WHY STABILITY MATTERS

Institutional stability rarely makes headlines, yet it is one of the foundations of economic growth and investment. Martin Jacko, Chairman of the Steering Committee of the Rule of Law Initiative, explains why legal certainty, predictable policymaking, and effective institutions are essential for Slovakia's long-term competitiveness.

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RULE OF LAW INITIATIVE

The Initiative often links the rule of law to competitiveness. Which elements of the rule of law matter most for Slovakia's ability to attract investment and support long-term growth?

Investors weigh more than tax rates or labor costs, they weigh whether today's rules will still apply in five or ten years. Three elements matter most: legal certainty, so contracts, property rights and court rulings are reliably enforced; predictable legislation, so rules don't shift abruptly or retroactively; and an independent judiciary and oversight bodies that apply the law consistently, free of political interference. Where these hold, capital and skilled people put down roots. Where they erode, even generous incentives struggle to compensate.

What are the biggest costs to businesses when legislation is introduced without sufficient consultation, impact assessment, or predictability?

The costs are concrete, not abstract. Companies cannot plan investment, hiring or pricing when they don't know what rules will apply next quarter. We saw this again this year: just months before year-end, businesses still lacked basic information about measures that will shape the coming budget. A similar pattern played out with e-invoicing, where rules kept changing during rollout, adding cost and uncertainty before the system had even launched. Laws rushed through shortened procedures or MP bills, without proper impact assessments, also tend to need urgent corrective amendments soon after. In 2025 alone, 34% of laws were adopted this way. That is no longer the exception the law envisages; it is becoming the rule.

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If you could implement three changes that would most improve the quality of policymaking in Slovakia, what would they be?

First, make shortened legislative procedures genuinely exceptional again, reserved for real emergencies rather than a routine shortcut for controversial measures.

Second, require realistic impact assessments before laws are adopted, not after, especially their effect on business and public finances.

Third, restore consistent, merit-based appointments to independent oversight and regulatory bodies, so institutions are trusted to apply rules impartially rather than read through a political lens. None of this requires new legislation, Slovakia already has rules for good lawmaking. What is missing is the discipline to follow them.

You frequently emphasize participation and dialogue. What does meaningful stakeholder engagement look like in a well-functioning legislative process?

Meaningful participation starts before a draft is finished, not after. Presenting a polished bill for a short comment period and calling it consultation is a formality, not dialogue. Genuine engagement means involving affected parties while the basic questions are still open, listening to different perspectives from the start, properly evaluating the comments received, and explaining why some were, or weren't, taken on board. We can see that things are improving, the ongoing recodification of the Civil Code is one example where the drafting commission has engaged seriously with expert input.

As Slovakia seeks to build a more innovation-driven economy, how important are judicial efficiency and legal certainty for competitiveness?

Very important, arguably more so than for a purely industrial economy. Innovation depends on people willing to take risks: investing in R&D, defending intellectual property, entering new kinds of contracts. They take those risks only if disputes are resolved reasonably quickly and rulings are consistent. A slow, unpredictable judiciary is effectively a tax on innovation, favoring whoever can outlast the process rather than whoever is right.

Slovakia also needs to retain educated, mobile talent, and legal certainty is part of what keeps skilled people betting on their own country instead of looking elsewhere. Judicial efficiency is not a technical justice-system issue; it is an economic one.

What are the Rule of Law Initiative's main priorities for the coming year, and where do you see the greatest opportunity for progress?

Our three pillars stay the same: transparency and predictability of the legislative process, an efficient and independent judiciary, and fighting corruption as a factor that damages Slovakia's reputation abroad. Concretely, we will stay closely engaged with the Civil Code recodification, pushing for a realistic effective date and coordinated accompanying legislation; keep pressing for consultation to happen before decisions are effectively made, not after; and follow the lobbying law closely, since a law meant to increase transparency must itself be drafted transparently. The greatest opportunity is a simple one: getting the state to consistently follow the rules for good lawmaking it has already set for itself. We would rather be a partner offering solutions than only a critic — but that requires being heard early.