact persons responsible for processing whistleblower complaints being trained and the adoption of multiple documents of methodological guidance for effective and transparent internal reporting systems. Commitment 6 delivered a new methodology on measuring the impact of open data on various sectors. This has helped the Slovak Republic to substantially improve its maturity of open data score.¹

Of the two commitments identified as promising in the Action Plan Review, only Commitment 1 on whistleblower protection produced early results. The other commitment identified in the APR as promising, Commitment 7 on improving beneficial ownership data quality in the commercial register produced no notable results due to the stalled procurement procedure and a lack of clarity regarding the impact of the Court of Justice of the European Union (CJEU) ruling of 22 November 2022 on public beneficial ownership registers. Priority shifts accompanying two government changes in the second half of the implementation period (March 2023–June 2024) negatively affected the remaining four commitments: Commitment 2 on participatory policy-making education, Commitment 3 on data-driven policy visualization, Commitment 4 on open governance good practices, and Commitment 5 on improving legal regulation of the legislative process.

Completion

Commitments in this action plan covered the topics of whistleblower protection, participatory policy-making education, open data, public participation in the legislative process, and beneficial ownership transparency. Four out of seven commitments were fully completed, whereas three achieved only limited completion. The level of completion is comparable with the 2019–2021 action plan where seven out of eleven commitments were fully or substantially completed.

Commitments on whistleblower protection and open data were the most successful both in terms of results and completion. The progress in whistleblower protection can be attributed to

IMPLEMENTATION AT A GLANCE

LEVEL OF COMPLETION

4/7

Complete or substantially complete commitments

EARLY RESULTS

4/7

Commitments with early results

0/7

Commitments with significant results

COMPLIANCE WITH MINIMUM REQUIREMENTS

Not acting according to OGP process.

the proactiveness of the Whistleblower Protection Office. Open data policy has been improved thanks to cross-sector collaboration on the new methodology of measuring the impact of open data. On the other hand, changes in government in 2023 limited the completion of three commitments, including the commitment on improving the quality of beneficial ownership data in the commercial register, which has been carried over to the next action plan.

Participation and Co-Creation

The OGP process in the Slovak Republic is coordinated by the Office of the Plenipotentiary for the Development of Civil Society, which also manages the multi-stakeholder forum (MSF). Compared to previous action plan cycles, co-creation of this action plan benefitted from the formal establishment of the MSF, in line with previous IRM recommendations, as well as from dialogue facilitated by an independent expert.²

Proactive engagement of the OGP Point of Contact attracted new actors from academia, CSOs, and the private sector to the MSF, resulting in a diverse membership and collaborative atmosphere. The inclusion of new actors also led to more ambitious commitments, such as Commitment 7 on improving beneficial ownership data. However, changes in government in 2023 resulted in staff turnover at the Office of the Plenipotentiary. This disrupted the MSF's functioning during for the rest of the implementation period and limited civil society's interest in the process. Only three MSF meetings took place throughout the implementation period, which mostly focused on action plan implementation.

The Slovak Republic did not meet the OGP Participation and Co-Creation Standards during action plan implementation, as the government did not hold at least two meetings per year with civil society to present action plan implementation results and collect comments (Requirement 5.1).

Implementation in context

Changes in government in 2023 including a caretaker government for May–October 2023 as well as early parliamentary elections in September 2023 disrupted the implementation of commitments that depended strongly on high-level political support. Commitments with strong institutional backing, such as the commitment on whistleblower protection implemented by the independent Whistleblower Protection Office and the commitment on open data policy led by the Ministry of Investment, Regional Development, and Informatization, achieved notable progress despite a challenging implementation context.

¹ “2023 Open Data Maturity Index,” European Commission, December 2023, https://data.europa.eu/sites/default/files/odm2023_report.pdf, 20–21.

² Mária Žuffová, “IRM Design Report: Slovak Republic 2017–2019,” Open Government Partnership, 14 June 2019, <https://www.opengovpartnership.org/documents/slovakia-design-report-2017-2019>; Mária Žuffová, “IRM Design Report: Slovak Republic 2019–2021,” Open Government Partnership, 30 October 2020, <https://www.opengovpartnership.org/documents/slovakia-design-report-2019-2021>.

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Section I: Key Observations

This section highlights key observations drawn from the 2022–2024 action plan cycle, analyzing factors that influenced the progress of commitments. It examines the impact of a single agency-driven approach, the potential of cross-sector collaboration, and the challenges posed by government changes. Each observation underscores the importance of sustained commitment, collaboration, and political stability in achieving meaningful reforms.

Observation 1: An approach driven by a single agency can have a meaningful impact on an entire policy area. In the implementation cycle of this action plan, the Whistleblower Protection Office (WPO) undertook numerous activities as part of Commitment 1. It even went beyond its original commitment by broadening the targeted groups from only central state administrative bodies to including municipalities and the private sector, incorporating an IRM recommendation from the Action Plan Review. Strengthening whistleblower protections, particularly through internal reporting systems, is challenging within one OGP cycle, due to the time needed for institutional culture change and to gain the trust of potential whistleblowers. In this context, the WPO adopted a comprehensive training plan and methodological guidelines, organized regular networking meetings with ministerial contact persons, and fostered an atmosphere of trust and cooperation that could be extended across public administration via good examples in investigating whistleblower complaints.¹ Their proactive efforts in training, raising awareness, and creating transparent and effective internal reporting systems could help set the stage for systemic change.

There have been notable challenges to the work of the WPO after the 2023 elections. In December 2023, the government proposed a law that would hinder whistleblower protection.² These measures were seen as undermining WPO's effectiveness and restricting the rights of whistleblowers.³ After international pressure, the draft law was withdrawn from parliament in February 2024.⁴ The WPO Director was also threatened with a criminal investigation, following a fine imposed on the Ministry of the Interior for violating whistleblower protection laws.⁵ Despite operating in a challenging political environment, strong institutional standing, and a transparent and evidence-based methodology have helped WPO withstand political pressures and continue laying the groundwork for long-term progress in whistleblower protection.

Observation 2: Cross-sector collaboration has the potential to drive change in areas that have long struggled to make progress. Participation in open data policy has seen significant progress, particularly with the adoption of the methodology for assessing the impact of open data on various segments of society (Commitment 6). This methodology was developed by a working group that included civil society organizations (CSOs), private sector data experts and governmental agencies. The process fostered an informal and collaborative atmosphere and resulted in a methodology and report that were widely accepted by all parties involved. The fruitful collaboration and tangible results hold strong potential for future cooperation in an area that requires continuous expertise. Notably, the adoption of the methodology led to a substantial improvement in the Slovak Republic's position on the Open Data Maturity Index (ODMI) from 33rd in 2021 to 10th in 2023 (the most improved EU country for 2023), reflecting the positive impact of these efforts.

Observation 3: Changes in government tend to stall promising reforms. Three commitments in this action plan were put on hold in 2023 due to two changes in government. In May 2023, a caretaker government was put in place until early elections were held in

September 2023. The change in government resulted in shifting policy priorities and staff turnover, affecting reforms underway. Notably, Commitment 7 on beneficial ownership data, assessed by the IRM as having potential for early results, reached limited completion due to a stalled procurement procedure and unclear national obligations following the Court of Justice of the European Union (CJEU) decision to annul provisions of the 5th Anti-Money Laundering Directive requiring public access to beneficial ownership information. This resulted in postponing implementation to the next OGP cycle.

Commitments 3 and 5 on data-driven policy making visualization and on improving the legal regulation of the legislative process respectively were not implemented at all as they were sidelined by changes in policy priorities. While activities in Commitment 3 were started, they lost momentum after the fall of the government in May 2023. Activities in Commitment 5 only reached limited completion due to the reprioritization of the main decision-making body, the Office of the Deputy Prime Minister for Legislation and Strategic Planning. These disruptions underscore the challenges of maintaining momentum and consistency in reform efforts within a changing political environment. Despite initial ambition and planning, a lack of sustained commitment prevented successful implementation of these reforms.

¹ Mária Hunková (Whistleblower Protection Office), interview by IRM researcher, 3 October 2024; Ján Ivančík (Transparency International Slovakia), interview by IRM researcher, 29 October 2024.

² Frederika Lodová, “Úrad na ochranu oznamovateľov: Zmeny v zákone prinesú právnu neistotu,” (Whistleblower Protection Office: changes to the law will bring legal uncertainty), *Aktuality.sk*, 15 December 2023, <https://www.aktuality.sk/clanok/ZzE1RTg/urad-na-ochranu-oznamovatelov-zmeny-v-zakone-prinesu-pravnu-neistotu>.

³ “International organizations call on Slovak government to protect whistleblowers and maintain the independence of the Whistleblower Protection Office,” Whistleblowing International Network, 8 January 2024, <https://whistleblowingnetwork.org/News-Events/News/News-Archive/Press-Release-International-organisations-Slovak>; “Open Letter Urging the Slovak Government and the EU to Course-Correct Harmful Amendments to the Whistleblower Protection Law,” Southeast Europe Coalition on Whistleblower Protection, 15 February 2024, <https://see-whistleblowing.org/open-letter-urging-the-slovak-government-and-the-eu-to-course-correct-harmful-amendments-to-the-whistleblower-protection-law>; “Parliament concerned about the rule of law in Slovakia,” European Parliament, 17 January 2024, <https://www.europarl.europa.eu/news/en/press-room/20240112IPR16770/parliament-concerned-about-the-rule-of-law-in-slovakia>.

⁴ “Vláda sťahuje novelu o ochrane oznamovateľov z parlamentu,” [Government withdraws whistleblower protection amendment from parliament], *Denník N*, 21 February 2024, <https://dennikn.sk/minuta/3841121>.

⁵ “Šéfka Úradu na ochranu oznamovateľov protispoločenskej činnosti Zuzana Dluhošová bude čeliť trestnému oznámeniu,” [Head of the Office for the Protection of Whistleblowers Zuzana Dluhošová will face criminal charges], *Denník N*, 27 October 2024, <https://dennikn.sk/minuta/4272251>; Lenka Klobučníková, “Rezort vnútra uhradil pokutu za odstavenie čurillovcov. Šutaj Eštok ju mal zaplatiť z vlastného, kritizuje Holečková,” [The Home Office has paid the fine for shutting down Čurillovci. Šutaj Eštok should have paid it from his own money, criticizes Holečková], *TA3*, 26 November 2024, <https://www.ta3.com/clanok/968943/rezort-vnutra-uhradil-pokutu-za-odstavenie-curillovcov-sutaj-estok-ju-mal-zaplatit-z-vlastneho-kritizuje-holeckova>; Daniela Hajčáková, “Police inspectorate proposes to file charges against elite unit investigating top corruption cases,” *The Slovak Spectator*, 30 May 2024, <https://spectator.sme.sk/politics-and-society/c/police-inspectorate-proposes-to-file-charges-against-elite-unit-investigating-top-corruption-cases>.

Section II: Implementation and Early Results

The following section looks at the two commitments that the IRM identified as having the strongest results from implementation. To assess early results, the IRM referred to commitments or clusters identified as promising in the Action Plan Review as a starting point. After verification of completion evidence, the IRM also took into account commitments that were not determined as promising but that, as implemented, yielded predominantly positive or significant results.

Commitment 1: Improvement of internal systems for reporting antisocial activities and protection of whistleblowers of central state administration bodies

Whistleblower Protection Office (WPO) and Transparency International Slovakia.

Context and objectives

The main objective of Commitment 1 was to improve the central state internal reporting systems. Employers, including in the public sector, have a legal obligation to establish internal reporting systems for whistleblowers and maintain evidence of received reports.¹ Reliable and well-designed internal reporting systems can become important anti-corruption tools.² A previous survey conducted by WPO showed that employees prefer internal whistleblowing systems to criminal proceedings when reporting illegal activities.³

Activities undertaken by WPO aimed to empower persons responsible for receiving whistleblower complaints through trainings and working meetings to exchange experiences. This would allow them to be better equipped to process complaints and therefore improve public administration whistleblowing procedures.

Since its establishment in September 2021,⁴ WPO has undertaken several activities to strengthen anti-corruption and reporting mechanisms within state administration, municipalities, and private employers. One of WPO's ongoing agenda items is improving internal reporting mechanisms through working with first contact persons responsible for documenting and filtering reports of anti-social activities within the central state administration.

In 2022, WPO undertook a mapping exercise on internal reporting in public administration.⁵ Its main findings showed that one in five state bodies had not yet introduced an internal reporting mechanism, and only 13% out of those that have one can be considered effective.⁶ Correspondingly, less than 10% of state authorities had received a whistleblower report via internal reporting system between 2019 and 2021.⁷ Meanwhile, the contact persons responsible for receiving the reports face several obstacles. These include insufficient time to perform the role (as whistleblower reporting is not usually the entirety of their duty) and unclear procedures of managing whistleblower reports. In a few cases, there have also been instances of retribution against contact persons, including refusal to cooperate or direct threats.⁸

WPO's work on this commitment and broader initiatives have faced considerable challenges after the 2023 elections. In December 2023, the government proposed a law that would have hindered protections for whistleblowers, which was ultimately withdrawn. Additionally, the WPO Director was threatened with a criminal investigation, following a WPO fine on the Ministry of the Interior for violating whistleblower protection laws.⁹

Early Results: Moderate

WPO addressed the situation with methodological and educational measures. In 2022, it published handbooks on internal reporting mechanisms for the public and the private sector. From 2022 until 2024, it also published educational material for contact persons and adopted multiple methodological guidelines on whistleblower reports.¹⁰

Following research and adoption of the methodological guidelines, WPO organized six trainings in 2023 (Milestone 1). The trainings reached 203 contact persons from both the public and private sectors. To contextualize the training's reach, there are approximately 8,700 public sector and 6,400 private employers required to have internal reporting mechanisms in the Slovak Republic.¹¹ The public and private sector contact persons were trained together as they have the same legal responsibilities in handling whistleblower reports. These joint trainings went beyond the scope of the commitment and facilitated an exchange of experience and networking for the participants.¹² WPO also held two exclusive meetings for contact persons from public sector agencies, aiming to facilitate regular networking opportunities to exchange best practices and experiences (Milestone 2).¹³ After the first two networking meetings, the contact persons started contacting each other to ask questions or share their experiences.¹⁴

In 2023 and 2024, WPO organized three trainings for municipality chief inspectors, going beyond the scope of the commitment. Municipality chief inspectors control municipal finances in the Slovak Republic's approximately 3000 municipalities. They are also tasked with receiving whistleblower reports at the municipal level.¹⁵ While the number of whistleblower reports coming from municipalities is low, the financial flows to municipalities from state funding, local taxes, and EU funds are not negligible.¹⁶ There have been some reports of alleged financial mismanagement at the municipal level, most connected to public procurement.¹⁷ Finally, in 2023, WPO also conducted awareness-raising trainings on whistleblower protection for 616 government employees.¹⁸ Awareness about internal reporting systems among government employees is low, resulting in a small number of reports.¹⁹ WPO also developed an e-learning module on whistleblower protection for government employees, scheduled for launching in 2024.²⁰

Ministries and other implementing bodies reported on the number, subjects, and verifiability of whistleblower reports received (Milestone 4).²¹ The data indicates that while 54% of public bodies received a complaint in 2023, only 25% received complaints assessed as notifications of anti-social activity. Complaints pertained to conflict of interest, abuse of power, and public procurement irregularities.²² Under Milestones 5 and 6, central state administration bodies ensured the participation of their contact persons in WPO trainings and conducted annual employee training on whistleblower protection.²³

While WPO organized many activities to increase the effectiveness of internal reporting systems in the public sector, the results of their efforts are so far moderate. If more whistleblowers come forward using internal reporting mechanisms, such a change would only become apparent in the future. The trust needed for a whistleblower to come forward takes time and requires positive examples of whistleblowers being afforded protections.²⁴ The activities undertaken by WPO could contribute to such a change, especially in combination with activities beyond the scope of this commitment, such as whistleblower support and awareness-raising campaigns.²⁵

The focus on contact persons has already produced results, with some exchanging information and good practices through the WPO-created networks.²⁶ Empowering contact persons with continuous training and resources can enhance their ability to effectively handle sensitive reports.²⁷ Besides, clear manuals and methodological guidance could help central state bodies

establish transparent, efficient, and consistent internal reporting mechanisms. In turn, standardized procedures promote trust and accountability, which makes it easier for employees to navigate the reporting process.²⁸ These can build trust and encourage whistleblowers to come forward without fear of retaliation, ultimately improving practices and policies in this policy area.

Despite operating in a challenging environment, WPO incorporated all the IRM recommendations for this commitment into its activities, notably working with experts and CSOs to provide methodological guidance and extending trainings beyond public administration bodies.²⁹ These efforts have helped build a broader support network of public sector contact persons and private sector compliance officers, ensured the inclusion of CSOs and academic insights in the production of guidance materials and trainings, and expanded the trainings to reach municipal chief inspectors.

Looking Ahead

The commitment on whistleblower protection has been carried forward to the 2024–2026 action plan.³⁰ Building on the progress achieved, WPO will develop and implement qualitative criteria for internal reporting mechanisms in collaboration with central state administration authorities. It will also include whistleblower protection trainings in government employee onboarding, planned to be launched in January 2025. Successful continuation of the commitment depends on WPO's dedicated leadership and its ability to secure sufficient resources to effectively implement planned activities. Without these, progress made so far could stall. The challenging political climate, including the threat of criminal investigation against the WPO Director, could pose risks to the reforms underway.³¹ For the reforms to succeed, it is crucial to secure bipartisan backing for strengthened whistleblower protections.

The IRM recommends prioritizing adequate budgetary support for WPO to ensure effective implementation of planned activities. Additionally, the IRM recommends reinforcing institutional independence to shield WPO from a challenging political climate and organizing an awareness-raising campaign for public and private sector employees. Lastly, the IRM recommends the continuation of public awareness campaigns to build trust in whistleblowing mechanisms, thereby encouraging more individuals to report misconduct.

Commitment 6: Mapping the impact of open data on various segments of society Ministry of Investment, Regional Development, and Informatization (MIRDI) and OZ Alvaria.

Context and Objectives

The objectives of this commitment were to help determine the direction of the open data agenda in the Slovak Republic, improve its position in the EU Open Data Maturity Index (ODMI), and raise awareness about open data among relevant actors, including CSOs.³² In 2021, the Slovak Republic ranked 33rd out of 34 countries on ODMI, largely due to the absence of impact monitoring of open data.³³ The agencies involved in the implementation of the commitment focused on the adoption of a transparent and clear methodology of impact measurement of open data, with the participation from CSOs and data experts.³⁴ They tested the new methodology by measuring the impact of open data published on the data.gov.sk portal on selected areas in society.

This commitment focused on mapping the impact of published data sets. Milestones included an initial planning meeting (Milestone 1), drafting of a data impact mapping methodology, (Milestone 2), mapping and evaluating data and evaluating public demand for government open

data (Milestone 3) and producing a report and regular measurement of open data impact (Milestone 4).

Early Results: Moderate

This commitment achieved moderate early results. It was not identified as promising in the 2022-2024 Action Plan Review as stakeholders did not have a clear understanding how the methodology would be developed or its intended application. However, MIDRI's 2024 impact report highlighted a 155% rise in dataset downloads from 2022 to 2023, reflecting an increased public engagement, although a decline in unique users might indicate potential challenges in user accessibility. The Slovak Republic's rapid improvement on ODMI—climbing from 33rd in 2021 to 10th in 2023—and marked as the biggest climber among all EU member states, was in part driven by a significant increase in the country's open data impact scores and underscores its substantial advancements.³⁵ Workshops enhanced CSOs' capacity to utilize open data, and the number of datasets on the portal grew significantly, with most adopting open licenses.

The methodology was adopted in a participatory manner, with the active contribution of data experts and CSOs in a working group created by the Ministry of Investment, Regional Development, and Informatization (MIRDI).³⁶ It met six times to prepare the methodology for data impact mapping on selected areas from December 2022 to June 2024 (Milestones 1 and 2).³⁷ The ad hoc working group operated flexibly, allowing the participation of interested non-government members and setting the frequency and agenda of meetings based on necessity, allowing lively debates and approval of the methodology by all actors involved.³⁸ The draft methodology was open to external comments and received comments from two institutions, which were duly incorporated.³⁹

The methodology, based on the Common Access Framework (CAF)—a joint project by several global institutions to standardize the measurement of open data—⁴⁰ was adopted in July 2023 (Milestone 2).⁴¹ CAF measures the retrievability of data in machine readable format ('access'), the data processing to create information for decision-making ('use'), and the outcomes of open data-based decision-making ('impact').⁴² Using CAF aligns the methodology with international standards in the policy area. Meanwhile, MIRDI's methodology adds a fourth category—data governance—which measures the systematic publication of open data by public sector bodies.⁴³ This is a particularly innovative aspect that highlights the importance of systematic and structured publication of open data. Adopting the methodology has contributed to the substantial improvement of the country's ranking on ODMI.⁴⁴

MIRDI published the first data impact assessment report in May 2024 (Milestones 3 and 4).⁴⁵ The report showed that the total number of dataset downloads has increased by 155% from 2022 to 2023, and new open data uses were employed thanks to local governments and CSO initiatives.⁴⁶ The report also revealed a drop in user count by 40% from 2022 to 2023.⁴⁷ This decline would require further research, but it could mean that users use other open data sources, such as ministry websites, or that fewer people download more data.⁴⁸ It also identified public administration data sets, such as the Public Procurement Bulletin and the Address Register, as the most popular. The first report on open data impact in the Slovak Republic has demonstrated the concrete benefits of open data for transparency, accountability, and citizen engagement.

In cooperation with the Office of the Plenipotentiary, MIRDI went beyond the scope of the commitment by organizing an open data use workshop for CSOs in October 2023.⁴⁹ The objective was to raise awareness among CSOs on published data sets on the data.slovensko.sk portal and present practical examples of how to work with open data. Equipping CSOs with

necessary tools and knowledge on open data could foster greater collaboration with CSOs, enhance public accountability, and facilitate data-driven solutions to societal challenges.

This commitment is positioned among other positive developments in open data policies by MIRDÍ, such as the launch of the upgraded open data portal under the 'OD 2.0' project. The upgraded portal introduced filtering by topic and centralized catalogues of selected ministries and municipalities, addressing limited user-friendliness and the absence of standardized data formats.⁵⁰ MIRDÍ has also worked on improving open data impact through publication of a 'dataset card' together with the quality of high-value datasets, defined according to EU legislation. In 2024, it also conducted 11 trainings for the public and CSOs on using the upgraded platform. 33% more datasets have been made available from 2023 to 2024, and 93% of all datasets had open data licensing and machine readability.⁵¹ However, challenges such as addressing poorly rated data sets and ensuring clear licensing information remain.⁵²

Early results of this commitment are evaluated as moderate because of its focus on research rather than on implementation. While regular reports on the impact of open data on various segments of society are a good source of information and can be used to promote positive aspects of government open data policy, they have limited influence on the actual open data policies of the individual government agencies because these are decided at the agency level. It is equally important to keep in mind the government's limited support to information centers and analytical units at the respective ministries which are either understaffed or closed down.⁵³ To achieve more substantial impact, it is crucial to shift from research-oriented activities to practical implementation, alongside strengthening the capacity of information centers and analytical units within ministries through continual support and financial resources to ensure sustained support for open data policies across all government agencies.

Looking Ahead

The commitment has been carried forward to the next action plan with a focus on building partnerships between open data owners within the government and data users. This would help improve the use of published data sets and identify demand for undisclosed data.⁵⁴ Going forward, MIRDÍ plans to regularly measure open data impact using the methodology adopted in the 2022-2024 OGP cycle.⁵⁵

While the open data impact measurement has had positive results, open data has been on the Slovak Republic's OGP agenda since 2011. Considering this, the progress in publication and use of open data has been rather slow. Moving forward, the IRM recommends that MIRDÍ focuses on developing an outreach strategy to better target interested groups, and that publication of high-value datasets is prioritized following the European Commission recommendations.⁵⁶ This approach could help increase awareness, improve data use, and enhance the overall impact of open data initiatives. The IRM also recommends institutionalizing the regular measurement of open data impact in MIRDÍ's regulations and ensuring sufficient institutional resources and budget are made available to fulfil this commitment.

¹ "Act No. 54/2019 Coll. on Protection of Whistleblowers of Anti-Social Activity," Government of the Slovak Republic, 2019, Sections 10 and 11. This obligation applies to public employers with over 5 employees and private employers with over 50 employees.

² "2021 Activity Report," Whistleblower Protection Office, August 2022, <https://www.oznamovatelia.sk/wp-content/uploads/2022/08/annual-report-WPO.pdf>, 33.

³ "2021 Activity Report," Whistleblower Protection Office, 38.

⁴ "Act No. 54/2019 Coll. on Protection of Whistleblowers of Anti-Social Activity," Government of the Slovak Republic, Section 13; "2021 Activity Report," Whistleblower Protection Office.

- ⁵ “Funkčnosť vnútorných systémov oznamovania v štátnej správe,” [Functioning of internal reporting systems in public administration], Whistleblower Protection Office, January 2023, https://www.oznamovatelia.sk/wp-content/uploads/2024/10/funkcnost-vnutornych-systemov_UOO.pdf.
- ⁶ “Functioning of internal reporting systems in public administration,” Whistleblower Protection Office, 5.
- ⁷ “Functioning of internal reporting systems in public administration,” Whistleblower Protection Office, 5.
- ⁸ “Functioning of internal reporting systems in public administration,” Whistleblower Protection Office, 21–23.
- ⁹ Lenka Klobučníková, “Rezort vnútra uhradil pokutu za odstavenie čurillovcov. Šutaj Eštok ju mal zaplatiť z vlastného, kritizuje Holečková,” [The Home Office has paid the fine for shutting down Čurillovci. Šutaj Eštok should have paid it from his own money, criticizes Holečková], TA3, 26 November 2024, <https://www.ta3.com/clanok/968943/rezort-vnutra-uhradil-pokutu-za-odstavenie-curillovcov-sutaj-estok-ju-mal-zaplatit-z-vlastneho-kritizuje-holeckova>; “Šéfka Úradu na ochranu oznamovateľov protispoločenskej činnosti Zuzana Dlugošová bude čeliť trestnému oznámeniu,” [Head of the Office for the Protection of Whistleblowers Zuzana Dlugošová will face criminal charges], Denník N, 27 October 2024, <https://dennikn.sk/minuta/4272251>.
- ¹⁰ “Vnútorný systém preverovania oznámení o nezákonnej činnosti. Manuál pre verejný sektor,” [Internal system for verifying reports of illegal activities. Handbook for the public sector], Whistleblower Protection Office, October 2023, https://www.oznamovatelia.sk/wp-content/uploads/2023/10/manual_statna_sprava_10_2023_1.pdf; “Educational materials for contact persons,” Whistleblower Protection Office, October 2023, https://www.oznamovatelia.sk/wp-content/uploads/2023/10/vzdelavacie-materialy-na-skolenia-zo_10_2023.zip; “Náležitosti vnútorného systému oznamovania – kritéria kvality a funkčnosti,” [Essentials of an internal reporting mechanism - quality and functionality criteria], Whistleblower Protection Office, January 2024, <https://www.oznamovatelia.sk/wp-content/uploads/2024/01/Nalezitosti-vnutorneho-systemu-oznamovania-kriteria-kvality-a-funkcnosti-v2.pdf>; “Methodological guidance no. 1/2022 on the definition of a report,” Whistleblower Protection Office, September 2024, <https://www.oznamovatelia.sk/wp-content/uploads/2024/09/metodicke-usmernenie-k-pojmu-oznamenie-08-2024.pdf>; “Methodological guidance no. 2/2022 on the registration of reports,” Whistleblower Protection Office, September 2024, <https://www.oznamovatelia.sk/wp-content/uploads/2024/09/metodicke-usmernenie-k-evidencii-oznameni-08-2024.pdf>; “Methodological guidance no. 3/2022 on the screening process of the reports,” Whistleblower Protection Office, September 2024, <https://www.oznamovatelia.sk/wp-content/uploads/2024/09/metodicke-usmernenie-k-procesu-preverenia-oznameni-09-2024.pdf>; “Methodological guidance on the position of the chief inspector in the role of the contact point,” Whistleblower Protection Office, June 2024, <https://www.oznamovatelia.sk/wp-content/uploads/2024/06/metodicke-usmernenie-HK-v-postaveni-ZO-05-2024.pdf>.
- ¹¹ Mária Hunková (Whistleblower Protection Office), correspondence with IRM researcher, 4 December 2024.
- ¹² Mária Hunková (Whistleblower Protection Office), interview by IRM researcher, 3 October 2024.
- ¹³ “2023 Activity Report,” Whistleblower Protection Office, 2023, <https://www.oznamovatelia.sk/aktivita-uradu-prehľad-za-rok-2023/>; Hunková, interview.
- ¹⁴ Hunková, interview.
- ¹⁵ “2023 Activity Report,” Whistleblower Protection Office; Hunková, interview.
- ¹⁶ Hunková, interview.
- ¹⁷ “Korupcia v mestách a obciach: kontrola zlyháva, politikom sa do reformy nechce,” [Corruption in cities and municipalities: control fails, politicians don't want to reform], Nadácia Zastavme Korupciu, 30 September 2022, <https://zastavmekorupciu.sk/nezaradene/korupcia-v-mestach-a-obciach-kontrola-zlyhava-politikom-sa-do-reformy-nechce>.
- ¹⁸ “2023 Activity Report,” Whistleblower Protection Office.
- ¹⁹ Hunková, interview.
- ²⁰ Hunková, interview.
- ²¹ “Final evaluation report: Action Plan of the Open Government Partnership in the Slovak Republic for 2022-2024”, Office of the Plenipotentiary for the Development of Civil Society, October 2024, <https://www.opengovpartnership.org/documents/slovak-republic-end-of-term-self-assessment-report-2022-2024/>.
- ²² “Iniciatíva pre otvorené vládnutie: Úrad na ochranu oznamovateľov zbiera dáta štátnej správy o oznámeniach,” [Open Government Initiative: The Whistleblower Protection Office has been collecting government data on whistleblowing], Office of the Plenipotentiary for the Development of Civil Society, 19 April 2024, https://www.minv.sk/?ros_ogp_spravy&sprava=iniciativa-pre-otvorene-vladnutie-urad-na-ochranu-oznamovatelov-zbiera-data-statnej-spravy-o-oznameniach.
- ²³ “Final evaluation report: Action Plan of the Open Government Partnership in the Slovak Republic for 2022-2024”, Office of the Plenipotentiary for the Development of Civil Society.
- ²⁴ Ján Ivančík (Transparency International Slovakia), interview by IRM researcher, 29 October 2024; “‘Nemáš na to žalúdok? Vypi si,’ radil nadriadený oznamovateľovi z kauzy slovenského predsedníctva,” [‘Don't have the stomach for it? Drink up,’ advised a supervisor to a whistleblower in the Slovak Presidency case], Whistleblower Protection Office, February 2024, <https://www.oznamovatelia.sk/nemas-na-to-zaludok-vypi-si-radil-nadriadeny-oznamovatelovi-z-kauzy-slovenskeho-predsednictva>; “Podala oznámenie, dostala výpoveď. Teraz jej súd umožnil vrátiť sa do práce,” [She reported corruption, got

fired. Now the court has allowed her to return to work], Whistleblower Protection Office, June 2024, <https://www.oznamovatelia.sk/podala-oznamenie-dostala-vypoved-teraz-jej-sud-umoznil-vratit-sa-do-prace>.

²⁵ “Ak ide o korupciu, nemlčať je zlato,” [When it comes to corruption, silence is not golden], SeeSame, accessed 1 October 2024, <https://www.seesame.com/case-studies/ak-ide-o-korupciu-nemlcat-je-zlato>; “Naša kampaň Nemlčať je zlato bola ocenená odborníkmi z brandže,” [Our Silent Is Not Golden campaign has been praised by industry experts], Whistleblower Protection Office, March 2023, <https://www.oznamovatelia.sk/en/kampan-ziskala-ocenenie-prokop>.

²⁶ Hunková, interview.

²⁷ “Functioning of internal reporting systems in public administration,” Whistleblower Protection Office, 24.

²⁸ “Functioning of internal reporting systems in public administration,” Whistleblower Protection Office, 24.

²⁹ Alexandra Dubova, “IRM Action Plan Review: Slovak Republic 2022–2024,” Open Government Partnership, 7 February 2023, <https://www.opengovpartnership.org/documents/slovak-republic-action-plan-review-2022-2024>, 6.

³⁰ See Commitment 2.5 in: “Open Government Partnership National Action Plan of the Slovak Republic 2024–2026,” Office of the Plenipotentiary for the Development of Civil Society, 27 September 2023, <https://www.opengovpartnership.org/documents/slovak-republic-action-plan-review-2024-2026>.

³¹ “Head of the Office for the Protection of Whistleblowers Zuzana Dluhošová will face criminal charges,” Denník N.

³² See Commitment 6 in “Open Government Partnership National Action Plan of the Slovak Republic 2024–2026,” The Office of the Plenipotentiary of the Slovak Government for the Development of the Civil Society, September 2023, https://www.opengovpartnership.org/wp-content/uploads/2024/06/Slovakia_Action-Plan_2024-2026_June_EN.pdf.

³³ See Commitment 6 in: “Open Government Partnership National Action Plan of the Slovak Republic 2024–2026,” Office of the Plenipotentiary for the Development of the Civil Society.

³⁴ Lukáš Jankovič and Viktória Šunderlíková (Ministry of Investment, Regional Development, and Informatization), interview by IRM researcher, 23 October 2024.

³⁵ “2023 Open Data Maturity Index,” European Commission, 2023, <https://data.europa.eu/en/publications/open-data-maturity/2023#intro>.

³⁶ Lukáš Jankovič (Ministry of Investment, Regional Development, and Informatization), correspondence with IRM researcher, 29 October 2024.

³⁷ “Workshopy ku mapovaniu dopadu otvorených dát na vybrané oblasti,” [Workshops on mapping the impact of open data on selected areas], Ministry of Investment, Regional Development, and Informatization, accessed 1 October 2024, <https://slovak-egov.atlassian.net/wiki/spaces/opendata/pages/20055083/Workshopy+ku+mapovaniu+dopadu+otvoren+ch+dajov+na+vybran+oblasti>.

³⁸ Jankovič and Šunderlíková, interview.

³⁹ “Na Pripomienkovanie: Metodika hodnotenia dopadu otvorených dát,” [For your consideration: Methodology for evaluating the impact of open data], Office of the Plenipotentiary for the Development of Civil Society, 22 June 2023, https://www.minv.sk/?ros_vsetky-spravy&sprava=na-pripomienkovanie-metodika-hodnotenia-dopadu-otvorenych-dat&fbclid=IwY2xjawF0my9leHRuA2F1bQJxMAABHv0i8qM-mzimEAurLAIMFEn6IMz1k9FFNP9xBgtqzUr1gN-hnZvXKh7g_aem_AmYfz8YuEjUNI1dRHx7bag; Jankovič, correspondence.

⁴⁰ “Sustainability of data portal infrastructures: Measuring use and impact,” European Commission, 2024, https://data.europa.eu/sites/default/files/sustainability-data-portal-infrastructure_1_measuring-use-impact.pdf, 8.

⁴¹ “Metodika hodnotenia dopadu otvorených dát na vybrané oblasti spoločnosti,” [Methodology for assessing the impact of open data on selected areas of society], Ministry of Investment, Regional Development, and Informatization, July 2023, https://mirri.gov.sk/wp-content/uploads/2023/09/metodika_dopad_otvorenych_dat_final.pdf.

⁴² “Sustainability of data portal infrastructures: Measuring use and impact,” European Commission, 9.

⁴³ “Methodology for assessing the impact of open data on selected areas of society,” Ministry of Investment, Regional Development, and Informatization.

⁴⁴ “2023 Open Data Maturity Index,” European Commission.

⁴⁵ “1.správa o dopade otvorených dát na vybrané oblasti spoločnosti,” [First report on the impact of open data on selected areas of the society], Ministry of Investment, Regional Development, and Informatization, May 2024, https://slovak-egov.atlassian.net/wiki/download/attachments/20055094/report_2024_final.pdf?version=1&modificationDate=1721400176577&cacheVersion=1&api=v2.

⁴⁶ “First report on the impact of open data on selected areas of the society,” Ministry of Investment, Regional Development, and Informatization, 10, 14–15.

⁴⁷ “First report on the impact of open on selected areas of the society,” Ministry of Investment, Regional Development, and Informatization, 27.

⁴⁸ Jankovič and Šunderlíková, interview.

⁴⁹ “Centrálny portál otvorených dát a možnosti jeho využitia mimovládnyimi organizáciami,” [Central Open Data Portal and its use by NGOs], Ministry of Investment, Regional Development, and Informatization & Office of the Plenipotentiary for the Development of Civil Society, 11 October 2023, <https://www.youtube.com/watch?v=-rp4cmBvMXc&t=557s>.

⁵⁰ “Analýza zverejňovania datasetov ústredných orgánov štátnej správy na portáli otvorených dát za rok 2024,” [Analysis of the publication of datasets of central state administration bodies on the open portal data for the year 2024], Office of the Plenipotentiary for the Development of Civil Society, 2024,

https://www.minv.sk/swift_data/source/rozvoj_obcianskej_spolocnosti/vseobecne/2024_ANALYZA_FINAL.pdf, 40.

⁵¹ “Analysis of the publication of datasets of central state administration bodies on the open portal data for the year 2024,” Office of the Plenipotentiary for the Development of Civil Society, 8, 13.

⁵² “Analysis of the publication of datasets of central state administration bodies on the open portal data for the year 2024,” Office of the Plenipotentiary for the Development of Civil Society, 8, 13.

⁵³ Ivančík, interview.

⁵⁴ See Commitment 2.6 in: “Open Government Partnership National Action Plan of the Slovak Republic 2024–2026,” Office of the Plenipotentiary for the Development of Civil Society.

⁵⁵ See Commitment 2.6 in: “Open Government Partnership National Action Plan of the Slovak Republic 2024–2026,” Office of the Plenipotentiary for the Development of Civil Society; “First report on the impact of open on selected areas of the society,” Ministry of Investment, Regional Development, and Informatization, 29.

⁵⁶ “High-Value Datasets Best Practices Report,” European Commission, 2024,

<https://data.europa.eu/sites/default/files/report/High-value%20Datasets%20Best%20Practice%20Report.pdf>.

Section III: Participation and Co-Creation

The co-creation process and quality of civil society participation improved significantly with the adoption of the 2022–2024 action plan thanks to the establishment of an MSF dedicated to the OGP process. The strong leadership of the Office of the Plenipotentiary and its innovative approaches at the MSF helped attract new actors. However, changes in government midway through implementation in 2023 shifted political priorities and raised doubts among CSOs involved in the OGP process about further continuation of OGP commitments.

OGP member countries are encouraged to aim for the full ambition of the updated OGP Participation and Co-Creation Standards that came into force on 1 January 2022.¹ The IRM assesses all countries that submitted action plans from 2022 onwards under the updated Standards. However, OGP instituted a 24-month grace period to ensure a fair and transparent transition. During this time, the IRM will assess countries' alignment with the Standards and compliance with the minimum requirements.² Therefore, countries will only be found to be acting contrary to OGP process if they do not meet the minimum requirements for submitted action plans to begin in 2024 and later.

The OGP process in the Slovak Republic is coordinated by the Office of the Plenipotentiary for the Development of Civil Society (Office of the Plenipotentiary), which is also responsible for the functioning of the MSF. The co-creation process of the 2022–2024 action plan was enhanced by the new MSF which comprised of representatives of state institutions, civil society organizations (CSOs), and academia. Dialogue between these actors was assisted by an independent external facilitator appointed to the MSF. Stakeholders appreciated the presence of the facilitator as enabling an informal and creative atmosphere during the co-creation process.³ Proactiveness of the OGP Point of Contact and her colleagues at the Office of the Plenipotentiary attracted new actors to the OGP agenda such as new government bodies, CSOs and experts, resulting in more ambitious and targeted commitments.

In the second half of the implementation period, the functioning of the MSF was impacted by two changes in government in 2023 and corresponding shifts in policy priorities and staffing. Notably, the MSF did not convene to discuss implementation after the changes, leaving implementation monitoring on a bilateral level. Three out of seven commitments were suspended or significantly slowed down due to change of political priorities after the elections. On 7 March 2024, the government appointed a new Plenipotentiary for the Development of Civil Society. Her appointment was accompanied by staff turnover and discontinuity in the Office's priorities. It was also accompanied by civil society criticism regarding lack of consultation with CSOs during her appointment process and regarding her comments suggesting that CSOs should refrain from political engagement.⁴ The OGP Point of Contact was changed in July 2024.

The MSF dedicated only three meetings to the implementation of this action plan. Discussion of implementation shifted to bilateral meetings between the Office of the Plenipotentiary and the agencies responsible for individual commitments.⁵

Table 1. Compliance with minimum requirements

Minimum requirement	Met during co-creation?	Met during implementation?
1.1 Space for dialogue: In 2021, the Office of the Plenipotentiary formed the Slovak Republic's multistakeholder	Yes	Yes

forum (MSF), its rules are published on the Office of the Plenipotentiary’s website. ⁶ The MSF dedicated three meetings to the implementation of the 2022–2024 action plan, in October and December 2022 and in March 2023. ⁷ During the second half of the implementation period (March 2023-June 2024), the Government Council for Non-Governmental Non-Profit Organizations functioned as a space for dialogue.		
2.1 OGP website: The Office of the Plenipotentiary maintains an OGP-dedicated website that is integrated in the Ministry of Interior’s website. ⁸ It is publicly available, and no registration is required. It contains the latest action plan, as well as all previous action plans. The website is regularly updated by the administrator and includes information about the implementation progress.	Yes	Yes
2.2 Repository: The Office of the Plenipotentiary maintains an online and publicly accessible repository that is updated twice a year and contains information on the co-creation process as well as on the implementation of the action plans. ⁹	Yes	Yes
3.1 Advanced notice: The open call to participate in the MSF was published on 29 October 2022, after the first two informative meetings of the MSF took place (22 September and 20 October 2022). The discussion on commitments started only at the third meeting on 10 November 2022 (i.e., after the open call was published); therefore, the two-week requirement was met. ¹⁰	Yes	Not applicable
3.2 Outreach: The Office of the Plenipotentiary has been active in organizing events and meetings. For example, it has organized three online meetings to receive public comments on the draft action plan from outside the MSF, ¹¹ and it recorded a podcast about the OGP and the co-creation process. ¹²	Yes	Not applicable
3.3 Feedback mechanism: The draft action plan was published online in February 2022 and submitted for public consultation. ¹³ Anyone could send comments. In addition, the Office of the Plenipotentiary organized three online events to consult with public about the action plan. ¹⁴ In May 2022, the draft action plan was sent to the interdepartmental commenting procedure and received 31 comments. ¹⁵	Yes	Not applicable
4.1 Reasoned response: The draft action plan was published in the form of a preliminary notice on the legislative process platform Slov-Lex, receiving two comments (one from a public authority and one from a civil society organization, which were discussed in the meeting and taken into consideration. ¹⁶ Additional comments were received after publication of the draft action plan online and are visible in the respective document. ¹⁷ More comments were received and resolved within the interdepartmental commenting procedure. ¹⁸ The Office of the Plenipotentiary provided a reasoned response to the comments raised during the co-creation process. The format of the reasoned response differed according to the phase of the co-creation process, be it the personal meeting, group discussion, or written response. ¹⁹	Yes	Not applicable
5.1 Open implementation: The MSF dedicated three meetings to the implementation of the action plan: on 19 October 2022 (in person), 13 December 2022 (online) and 28 March 2023 (in	Not applicable	No

person). CSO organizations were present and had opportunity to comment on the implementation progress.²⁰ There was a gap of over one year between the last MSF meeting (March 2023) and the end of the action plan implementation period (June 2024). During this period, no meetings were held to discuss implementation with civil society and collect comments, and, therefore, the minimum requirement was not met.

¹ “OGP Participation and Co-Creation Standards,” <https://www.opengovpartnership.org/ogp-participation-co-creation-standards/>.

² Independent Reporting Mechanism, *Guidelines for the Assessment of OGP’s Minimum Requirements*, May 2022. https://www.opengovpartnership.org/wp-content/uploads/2022/05/IRM-Guidelines-for-Assessment-of-Minimum-Requirements_20220531_EN.pdf.

³ Lucia Lacika (Former OGP Point of Contact, Office of the Plenipotentiary for Civil Society Development), interview by IRM researcher, 14 September 2022; Lukáš Jankovič (Alvaria), interview by IRM researcher, 5 October 2022; Marianna Leontiev (Nadácia Zastavme Korupciu), interview by IRM researcher, 21 October 2022.

⁴ Sme.sk, *Mimovládky pobúrene reagujú na slová splnomocnenkyne vlády pre rozvoj občianskej spoločnosti*, 11 July 2024, Available from: <https://domov.sme.sk/c/23355947/mimovladky-poburene-reaguju-na-slova-splnomocnenkyne-vlady-pre-rozvoj-obcianskej-spolocnosti.html>, and .týždeň, Juraj Rizman, #MySmeObcianskaSpolocnost?, 17 July 2024, <https://www.tyzden.sk/komentare/112030/mysmeobcianskaspolocnost?ref=kat>; Slovak anti-NGO bill passed the first reading (Zeitgeist 3.), 8 May 2024, Via Iuris, <https://viaiuris.sk/aktuality/slovak-anti-ngo-bill-passed-the-first-reading-zeitgeist-3/>.

⁵ Lucia Lacika, (Former OGP Point of Contact, Office of the Plenipotentiary for Civil Society Development), interview by IRM researcher, 8 October 2024.

⁶ Office of the Plenipotentiary, “Otvárame tvorbu nového Akčného plánu Iniciatívy pre otvorené vládnutie na roky 2022–2024 a hľadáme ďalších partnerov z občianskej spoločnosti,” [We are launching the development of a new Open Government Partnership Action Plan for 2022–2024 and are looking for additional civil society partners], Office of the Plenipotentiary, 29 October 2021, https://www.minv.sk/?ros_ogp_spravy&sprava=otvarame-tvorbu-noveho-akcneho-planu-iniciativy-pre-otvorene-vladnutie-na-roky-2022-2024-a-hladame-dalsich-partnerov-z-obcianskej-spolocnosti (8 November 2024)

⁷ “Final evaluation report: Action Plan of the Open Government Partnership in the Slovak Republic for 2022–2024”, Office of the Plenipotentiary for the Development of Civil Society, October 2024, <https://www.opengovpartnership.org/documents/slovak-republic-end-of-term-self-assessment-report-2022-2024/>; Lacika, interview, 8 October.

⁸ The OGP dedicated website is publicly available: https://www.minv.sk/?ros_ogp. Additionally, the Office of the Plenipotentiary maintains and updates the OGP Slovak Republic Facebook page: <https://www.facebook.com/OGPSlovensko/about>.

⁹ Office of the Plenipotentiary or the Development of Civil Society, “Základné procesy Iniciatívy pre otvorené vládnutie” (Core processes of the Open Government Initiative), https://www.minv.sk/?ros_ogp_ap. The information about implementation can be found in the “news section”: https://www.minv.sk/?ros_ogp_spravy.

¹⁰ Office of the Plenipotentiary or the Development of Civil, “Zhrnutie doterajšej činnosti multistakeholder fóra v rámci Iniciatívy pre otvorené vládnutie” (Summary of the activities of the Multi-Stakeholder Forum so far within the Open Government Initiative), 23 March 2022, https://www.minv.sk/?ros_ogp_spravy&sprava=zhrnutie-doterajsej-cinnosti-multistakeholder-fora-v-ramci-iniciativy-pre-otvorene-vladnutie.

¹¹ Office of the Plenipotentiary or the Development of Civil, “Prezentovali sme návrh Akčného plánu Iniciatívy pre otvorené vládnutie na roky 2022 – 2024” (We presented the draft action plan of the Open Government Initiative for 2022–2024), 15 March 2022, https://www.minv.sk/?ros_ogp_spravy&sprava=prezentovali-sme-navrh-akcneho-planu-iniciativy-pre-otvorene-vladnutie-na-roky-2022-2024.

¹² “Je možné vládnutie otvoriť, alebo čo znamená skratka” [Is it possible to open governance, or what does the abbreviation mean], Verejne v politike [Publicly in politics] (Podcast), 23 April 2022, <https://open.spotify.com/episode/6qwAeRyUvzRx5WDayY2QbM?fbclid=IwAR3o96yIXdwB5HF5glsRXkyPflCVV7WDyeUASMvaqK44cg-ygwAM2rpDTr8>.

¹³ On 16 February 2022, the draft action plan was also published in the form of a preliminary notice on the legislative process platform Slov-Lex: <https://www.slov-lex.sk/elegislativa/legislativne-procesy/SK/PI/2022/38>.

¹⁴ Office of the Plenipotentiary, “Prezentovali sme návrh Akčného plánu Iniciatívy pre otvorené vládnutie na roky 2022 – 2024” (We presented the draft action plan of the Open Government Initiative for 2022–2024), 15 March 2022, https://www.minv.sk/?ros_ogp_spravy&sprava=prezentovali-sme-navrh-akcneho-planu-iniciativy-pre-otvorene-vladnutie-na-roky-2022-2024.

¹⁵ “LP/2022/281 Akčný plán Iniciatívy pre otvorené vládnutie na roky 2022 – 2024” (LP/2022/281 Open Government Initiative Action Plan 2022-2024), Slov-Lex, <https://www.slov-lex.sk/elegislativa/legislativne-procesy/SK/LP/2022/281>.

¹⁶ The comments are available at https://www.slov-lex.sk/legislativne-procesy?p_p_id=processDetail_WAR_portletset&p_p_lifecycle=0&p_p_col_id=column-2&p_p_col_count=1&processDetail_WAR_portletset_cisloLP=PI%2F2022%2F38&processDetail_WAR_portletset_action=pplpZobrazPripomienky.

¹⁷ “Akčný plán Iniciatívy pre otvorené vládnutie v Slovenskej republike na roky 2022–2024” (Action plan initiatives for open governance in the Slovak Republic for the years 2022–2024), Working proposal, February 2022, <https://docs.google.com/document/d/1DK7Nqr9LfyF6XSkSlj6GsVMYZp8meSsl/edit#heading=h.w20xlyl67wuv>.

¹⁸ The comments are available at <https://www.slov-lex.sk/legislativne-procesy/SK/LP/2022/281/pripomienky/zobraz>.

¹⁹ Lucia Lacika (Former OGP Point of Contact, Office of the Plenipotentiary for Civil Society Development), correspondence with IRM researcher, 15 November 2022.

²⁰ “Final evaluation report: Action Plan of the Open Government Partnership in the Slovak Republic for 2022-2024”, Office of the Plenipotentiary for the Development of Civil Society.

Section IV: Methodology and IRM Indicators

This report supports members' accountability and learning through assessment of (i) the level of completion for commitments' implementation, (ii) early results for commitments with a high level of completion identified as promising or that yielded significant results through implementation, and (iii) participation and co-creation practices throughout the action plan cycle.¹ The IRM commenced the research process after the first year of implementation of the action plan with the development of a research plan, preliminary desk research, and verification of evidence provided in the country's OGP repository.²

Completion

The IRM assesses the level of completion for each commitment in the action plan, including commitments clustered in the Action Plan Review.³ The level of completion for all commitments is assessed as one of the following:

- *No evidence available*
- *Not started*
- *Limited*
- *Substantial*
- *Complete*

Early Results

The IRM assesses the level of results achieved from the implementation of commitments that have a clear open government lens, a high level of completion or show evidence of achieving early results (as defined below). It considers the expected aim of the commitment prior to its implementation, the specific country context in which the commitment was implemented, the specific policy area and the changes reported.

The early results indicator establishes three levels of results:

- **No Notable Results:** According to the evidence collected (through desk research, interviews, etc.), the implementation of the open government commitment led to little or no positive results. After assessing the activities carried forward during the period of implementation and its outcomes (if any), the IRM did not find meaningful changes towards:
 - improving practices, policies or institutions governing a policy area or within the public sector,
 - enhancing the enabling environment to build trust between citizens and the state.
- **Moderate Results:** According to the evidence collected (through desk research, interviews, etc.) the implementation of the open government commitment led to positive results. After assessing the activities carried forward during the period of implementation and its outcomes, the IRM found meaningful changes towards:
 - improving practices, policies or institutions governing a policy area or within the public sector, or
 - enhancing the enabling environment to build trust between citizens and the state.
- **Significant Results:** According to the evidence collected (through desk research, interviews, etc.) the implementation of the open government commitment led to

significant positive results. After assessing the activities carried forward during the period of implementation and its outcomes, the IRM found meaningful changes towards:

- improving practices, policies or institutions governing a policy area or within the public sector, or
- enhancing the enabling environment to build trust between citizens and the state.

Significant positive results show clear expectations for these changes (as defined above) will be sustainable in time.

This report was prepared by the IRM in collaboration with Alexandra Matiaško and was reviewed by Andy McDevitt, IRM external expert. The IRM methodology, quality of IRM products and review process is overseen by the IRM’s International Experts Panel (IEP).⁴ For more information, refer to the “IRM Overview” section of the OGP website.⁵ A glossary on IRM and OGP terms is available on the OGP website.⁶

¹ For definitions of OGP terms, such as co-creation and promising commitments, see “OGP Glossary,”

² Slovak Republic. OGP Repository. Date accessed: 1 October 2024: https://minv.sk/?ros_ogp.

³ The IRM clusters commitments that share a common policy objective during the Action Plan Review process. In these instances, the IRM assesses “potential for results” and “Early Results” at the cluster level. The level of completion is assessed at the commitment level. For more information on how the IRM clusters commitments, see Section IV on Methodology and IRM Indicators of the Action Plan Review.

⁴ Open Government Partnership, Independent Reporting Mechanism, *International Experts Panel*, <https://www.opengovpartnership.org/about/who-we-are/international-experts-panel/>

⁵ Open Government Partnership, *IRM Overview* <https://www.opengovpartnership.org/irm-guidance-overview/>

⁶ Open Government Partnership, *OGP Glossary*, <https://www.opengovpartnership.org/glossary/>

Annex I: Commitment Data¹

Commitment 1: Protection of Whistleblowers

- | | |
|--|---|
| <ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? Yes • Potential for results: Modest | <ul style="list-style-type: none"> • Completion: Complete • Early results: Moderate |
|--|---|

This commitment is assessed in Section II.

Commitment 2: Education for open governance

- | | |
|--|---|
| <ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? Yes • Potential for results: Modest | <ul style="list-style-type: none"> • Completion: Complete • Early results: No Notable Results |
|--|---|

Commitment 2 envisaged to map the level of and prepare a space for open governance education within the public administration in the Slovak Republic. The mapping has been completed and published on the Office of the Plenipotentiary website (Milestone 1).² The analysis showed that almost 62% of respondents have not been educated in open governance. The second part of the commitment, to pave the way for developing open government education in a participatory way has also been completed (Milestone 2).³ The development of the educational module on open governance has been developed in cooperation with six universities (Milestone 3), while two universities, the University of St. Cyril and Methodius in Trnava and the University of Prešov already began using the module (Milestone 4).⁴ As the commitment only had limited ambition and comprised of mapping and preparatory activities, it has not yet shown notable results in the policy area. Moving forward, the commitment has been carried forward to the 2024–2026 action plan (Commitment 2.2).

Commitment 3: Data-driven policy visualization

- | | |
|--|--|
| <ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? Yes • Potential for results: Modest | <ul style="list-style-type: none"> • Completion: Limited • Early results: No Notable Results |
|--|--|

Commitment 3 promised to introduce user-friendly and transparent communication tools for government reforms and policies while using already published or new datasets. While debates have started on the selection of a suitable policy for testing new visualization tools, the planned activities were not completed.⁵ Commitment implementation slowed down due to shifting priorities of the 2023 caretaker government and suspended entirely by the new government after the September 2023 parliamentary elections.⁶

Commitment 4: Sharing of open government good practices

<ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? Yes • Potential for results: Unclear 	<ul style="list-style-type: none"> • Completion: Complete • Early Results: No Notable Results
<p>Commitment 4 envisaged mapping and sharing open governance good practices from selected OGP member countries as well as highlighting open governance good practices within the Slovak state administration. The Office of the Plenipotentiary successfully completed both streams of the commitment. Good practices from other OGP member countries have been published in a compact analysis, while the domestic experiences have been presented in a series of mini blogs on their website.⁷ While sharing good practices is important, the commitment has not yet shown any notable results due to its focus on research and lack of tangible activities.</p>	
<p>Commitment 5: Improvement of the legal regulation of the legislative process</p>	
<ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? Yes • Potential for results: Unclear 	<ul style="list-style-type: none"> • Completion: Limited • Early results: No Notable Results
<p>Commitment 5 aspired to facilitate expert discussion on legislative amendments on participatory lawmaking. Office of the Plenipotentiary organized a public discussion in 2022⁸ and formulated legislative amendments to strengthen public participation in lawmaking.⁹ However, as the main decision-making body in this area, the Office of the Deputy Prime Minister for legislation and strategic planning was not forthcoming in discussing these efforts throughout the implementation period, stating that there is a need to address other priorities.¹⁰ These factors limited the completion of this commitment.</p>	
<p>Commitment 6: Mapping the impact of open data</p>	
<ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? Yes • Potential for results: Modest 	<ul style="list-style-type: none"> • Completion: Complete • Early results: Moderate
<p>This commitment is assessed in Section II.</p>	
<p>Commitment 7: Improvement of beneficial ownership data</p>	
<ul style="list-style-type: none"> • Verifiable: Yes • Does it have an open government lens? Yes • Potential for results: Substantial 	<ul style="list-style-type: none"> • Completion: Limited • Early results: No Notable Results
<p>Commitment 7 aimed to enhance the quantity and quality of beneficial ownership (BO) data by broadening the obligation to disclose BO information to all companies registered in the Business Register and by introducing stricter data control tools. Milestone 1, which aimed to</p>	

produce an analysis of introducing multi-level BO data verification to the Business Register, was partially completed. The analysis of the new functionality of the Business Register has not been made public and the Ministry of Justice was unable to obtain the final copy.¹¹ Milestone 2, preparation and submission of draft legislation taking into account the result of the analysis has not yet started and has been carried over to the 2024-2026 Action Plan.¹²

The implementation of Commitment 7 was postponed for a combination of reasons. Firstly, the enhancement of BO data is a part of a bigger reform of the Business Register. To that end, the public procurement of IT services is still in progress, delaying the entire revamp of the Business Register, including the promised changes of the verification of BO data.¹³ In the meantime, debates are ongoing within the state administration about technical solutions to ensure the interconnectivity of the new Business Register with two other existing registers containing BO data (the Register of Public Sector Partners and the Register of Legal Persons). Secondly, the introduction of legal changes on registering BO data has also been temporarily suspended due to the new EU Anti-Money Laundering Directive awaiting national implementation, as well as the CJEU ruling on data protection.¹⁴ The authorities are wary of making changes to the registering of BO data until it is clarified what obligations these new developments entail.¹⁵ Finally, the political climate previously strongly supporting transparency and anti-corruption measures has changed with the 2023 parliamentary elections and it is to be seen whether the promised reforms will be implemented at all.¹⁶

¹ Editorial notes:

1. For commitments that are clustered, the assessment of potential for results and early results is conducted at the cluster level, rather than the individual commitment level.
2. Commitments' short titles may have been edited for brevity. For the complete text of commitments, please see the Slovak Republic's action plan: <https://www.opengovpartnership.org/documents/slovak-republic-action-plan-2022-2024/>.
3. For more information on the assessment of the commitments' design, see the Slovak Republic's Action Plan Review: <https://www.opengovpartnership.org/documents/slovak-republic-action-plan-review-2022-2024/>.

² Jakub Adámek, "Metodiky, metriky a prístupy k hodnoteniu participácie a otvoreného vládnutia," [Methodologies, metrics and approaches to evaluating participation and open government], Office of the Plenipotentiary for Civil Society Development, August 2022, https://www.minv.sk/swift_data/source/rozvoj_obcianskej_spolocnosti/participacia/2023/z_dennikov/april/IXP_resers_metodiky.pdf.

³ Linda Zuzčáková (Advisor & OGP Point of Contact, Office of the Plenipotentiary for Civil Society Development), email correspondence with IRM researcher, 5 December 2024.

⁴ Alexandra Poláková Suchalová, Matej Miklian, Tomáš Winkler, and Barbora Minárová, "Sylaby nového predmetu Participatívna tvorba verejných politík," [Syllabus for the Course ,Participatory Policy Making], Office of the Plenipotentiary for Civil Society Development, https://www.minv.sk/swift_data/source/rozvoj_obcianskej_spolocnosti/participacia/2024/012024/Sylaby_predmetu_Participativna_tvorba_verejnych_politik.pdf; Zuzčáková, correspondence.

⁵ Lucia Lacika (Former OGP Point of Contact, Office of the Plenipotentiary for Civil Society Development), interview by IRM researcher, 8 October 2024.

⁶ Lacika, interview; see also "Návrh na zrušenie a zmenu niektorých úloh vyplývajúcich z uznesení vlády Slovenskej republiky," [Proposal for cancellation and amendment of certain tasks resulting from resolutions of the Government of the Slovak Republic], Government of the Slovak Republic, 6 February, 2024, <https://rokovania.gov.sk/RVL/Material/29240/1>.

⁷ "Inkubátor participácie (príklady dobrej praxe)," [Participation Incubator (examples of good practice)], Office of the Plenipotentiary for Civil Society Development, accessed 1 October 2024, https://www.minv.sk/?ros_participacia2_UOSS_inkubator; "MuMap: Ako spraviť z občana kontrolóra," [MuMap: How to make a citizen a controller], Office of the Plenipotentiary for Civil Society Development, 25 September 2023, https://www.minv.sk/?ros_ogp_spravy&sprava=mumap-ako-spravit-z-obcana-kontrolora.

⁸ "Na konferencii 'Na spolupráci záleží' sme témy Iniciatívy pre otvorené vládnutie predstavili širokému publiku," [At the 'Collaboration Matters' conference, we presented the themes of the Open Government Initiative to a wide audience], Office of

the Plenipotentiary for Civil Society Development, 21 November 2022, https://www.minv.sk/?ros_ogp_spravy&sprava=na-konferencii-na-spolupraci-zalezi-sme-temy-iniciativy-pre-otvorene-vladnutie-predstavili-si-rokemu-publiku.

⁹ “Návrhy na zmenu 400/2015 Z.z. - zákon o tvorbe právnych predpisov (podklady ÚSV ROS),” [Proposals for amendment 400/2015 Coll. - Act on the creation of legal regulations (documents of USV ROS)], Office of the Plenipotentiary for Civil Society Development <https://docs.google.com/document/d/1u3VUW1r5pMA6eZ9Ywb7eDZITy0iAF2Ck/edit>.

¹⁰ Lacika, interview.

¹¹ “Iniciatíva pre otvorené vládnutie: Ako zvyšovať transparentnosť konečného užívateľa výhod?” [Open Government Initiative: How to increase end-user transparency of benefits?], Office of the Plenipotentiary for Civil Society Development, 19 April 2023, https://www.minv.sk/?ros_ogp_spravy&sprava=iniciativa-pre-otvorene-vladnutie-ako-zvyšovat-transparentnost-konecneho-uzivatela-vyhod; Luciana Malovcová (Ministry of Justice), interview by IRM researcher, 18 October 2024.

¹² See Commitment 2.4 in: “Open Government Partnership National Action Plan of the Slovak Republic 2024–2026,” Office of the Plenipotentiary for the Development of Civil Society.

¹³ Malovcová, interview.

¹⁴ The 6th Anti-Money Laundering (AML) package was published in the Official Journal of the European Union on 19 June 2024; Court of Justice of the European Union, Joined Cases C-37/20 and C-601/20 (*WM and Sovim SA v Luxembourg Business Registers*).

¹⁵ Malovcová, interview.

¹⁶ Andrej Leontiev (TaylorWessing Bratislava), interview by IRM researcher, 21 October 2024; Ján Ivančík (Transparency International Slovakia), interview by IRM researcher, 29 October 2024.