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**Public**  
**Greco RC-I (2003) 2E**

## **First Evaluation Round**

### **Compliance Report on the Slovak Republic**

Adopted by GRECO  
at its 13<sup>th</sup> Plenary Meeting  
(Strasbourg, 24-28 March 2003)

## **I. INTRODUCTION**

1. GRECO adopted the First Round Evaluation Report on the Slovak Republic at its 4<sup>th</sup> Plenary Meeting (12-15 December 2000). This Report (Greco Eval I Rep (2000) 2E) was made public by GRECO, following authorisation by the Slovak authorities on 19 January 2001.
2. In accordance with Rule 30.2 of GRECO's Rules of Procedure, the Slovak authorities submitted their Situation Report (RS-report) on the measures taken to follow the recommendations on 9 January 2002 and an updated version on 7 February 2003. Additional information was also submitted after that date following the request made by the Rapporteurs.
3. At its 12<sup>th</sup> Plenary Meeting (9-13 December 2002), GRECO selected, in accordance with Rule 31.1 of its Rules of Procedure, Germany and Poland to provide Rapporteurs for the compliance procedure. The Rapporteurs appointed were Mr Fernando SANCHEZ-HERMOSILLA on behalf of Germany and Mr Jacek GARSTKA on behalf of Poland. The Rapporteurs were assisted by the GRECO Secretariat in drafting the Compliance Report (RC-Report).
4. The RC-Report was adopted by GRECO, following examination and debate pursuant to Rule 31.7 of the Rules of Procedure, at its 13<sup>th</sup> Plenary Meeting (24-28 March 2003).
5. Under Article 15 paragraph 6 of the GRECO Statute and Rule 30.2 of the Rules of Procedure, the objective of the RC-Report is to assess the measures taken by the Slovak authorities and, wherever possible, their effectiveness in order to comply with the recommendations contained in the Evaluation Report.

## **II. ANALYSIS**

6. It was recalled that GRECO in its Evaluation Report addressed 19 recommendations to the Slovak Republic. Compliance with these recommendations is dealt with below. Besides, GRECO took note that the Slovak Republic did not wish to comment specifically on the observations made in the First Round Evaluation Report<sup>1</sup>.

### **Recommendation i.**

7. *GRECO recommended that measures be taken to eliminate unnecessary licences and that objective and transparent criteria be determined for the granting of licences, authorisations and state subsidies that remain necessary.*
8. The Slovak authorities reported that:
  - The Government established a register of licences, concessions and permits under Resolution No. 33/2001. The Central Unit Against Corruption at the Office of the Government has gone through all the licences. It adopted "basic principles for issuing licences, concessions and permits administered by central government agencies and other state administration bodies".

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<sup>1</sup> See Greco Eval I Rep (2000) 2E Final, Paragraph 31: "priority must be given to the general policy in tax matters and in particular regarding tax declarations as well as taxation on the sale of real estate" and "it would be useful to abolish anonymous and numerical accounts" as well as Paragraph 74: "the Slovak authorities should ensure that salaries of prosecutors are at an appropriate level in order to dissuade corruption and attract applicant prosecutors".

- Distribution of State subventions has also been adjusted to ensure that it does not depend on an individual or a group of officers. The necessity to publicise all subventions has been enforced. This task had to be carried out by State institutions from April 2002.
  - The *National Programme on Fighting Against Corruption (hereafter NPFAC)* recommended that all relevant laws that regulate granting of licences, authorisations and state subsidies should be amended to ensure that there would be no possibility of corruption.
  - The same criteria and tools should be used in the process of decentralisation.
9. GRECO took note of the measures adopted to regulate the granting of licences and to enhance transparency with regard to state subsidies. However, whereas the recommendation clearly required the suppression of unnecessary licenses, Slovak authorities failed to provide information on whether the number of required licences had actually been reduced, nor did they give any reasons justifying the necessity of retaining current licences. GRECO invited the Slovak authorities to submit additional information on the adoption of the amendments to the relevant legislation which are foreseen in the NPFAC with regard to the granting of licences, authorisations and state subsidies in order to establish objective criteria and enhance transparency in relevant procedures.
10. GRECO considered that recommendation i. has been partly implemented.

#### **Recommendation ii.**

11. *GRECO recommended that transparent and clear rules as well as efficient control mechanisms be established regarding privatisation.*
12. The Slovak authorities reported that:
- Regarding ongoing privatisations all the information is made available to the public at all stages (based on a new Act on Free access to information 211/2000). Non-governmental organisations and media exercise an important control.
  - Privatisation processes are subject to control by the highest control authority subordinated only to the Slovak National Council.
13. GRECO took note of the measures adopted to increase transparency over the privatisation process. It emphasised that the control performed by the media and NGO's and the public control based on clear rules and efficient procedures are both important. GRECO invited the Slovak authorities to submit additional information on control mechanisms to be applied in on-going privatisation process, including the scope and efficiency of the control exercised by the "highest control authority".
14. GRECO considered that recommendation ii. has been partly implemented.

#### **Recommendation iii.**

15. *GRECO recommended that the following complementary preventive action be taken:*
- a) *develop awareness among the population at large of the dangers of corruption with respect to the stability of democratic institutions as well as economic and social progress;*
  - b) *inform the population of the measures taken to counter corruption, the sanctions that can be imposed in cases of corruption, the effective regret mechanism and the institutions involved in combating corruption to which the public can turn to;*

c) *involve the media as well as non-governmental organisations in a co-ordinated awareness raising campaign.*

16. The Slovak authorities reported that:

- The Government adopted an ambitious NPFAC on 21 June 2000, with a view to enhancing public awareness towards corruption. The NPFAC had been drafted in co-operation with non-governmental organisations (Transparency International Slovakia). The fight against corruption was of the most important issues in the Government Declaration of the new Government, as well as for leaders of the political parties and the media.
- Each ministry has its own supervisory bodies that are ready to deal with complaints of both citizens and their own staff. Cases of corruption detected within ministries shall be published.
- In public offices, hospitals, and other places at risk, there are telephone numbers and addresses of the authorities where the cases of corruption or other illegal activities can be reported to, even anonymously. The Police have created a free telephone number where the citizens could report, even anonymously, any criminal activities committed by civil servants including policemen.

17. GRECO took note of the measures adopted. Nevertheless, it noticed that according to the official figures, reports on corruption had increased in the following areas: healthcare; courts; education and police. It encouraged the Slovak authorities to pursue the information campaign on the institutions in charge of combating corruption, in these particular areas, to which the public could turn to.

18. GRECO considered that recommendation iii. has been implemented satisfactorily.

#### **Recommendation iv.**

19. *GRECO recommended that the Department of combating corruption be reinforced, in order to allow for a more proactive approach in the detection of cases.*

20. The Slovak authorities reported that:

- The Department of the fight against corruption at the Police Presidium had already been reinforced by 10 police officers in 2001; the number of the officers of this department had doubled. The police officers of the Department received specific and intensive training in anti-corruption matters.
- There has been constant pressure on police authorities within districts and regions to detect corruption activities. An important step was the reorganisation of forces and facilities in regional and district organisational structures and also the large quantity of information gathered through international police co-operation and within the framework of police twinning programmes.

21. GRECO took note of the measures adopted. Nevertheless, it wished to recall that training or increased human resources are not always sufficient to set up a proactive approach in the detection of corruption cases.

22. GRECO considered that recommendation iv. has been implemented satisfactorily.

#### **Recommendation v.**

23. *GRECO recommended that the system for gathering evidence be revised in order to ensure that acts carried out by the police can be used as evidence in court.*

24. The Slovak authorities reported that:
- The Code of Criminal Procedure (Act. No. 141/1961 In Coll. as amended) and the Police Force Act Prosecution (Act. No. 171/1993 In Coll. as amended) were amended in 2002 by the Act. No. 422/2002 In Coll. In particular, the Section 160 of the Code of Criminal Procedure on the start of criminal prosecution had been amended: an investigator is obliged to start investigation immediately and all information transmitted to him/her shall be considered as evidence if they has been obtained according to the provisions of the Code of Criminal Procedure. The Act also establishes new rules on special investigative means. The Police Force can gather evidence before the opening of investigation by means of electronic surveillance (Section 12 para. 13 and 88 e) and operational and search activities (Section 12 para 14 and 88 a to d). These means are available in the phase of preliminary investigation only after prior approval of a judge. Such approval is a basic condition for the use of such evidence before the court.
  - The Act establishes new rules on abridged investigation by the Order police officers and criminal police officers (Sections 168 and 169). The Police carry out their own investigations in case of minor offences (regarding the Police law) and start the criminal prosecution.
  - Police officers, judges and prosecutors underwent specific and intensive training in these matters.
25. GRECO took note of the measures adopted. In 2000, on several occasions, the evaluators' attention was drawn to the fact that documents and information collected by the criminal police in charge of detection could not be used as evidence in court proceedings because the official investigation was considered to have started only after the case had been passed on to the investigator. The reported measures seem to ensure that the acts carried out by the police and mentioned above could be used as evidence in court. GRECO also welcomed the amendments aiming at shortening and speeding up criminal proceedings.
26. GRECO considered that recommendation v. has been implemented satisfactorily.

**Recommendation vi.**

27. *GRECO recommended that measures be taken to ensure that the basis for superior prosecutor's decisions overruling prior decisions made by a prosecutor at a lower level can be controlled (for instance, it could be required that the basis for decisions be indicated in writing).*
28. The Slovak authorities reported that:
- A prosecutor always had the possibility to refuse at his/her discretion an oral order of the supervisory prosecutor and require a written instruction. He/she could refuse to carry out the instructions of his/her supervisor in case they are contrary to the law.
  - A prosecutor could initiate an action against his/her supervisor who had given an illegal instruction.
  - Decisions of the superior prosecutor concerning investigator's objections to the instruction given by the inferior prosecutor to the investigator are always given in writing by virtue of Section 6 of Law No 153/2001 and can be controlled.
29. GRECO took note of the information supplied by the Slovak authorities. It noticed that, according to their answer, the motivations of the superior prosecutor might not only be submitted at the request of the subordinate prosecutor but shall always be given written form. Superior prosecutors' role is limited to the control of the legality of subordinate prosecutors' decisions. Superior prosecutors' decisions overruling prior decisions made by the prosecutors at a lower level are controlled by

appropriate mechanisms and may be challenged. Therefore the measures reported as provided for by Law should allow transparency over the prosecutors' powers in corruption cases.

30. GRECO considered that recommendation vi. has been implemented satisfactorily.

**Recommendation vii.**

31. *GRECO recommended that the measures which exist in urgent cases for search of other premises be adopted mutatis mutandis to house search.*

32. The Slovak authorities reported that:

- The new Code of Criminal Procedure enables the law enforcement bodies to perform house search (Section 83) in corruption cases. The Police request shall be made in written form. If necessary, especially in case of urgency, the judge's authorisation should be given immediately.
- Search of other premises should be made subject to an authorisation by the judge and during preliminary investigation by the prosecutor (Section 83a).

33. GRECO took note of the information supplied by the Slovak authorities. It noticed that, although the prosecutor cannot authorise the law enforcement authorities to perform house search during the preliminary investigation, as is the case for other premises, the judge is empowered to authorise house search immediately in case of urgency.

34. GRECO considered the recommendation vii. has been implemented satisfactorily.

**Recommendation viii.**

35. *GRECO recommended to elaborate guiding rules for the use of "special agents", taking full account of the case-law of the European Court of Human Rights, in order that the results of this technique are not challenged in court as being contrary to human rights.*

36. The Slovak authorities reported that the new Code of Criminal Procedure introduced provisions on "special agents" (Section 12, paragraph 12 – which defines the agent - and Section 88 b – which contain the basic requirements for the use of undercover agents) and the Act 171/1993 on Police Force (Sections 36; 39 a and b) has been amended accordingly in November 2001. Section 15 c of the Criminal Code deals with the fulfilment of agent's tasks. Provocation is forbidden. Special agents are designated by the Ministry of the Interior and are authorised by a judge. The guiding rules are set in the Minister of the Interior's Orders that are published as secret documents. Undercover agents have been used in 3 criminal cases in 2000, in 13 cases in 2001 and in 32 cases in 2002. Some of these cases were concluded by a court sentence (See also Section 12 para. 13 and 14 of the Code of Criminal Procedure).

37. GRECO took note of the information supplied by the Slovak authorities according to which there is now a clear legal framework for the use of special agents in the investigation of corruption cases which facilitates the use in court of evidence gathered through this technique. Indeed, the Criminal Code, the Code of Criminal Procedure and the Law on the Police Force provide an adequate legal basis for the use of special agents in order to perform criminal intelligence on serious crimes. Evidence obtained through undercover agents has been considered admissible to Court and has permitted to identify criminals in drug and corruption cases. Nevertheless, the real scope of the

secret guiding rules on the functions and duties of these agents remain unclear. The Slovak authorities might wish to send to GRECO additional information on these secret rules.

38. GRECO considered that recommendation viii. has been implemented satisfactorily.

**Recommendation ix.**

39. *GRECO recommended that the bill reforming Act 249 on "combating the legalisation of proceeds from the most serious forms of crime" be elaborated and adopted as soon as possible as access to financial information (including the names of beneficial owners of numbered accounts) is indeed central to police work in the fight against corruption.*
40. The Slovak authorities reported that the Act No. 249/1994 in Coll. was abrogated and replaced by the new Act No. 367/2000 in Coll. that is effective since January 1<sup>st</sup> 2001. Moreover, anonymous and/or numbered accounts were prohibited by virtue of an amendment to the Civil Code (Act No. 526/2002).
41. GRECO welcomed the adoption of the Law. It increases powers of the financial police to demand information on deposits from banks or other financial institutions (Sections 5, 6, 7). The Slovak authorities might wish to send to GRECO additional information, notably, on whether data about real beneficiaries of bank accounts were included in the information that can be requested.
42. GRECO considered that recommendation ix. has been implemented satisfactorily.

**Recommendation x.**

43. *GRECO recommended that, in relation to judges, prosecutors and police officers, specific legal measures and appropriate sanctions regarding intimidation as well as measures to protect physical integrity is elaborated.*
44. The Slovak authorities reported that:
- The Criminal Code of the Slovak Republic, as amended in 2002, contains special provisions on the protection of state bodies and public officials against inappropriate intimidation and pressure (Sections 153 – 157).
  - Protection of the prosecutors against intimidation and against other forms of inappropriate pressure is regulated by Section 25 of the Act No 154/2001 Coll. of Laws on prosecutors and trainee prosecutors of the Public Prosecution Service.
  - A special Police Unit provides body protection of prosecutors, judges and police officers on demand and during the required period of time.
45. GRECO took note of the reply made by the Slovak authorities. Measures protecting judges, prosecutors and police officers have been introduced in the Criminal Code and in special laws following the First Evaluation Round.
46. GRECO considered that recommendation x. has been implemented satisfactorily.

### **Recommendation xi.**

47. *GRECO recommended prolonging the limitation period (section 67 of the Penal Code) with respect to offences of corruption in order to allow extra time for investigation in complex cases.*
48. The Slovak authorities replied that by virtue of Act No. 253/2001 Coll. of Laws, which amended the Criminal Code, the term of imprisonment for corruption and bribery has been increased up to 3 years and more (Sections 160 to 162). Therefore, according to Section 67 of the Criminal Code the limitation period is of 5 years minimum now.
49. GRECO took note of the reply made by the Slovak authorities. It welcomed the increase of the sanctions applicable to corruption offences, thus increasing at the same time the limitation period applicable to corruption offences.
50. GRECO considered that recommendation xi. has been implemented satisfactorily.

### **Recommendation xii.**

51. *GRECO recommended that co-operation between the Department combating corruption and the tax authorities be strengthened, notably when a more efficient tax declaration system is established, in order that tax information can be used to detect and substantiate corruption charges.*
52. The Slovak authorities reported that:
  - The law currently requires tax reports from all citizens. These reports can be used in criminal proceedings under the condition that the rules of criminal procedure are respected. Sections 7 and 8 of the Code of Criminal Procedure establish that Public bodies shall co-operate with the Police in the investigation of corruption offences.
  - The legislation of the Slovak Republic enables co-operation between the police and tax offices, by virtue of Sections 72 to 77 of Law No 171/1993.
  - Computer communication between the Tax-offices and the Police Force has not yet been realised.
  - In addition to the tax reports, judges and representatives of the Slovak National Council are obliged by law to provide property reports which can also be used.
53. GRECO welcomed the significant progress made by the Slovak authorities in strengthening co-operation between the Police and the tax authorities. It was of the opinion that these measures comply with recommendation xii. Moreover, since this issue will be examined in detail in the 2<sup>nd</sup> Evaluation Round, GRECO invited the evaluators appointed to draft the 2<sup>nd</sup> Evaluation Round Report on the Slovak Republic to confirm this positive assessment.
54. GRECO considered that recommendation xii. has been implemented satisfactorily.

### **Recommendation xiii.**

55. *GRECO recommended that measures be taken to implement the following proposals:*
  - a) *establish guidelines in relevant fields of police activity about the way to prevent corruption as well as the action that should be taken to ensure the collection of evidence in cases of corruption with a view to criminal procedure;*



- b) *adopt regulations, based on objective criteria, to improve the selection of staff of the Police Force and prevent and sanction nepotism;*
- c) *establish a programme aimed at enhancing social standing and the financial and moral value of the work done by the Police Force members.*
- d) *Introduce, in the Code of Conduct, a prohibition of corruptive conduct and classify a violation of this prohibition as being a gross violation of work ethics;*
- e) *provide the Police Force with the necessary computer equipments to improve the capacity of data processing systems.*

56. The Slovak authorities reported that:

- Gathering of evidence when dealing with police corruption must be carried out in compliance with the Code of Criminal Procedure and the Section of Control and Inspection allows the use of all possible means offered by Codes and any other legal provisions.
- A Code of Ethics for Police Officers was issued on 1<sup>st</sup> January 2002.
- An amendment to the police legislation introduced the obligation for the police officers especially at managerial positions to make a property declaration (income declaration regarding both immovable and movable property, incomes of family members etc.).
- The Police Force has been provided with PCs but their number depends on the resources of the Ministry.

57. GRECO took note of the establishment of a code of ethics for police officers (d) and the efforts to provide the Police Force with modern means of communication (e). It regretted, however, that the Slovak RS-Report did not contain more detailed information on: the guidelines to prevent Police corruption and the rules providing for prohibition of corruptive conduct and dissuasive sanctions (a); the rules governing the selection of staff in the Police Force, such as the Act on the State Service, standardising conditions for accepting applicants to service (b); and on a programme mentioned in the recommendation (c). GRECO invited the Slovak authorities to submit additional information on these last issues (a, b and c) raised in the recommendation xiii.

58. In view of the aforesaid, GRECO considered that recommendation xiii. has been partly implemented.

#### **Recommendation xiv.**

59. *GRECO recommended that the reform of the judicial system be carried out as a matter of urgency and that the Judiciary strengthens its independence vis à vis the political power, and also that measures be taken to improve the disciplinary procedure with a view to ensuring impartiality.*

60. The Slovak authorities reported that:

- The amendment of the Constitution N° 90/2001 Coll. enhanced the independence of the Judiciary. The Act on the Judicial Council (N° 185/2002 Coll.) has been approved by the Slovak National Council on 11 April 2002.
- The reform of the Judiciary included the automatic distribution of files among judges, the creation of an institute of registrars, the setting-up of criteria and mechanisms in order to evaluate the judges' work and needs, and a new system of creation of disciplinary panels.

61. GRECO took note of the measures adopted with a view to strengthen the independence, the impartiality and the efficiency of the Judiciary. These are essential elements of paramount

importance for the effectiveness of any policy or procedures aiming at combating corruption in a democratic society.

62. GRECO considered that recommendation xiv. has been implemented satisfactorily.

**Recommendation xv.**

63. *GRECO recommended that the following measures be taken in view of the urgent need to change the present situation and to prevent and detect corruption among judges:*

a) *improve the professional level of judges. Special training should be established and objective criteria should be set for the selection of candidates to the judiciary (the duration of preparation of candidate judges could be prolonged, the age requirements could be increased);*

64. The Slovak authorities reported that:

➤ The " Education of Judges" Project aiming at creating an innovated model of educational system for judges has been implemented.

➤ In February 2001 "Judiciary Candidates Choice Criteria" were defined, according to which the candidates are being accepted by Regional Courts on the basis of an examination (a "tender").

➤ The Act No. 385/2000 on Judges and Associate Judges and on Amendments and Complements to Some Acts fixed a 30-years age limit for the nomination of judges and the criteria for the selection of candidates.

➤ The Judicial Academy is in the process of being established.

b) *create a culture of morality in the judiciary notably by adopting a Code of Ethics for judges and increasing internal control among judges and restore the social image of judges by eliminating those judges that are corrupt;*

65. The Slovak authorities reported that the Chairman of the Slovak Judges Council and the Minister of Justice adopted an "Agreement on Judge Ethics Principles" on 4th October 2001.

c) *extend the powers of the Council of Judges by giving it a right to take part in the nomination process and increase the Council's role in assisting in the detection of corruption cases among judges, notably by monitoring the duration of procedures and the order in which they are dealt with.*

66. The Slovak authorities reported that:

➤ By virtue of the Act on the Judicial Council (N° 185/2002 Coll.) of 11 April 2002, the Judicial Council has been vested with substantial powers.

➤ The Act No. 385/2000 on Judges and Associate Judges and on Amendments and Complements to Some Acts has introduced also an examination ("tender") as one of the conditions under which a judge can be elected (Section 5, para. 1, g in connection with the Sections 28 and 29) and as a condition under which a judge can be appointed into a higher judicial position (Section 15, para. 11 in connection with Sections 28 and 29).

➤ The Judicial Council elects and revokes chief judges and chiefs of disciplinary senates thus, preventing corrupt judges to be elected or revoking them.

- d) *reform the disciplinary senates in order to make them play a more active and objective role and eliminate possible interferences and abuses resulting from personal or close contacts between judges and members of the senate;*
67. The Slovak authorities reported that this recommendation has been fulfilled by the adoption of the Act on Judges and Associate Judges and the Act on the Judicial Council.
- e) *elaborate sufficient social and remuneration guarantees for both judges in office and those who are retired in order to decrease the attraction of additional income;*
68. The Slovak authorities reported that the Act No. 385/2000 on Judges and Associate Judges deals with issues of financial and social background of judges including their status, means and disciplinary responsibilities.
- f) *oblige judges to disclose annually their property and income to an appropriate body (e.g. the Council of Judges).*
69. The Slovak authorities reported that:
- The Act No. 385/2000 on Judges and Associate Judges introduced the obligation for judges to declare their incomes every year through a personal property declaration (Section 32 and 33). Failure to comply with this obligation results in initiation of disciplinary proceedings against each judge.
  - An Amendment to this Act No 385/2000, passed in November 2001, imposed also the obligation for judges to insert in their property declaration information on the personal property of their spouses and minor children.
70. GRECO welcomed the measures adopted by the Slovak authorities. The Act on the Judicial Council and the Act on Judges and Associate Judges should improve significantly the objectivity in the nomination process of Judges and the professional skills of the Judiciary. According to figures transmitted by the Slovak authorities, corruption in the judiciary and the effective implementation of the new disciplinary mechanisms continue to be an important issue. Complementary information submitted by the Slovak authorities shows that the Council of Judges could play an indirect role in assisting in the detection of corruption cases among judges. GRECO also noted that a Judicial Management Project has been introduced enhancing transparency in the process of allocation of files to judges; this should help in monitoring the duration of criminal procedures.
71. GRECO considered that recommendation xv. has been dealt with in a satisfactory manner.

#### **Recommendation xvi.**

72. *GRECO recommended to continue efforts regarding exchange of information and access to information among institutions involved in the fight against corruption, notably regarding the sharing of computerised data.*
73. The Slovak authorities reported that:
- The Act No. 215/2002 on electronic signature should strengthen the exchange of information especially in cases when evidence is in question, when mostly originals have to be submitted.

- There is a Project to establish a new joint information system between the Prosecutor General's Office and the Police Force.
- The Ministry of Interior plans to establish a National Criminal Intelligence Bureau in 2003 as an independent body for the most serious crimes, including corruption. The main task of the Bureau should be the investigation and central co-ordination of the central law enforcement agencies/police, customs, secret services, tax authorities etc. / activities.

74. GRECO took note of the measures adopted by the Slovak authorities. It noted that several projects are under preparation. Therefore GRECO welcomed the continuing efforts made by the Slovakian authorities regarding exchange of information and access to information among institutions involved in the fight against corruption. The Slovak authorities might wish to send to GRECO additional information on these new initiatives as well as on the supporting legislation that is expected to be introduced in 2003.

75. GRECO considered that recommendation xvi. has been implemented satisfactorily.

**Recommendation xvii.**

76. *GRECO recommended that more training be offered to prosecutors, jointly with investigators, as necessary, and making use of international organisations whenever possible.*

77. The Slovak authorities reported that:

- The General Prosecution Office is involved in several training programs and projects on fighting against corruption, including in co-operation with foreign anti-corruption Prosecution services as well as in the framework of international organisation's assistance and co-operation activities.
- A new Office of the Special Prosecutor had been established in December 2002. This Office co-ordinates and rectifies the criminal procedure on the corruption cases held by inferior prosecution offices. This office is authorised to lead investigation on corruption cases involving mainly members of government, members of parliament, judges, and prosecutors and by any other categories of senior state officers.
- Anti-corruption has become an obligatory subject in the Police Academy curriculum for new investigators.

78. GRECO took note of the measures adopted by the Slovak authorities. Appropriate skills and training are essential elements of an efficient anti-corruption policy.

79. GRECO considered that recommendation xvii. has been implemented satisfactorily.

**Recommendation xviii.**

80. *GRECO recommended that the powers of the Supreme Audit Office be extended, notably to evaluate and make effective suggestions for improving the management of public entities.*

81. The Slovak authorities reported that by virtue of the Act No. 458/2000 (amending and complementing by which the Act No. 39/1993 on the Supreme Control Bureau), shortcomings in the control of public entities have been eliminated.

82. GRECO would have been in position to make a better assessment of the implementation of this recommendation if it had received more detailed information with regard to the new powers of the

Supreme Audit Office, and thus, GRECO invited the Slovak authorities to submit additional information, in particular, on the Act No. 458/2000.

83. GRECO considered that recommendation xviii. has been partly implemented.

**Recommendation xix.**

84. *GRECO recommended that measures be taken to ensure that the Ministry of Foreign Affairs complies with the obligation to report suspicions of corruption cases to law enforcement authorities in accordance with article 8 of the code of criminal procedure.*
85. *The Slovak authorities* reported that the requirement to report corruption cases to the statutory bodies involved in the criminal proceeding is stipulated in the legislation (Section 8 of the Code of the Criminal Procedure on 23/03/2001) and that the Ministry of Foreign Affairs informed its employees within the Ministry and the foreign missions on the GRECO recommendation No. xix. and on their report obligation.
86. GRECO believed that specific rules, procedures and training assist public officials to comply with the requirement to report and increase their awareness in anti-corruption matters. In the light of the information provided by the Slovak authorities, GRECO was confident that the employees of Ministry of Foreign Affairs are well aware now of their legal obligation to report suspicions of corruption cases to law enforcement authorities.
87. GRECO considered that recommendation xix. has been implemented satisfactorily.

**III. CONCLUSIONS**

88. GRECO concluded that the Slovak Republic has implemented satisfactorily most of the recommendations of the First Round Evaluation Report.
89. Recommendations No. iii.; iv.; v.; vi.; vii.; viii.; ix.; x.; xi.; xii.; xiv.; xv.; xvi.; xvii. and xix. have been implemented satisfactorily. Recommendations No. i.; ii.; xiii. and xviii. have been partly implemented.
90. GRECO invited the Slovak authorities to submit to it additional information as well as, where appropriate, the supporting legislation relating to the implementation of Recommendations No i.; ii.; xiii. and xviii.
91. Moreover, the Slovak authorities might wish to send to GRECO the additional information mentioned in the parts of the report relating to recommendations No. viii.; ix. and xvi.
92. In view of the above, and in accordance with Rule 32.2 (i) of its Rules of Procedure, GRECO invites the Head of the Slovakian delegation to submit an additional report by 30 September 2004 on the progress of the implementation of recommendations No i.; ii.; xiii. and xviii.