

Resolution on the planned dissolution of key anti-corruption structures in Slovakia and its implications for the rule of law

2023/3021(RSP) - 17/01/2024 - Text adopted by Parliament, single reading

The European Parliament adopted by 496 votes to 70, with 64 abstentions, a resolution on the planned dissolution of key anti-corruption structures in Slovakia and its implications for the rule of law.

The text adopted in plenary was tabled by the EPP, S&D, Renew, Greens/EFA, and The Left groups.

Over the past several years Slovakia has stepped up its efforts to combat high-level corruption and organised crime, with several former high-ranking officials charged with bribery offences and final court decisions. The Slovak Special Prosecutor's Office, which started its activity on 1 September 2004, and the Slovak police have been instrumental in handling cases connected to corruption and serious crimes, including those related to the misuse of EU funds.

Robert Fico's new government decided to dismantle the Special Prosecutor's Office and to reduce criminal penalties for serious crimes, including corruption and environmental crimes, by amending the criminal code through a fast-track legislative procedure at the beginning of its mandate. This expedited procedure has removed the possibility for a meaningful public debate or due democratic process.

Parliament expressed deep concern over the Slovak Government's unjustified accelerated legislative process, particularly regarding the proposed amendments to the criminal code and the dissolution of the Special Prosecutor's Office, which threatens the integrity of judicial processes, undermines the European Union's fight against fraud and jeopardises the protection of the EU's financial interests and the natural environment in Slovakia.

The Slovak Government is called on to:

- address, and prevent the misuse of, the long-standing issue of Paragraph 363 of the Criminal Procedural Law, which currently allows the General Prosecutor to decline to prosecute;
- respect the binding principles of the EU Whistleblower Directive and reconsider the proposed changes to whistleblower protection in Slovakia;
- uphold the principle of sincere cooperation with the EU institutions.

Parliament called:

- for a more adequate level of human and financial resources for corruption cases and better coordination between corruption investigators and prosecutors for the more effective investigation of corruption-related crimes;
- on the Commission to closely monitor and provide information about these developments, taking the necessary actions to safeguard the rule of law and judicial independence, especially with respect to cases of high-level corruption, and to protect the EU's financial interests;

- on government officials to refrain from verbal attacks on individuals, journalists and civil society organisations; underscores the duty of public and government officials to serve all citizens, especially in a country with a history of hate crime and where a journalist has been murdered;
- on government officials to refrain from questioning the legitimacy of court decisions;
- for free, independent media as a cornerstone of a democratic society.