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## **Third Evaluation Round**

### **Addendum to the Second Compliance Report on the Slovak Republic**

**"Incriminations (ETS 173 and 191, GPC 2)"**

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**"Transparency of Party Funding"**

Adopted by GRECO  
at its 65<sup>th</sup> Plenary Meeting  
(Strasbourg, 6-10 October 2014)

## I. INTRODUCTION

1. The Addendum to the Second Compliance Report assesses further measures taken by the authorities of Slovakia since the adoption of the previous Compliance Reports in respect of the recommendations issued by GRECO in its Third Round Evaluation Report on Slovakia. It is recalled that the Third Evaluation Round covers two distinct themes, namely:
  - **Theme I – Incriminations:** Articles 1a and 1b, 2-12, 15-17, 19 paragraph 1 of the Criminal Law Convention on Corruption (ETS 173), Articles 1-6 of its Additional Protocol (ETS 191) and Guiding Principle 2 (criminalisation of corruption);
  - **Theme II – Transparency of party funding:** Articles 8, 11, 12, 13b, 14 and 16 of Recommendation Rec(2003)4 on Common Rules against Corruption in the Funding of Political Parties and Electoral Campaigns, and more generally Guiding Principle 15 (financing of political parties and election campaigns).
2. GRECO adopted the Third Round Evaluation Report on the Slovak Republic at its 36<sup>th</sup> Plenary Meeting (15 February 2008). This report (Greco Eval III Rep (2007) 4E [Theme I](#) / [Theme II](#)) addressed 16 recommendations to the Slovak Republic and was made public on 14 March 2008.
3. As required by GRECO's Rules of Procedure, the Slovak authorities submitted a situation report on measures taken to implement the recommendations. GRECO selected Austria and Latvia to appoint Rapporteurs for the compliance procedure.
4. In the Compliance Report, adopted at its 46<sup>th</sup> Plenary Meeting (22-26 March 2010), GRECO concluded that the Slovak Republic had implemented satisfactorily only one of the sixteen recommendations (Theme I: recommendation i implemented, recommendations ii, iii and v partly implemented and recommendations iv and vi not implemented; Theme II: none of the ten recommendations had been implemented). This very low level of compliance with the recommendations was considered "globally unsatisfactory" in the meaning of Rule 31, paragraph 8.3 of the Rules of Procedure and GRECO decided to apply Rule 32 concerning members found not to be in compliance with the recommendations contained in the evaluation report.
5. GRECO adopted a first Interim Report at its 49<sup>th</sup> Plenary Meeting (29 November – 3 December 2010). It concluded with respect to Theme I – Incriminations that recommendations ii, iii and v remained partly implemented; recommendations iv and vi had not been implemented. With respect to Theme II – Transparency of Party Funding, recommendations i to x remained not implemented. As no tangible progress had been achieved by the Slovak Republic the level of compliance remained "globally unsatisfactory". In accordance with Rule 32, paragraph 2 subparagraph (ii), GRECO decided to apply step 2 of the compliance enhancing procedure<sup>1</sup> and invited the Slovak authorities to report on action taken regarding implementation of the pending recommendations.
6. A Second Interim Report was adopted by GRECO at its 53<sup>rd</sup> Plenary Meeting (5-9 December 2011). Since all six Theme I recommendations at this stage had been implemented or dealt with in a satisfactory manner and four of the ten recommendations concerning Theme II were considered partly implemented (with legal reforms underway) and the level of compliance was no

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<sup>1</sup> "(ii) the President of GRECO sending a letter, with a copy to the President of the Statutory Committee, to the Head of Delegation concerned, drawing his/her attention to non-compliance with the relevant recommendations".

longer “globally unsatisfactory”. The Slovak authorities were requested to report back on the action taken to implement the pending recommendations.

7. In the [Second Compliance Report](#), adopted at its 58<sup>th</sup> Plenary Meeting (3-7 December 2012) – based on the new information submitted by the Slovak authorities – GRECO concluded that the Slovak Republic had not accomplished any progress since the Second Interim Report; none of the ten Theme II recommendations had been implemented satisfactorily, and only recommendations iv and viii had been implemented partly. GRECO considered that the level of compliance with the recommendations was again “globally unsatisfactory” in the meaning of paragraph 8.3 of Rule 31 revised of the Rules of Procedure and decided to apply – anew – Rule 32 concerning members found not to be in compliance with the recommendations contained in the Evaluation Report and invited the authorities to report on actions taken to implement the pending Theme II recommendations.
8. In the [Third Interim Report](#), adopted at its 61<sup>st</sup> Plenary Meeting (14-18 October 2013) GRECO concluded that no tangible results had been achieved since the adoption of the Second Compliance Report, although a legislative process in respect of political financing was underway and the level of compliance was still “globally unsatisfactory” in the meaning of paragraph 8.3 of Rule 31 revised of the Rules of Procedure. The authorities were again invited to report on further actions taken. This report was received by GRECO on 30 July 2014.
9. The current [Addendum to the Second Compliance Report](#) assesses further actions taken by the Slovak authorities for the implementation of the pending Theme II recommendations and performs an overall appraisal of the level of compliance with these recommendations. It was prepared by the Rapporteurs Mr Christian MANQUET, Head of Department, Directorate for Penal Legislation, Ministry of Justice (Austria) and Mr Jaroslavs STRELCEK, Director, Corruption Prevention and Combating Bureau (Latvia), with the assistance of the GRECO Secretariat.

## II. ANALYSIS

### Theme II: Transparency of Party Funding

10. In its Evaluation Report, GRECO addressed 10 specific recommendations to the Slovak Republic in respect of Theme II. These are dealt with below.
11. It is recalled that out of the altogether ten recommendations, only two (iv and viii) had been categorised as partly implemented; the remaining eight had been found non-implemented in the Third Interim Report.
12. The Slovak authorities report that the recommendations addressed by GRECO to Slovakia under Theme II have resulted in the adoption of new and amended legislation in respect of political financing; Act No. 180/2014 Coll. on the Conditions of the Right to Vote, Act No. 181/2014 Coll. on Election Campaigns and the Act on Political Parties (No. 85/205 Coll.) contain the new legal basis to ensure compliance with GRECO’s recommendations.

#### **Recommendation i.**

13. *GRECO recommended to require candidates for elections to the National Council to disclose all donations they have received in relation to their political activities - including their source (at least above a certain threshold), nature and value - and details of the expenditure incurred.*

14. The Slovak authorities stress that in Slovakia, national election campaigns are led by political parties and never by candidates themselves. Accordingly, the parties are responsible for the financing as well as for the entire election campaign. According to the new Act on Election Campaigns, a special account is to be established by a political party for each separate election campaign. A political party may only use funds held in this separate payment account and funds may only be transferred to such special accounts from another account. Information on the special account is to be continuously accessible to the public and must show an overview of payment transactions, including data concerning the amounts, posting date, name of the payer etc. ("payment transactions overview"). The political party is required to notify the Ministry of the Interior in paper form or electronic form about the website address on which these data are to be displayed. Furthermore, the Act on Political Parties and Political Movements provides that political parties may accept donations or other gratuitous services only upon a written contract; this does not apply if the value of the cash donation from one donor does not exceed €200 in a calendar year. Cash payments are not allowed above that level. If the identity of the donor is not clear, the party is required to return the donation within 30 days to the account from which it came. If this is not possible, the donation is to be considered as state income and is to be deposited in the revenue account of the state budget. For non-compliance with the rules, the law imposes sanctions ranging from €10 000 to €100 000.
15. GRECO takes note of the information provided. It notes that the Slovak authorities have provided extensive information about disclosure obligations in respect of political parties. However, the authorities have not submitted any information in respect of individual candidates to parliamentary elections, while explaining that the political parties alone – and not the candidates – have such responsibilities in respect of elections to Parliament. GRECO does not contest that the system is designed to favour that all donations to national election campaigns are to be channelled via the parties. Yet, GRECO has not come across a prohibition upon candidates to receive such donations, nor a sanction if they do. According to the Evaluation report (paragraph 86), political parties would consider donation to candidates and candidates' expenses not to be related to the finances of the party and therefore not falling under their transparency obligations, and the fact that donations could in principle be given directly to a candidate without being disclosed by the receiver was considered a significant lacuna in the system. What has now been reported by the Slovak authorities is entirely linked to the transparency of political parties and similar rules in respect of candidates in parliamentary elections are still missing.
16. GRECO concludes that recommendation i remains not implemented.

**Recommendation ii.**

17. *GRECO recommended to take measures to enhance the transparency of income and expenditure of parties and candidates at local and regional level (in particular in connection with mayoral elections).*
18. The authorities of Slovakia report that several rules have been introduced in the new Act on Election Campaigns in order to ensure more transparency of income and expenditure of political parties and candidates at the regional and local level. Among a range of measures taken, the authorities refer to the following. Article 6 of the Act on Election Campaigns regulates election campaigns in respect of independent candidates at regional and local level, including campaign spending limits concerning presidential election campaigns of self-governing regions and in respect of mayors' election campaigns (ranging from €250 000 for the regions and large cities to €2 000 for municipalities with less than 2 000 inhabitants (Article 6(1)). The Act on Election

Campaigns also provides that candidates (in regions with more than 5 000 inhabitants) are obliged to keep election funding in a special bank account (Article 6(6)) and that data from such accounts are to be made public on-line continuously and that the Ministry of the Interior is to be notified of the address to the web page where the accounts are displayed in order for the accounts also to be published on the website of the Ministry. Accounts and statements are to be kept for 5 years. Furthermore, independent candidates are to keep separate records of donations and other gratuities, including their value and the identification of the donors (Article 6 (10)). It also follows from that law that independent candidates for the office of city mayor in municipalities with more than 5 000 inhabitants are to publish a report on the funds incurred during the election campaigns as well as to submit such reports to the Ministry of the Interior within 30 days following the elections. Likewise, the Act stipulates spending limits on political parties involved in local elections as well as accounting and disclosure rules equivalent to those referred to above (Article 7 of the Act on Election Campaigns).

19. GRECO takes note of the extensive legislative measures taken. It welcomes the adoption of the new Act on Election Campaigns, which clearly provides for an enhanced system of transparency of political financing during election campaigns in respect of political parties as well as for independent candidates at regional and local level. The legislative measures reported concern only the financing of election campaigns and comprise rather rigorous provisions in respect of such elections in the larger municipalities which were particularly targeted in the reasoning of the Evaluation Report (paragraph 87). Although the outreach of the new legislation, as applied in practice, requires close evaluation before its impact can be fully assessed, GRECO is pleased that the Slovak authorities have taken a number of legislative measures which adequately address the reasons behind this recommendation.
20. GRECO concludes that recommendation ii has been implemented satisfactorily.

### **Recommendation iii.**

21. *GRECO recommended to introduce proportionate disclosure rules for expenditure incurred by entities outside the party structure, related directly or indirectly to the party, in connection with election campaigns.*
22. The authorities of Slovakia indicate that with the adoption of the new Act on Election Campaigns, third parties involved in election campaigns are obliged to register with the State Commission for Elections and Control of Political Party Financing (the details of the Commission is further discussed below). A list of third parties is to be published on-line by the State Commission (Article 8). Furthermore, the law establishes campaign spending limits for third parties, €100 000 for parliamentary campaigns and €225 000 in respect of municipal campaigns Article 8 (7). Third parties are obliged to keep the election campaign funds in separate bank accounts, which are to be continuously accessible to the public to show an overview of payment transactions. A political party connected to such a third party is to notify the Ministry of the Interior about the address of the website on which these data are displayed, which in turn is to publish it on its website (Article 8 (8)). At the request of the Ministry of the Interior, the third party must prove who owns the payment account from which the funds were transferred. The authorities also submit that the third parties are to maintain a record on the use of funds for an election campaign, containing various costs, such as concerning advertising and commercials as detailed (Article 8 (9 and 10)) and, within ten days after the end of the election campaign, to publish an overview of costs (Article 8 (11)). For non-compliance with the rules, the Act on Election Campaigns provides sanctions on the third party ranging from €1 000 - €10 000.

23. GRECO takes note of the information provided by the Slovak authorities as supported by the Act on Election Campaigns. This new legislation addresses the particular issue raised in the Evaluation Report, namely to introduce more openness to the public in respect of election campaign funding by entities legally separated from a political party but still closely related to the party and its campaigning and financing. GRECO recalls that this kind of indirect financing poses problems from a transparency point of view in a number of GRECO member States. The new legislation in Slovakia is rather innovative in order to bridge the gap between political parties and their related entities which are distinct legal persons and, thus, under distinct accounting obligations. GRECO is much interested in the practical results of this legislation, as applied, which could well serve as inspiration for other member States. With the adoption of the new Act, Slovakia has introduced measures fully in line with the intentions of the recommendation.
24. GRECO concludes that recommendation iii has been implemented satisfactorily.

#### **Recommendation iv.**

25. *GRECO recommended (i) to ensure that the annual reports of political parties are easily accessible to the public and (ii) to establish a standardised format (accompanied by appropriate instructions, if necessary) for the campaign and annual reports to be submitted by political parties.*
26. It is recalled that in its Second Compliance report, GRECO concluded that the first part of this recommendation had been complied with as the annual reports of political parties had been made more easily accessible on-line following a classification by the name of the party (instead of an identity number).
27. The authorities of Slovakia now report in respect of the second part of the recommendation that Article 30 of the Act on Political Parties and Political Movements, provides a list of the various posts that are to be included in the annual reports of political parties. Similarly, the Act on Elections, Article 4, provides a list adapted to election campaign funding. In addition to this legislation, forms and instructions for both these types of reporting is available on the website of the State Commission.
28. GRECO welcomes the information concerning the second part of the recommendation. It notes that rather detailed legislation is now in place for the annual reporting of political parties as well as in respect of election campaigns. Furthermore, instructions and standardised forms for the reporting are available on the website of the State Commission.
29. GRECO concludes that recommendation iv has been implemented satisfactorily.

#### **Recommendation v.**

30. *GRECO recommended to provide a single body with a mandate and adequate resources to supervise and investigate party funding (both from private and public sources) and election campaign finances, including those of election candidates, and to ensure that this body is in a position to exercise its functions in an independent and impartial manner.*
31. The authorities of Slovakia stress that Paragraph 13 of the Act on the Conditions of the Right to Vote, which was adopted by Parliament on 29 May 2014, establishes the *State Commission for the Elections and Control of Political Parties Funding* as an independent body to oversee the

funding of political parties and political movements, the management of elections and the monitoring of election results. The State Commission, which will become operational by 31 August 2015 at the latest will, according to Paragraph 16 a) and b) of the same Act, control the financing of political parties as well as the funding and management of election campaigns and is also mandated to provide political parties and candidates with methodological assistance and advice on the rules in these areas. The Commission will consist of 14 members, ten of them are to be nominated by the political parties represented in Parliament in proportion to their number of seats; half of these are to belong to government parties and the other half to the opposition. The four remaining members are to be nominated by the President of the Constitutional Court, the President of the Supreme Court, the Attorney General and the President of the Supreme Audit Office. The President of the State Commission is to be elected among its members by Parliament through a secret ballot. A unit established at the Ministry of the Interior - the Commission Office - will provide the secretariat of the Commission.

32. GRECO welcomes the adoption of the Act on the Conditions of the Right to Vote, which establishes a State Commission as the overall body responsible for the monitoring of party funding - and which is ultimately also responsible in respect of election funding (including that of election candidates). However, GRECO notes that the Ministry of the Interior also has a monitoring function in respect of election campaigns, even if decisions by the Ministry are subject to review by the Commission. Thus, Slovakia has to some extent addressed GRECO's criticism concerning the previously fragmented system of a number of various institutions being involved in supervising political financing (Evaluation Report, paragraphs 90-93). GRECO is, however, concerned that, according to the Act on Election Campaigns (e.g. paragraph 19 of the Act on Election Campaigns), the Ministry of the Interior, as an executive power, also has some monitoring functions in respect of election campaigns. GRECO notes that the State Commission, once it has become operational, will consist of ten members nominated by political parties represented in Parliament, five of them by parties making up the government and five by the opposition parties. These members may not be active as European or national MPs or elected at regional/local bodies. In addition, four members are to be appointed by judicial institutions and the state audit office. GRECO accepts that such a composition does not contradict the stated independence of the State Commission. However, the fact that the Commission is to be assisted by a secretariat which is a dedicated unit within the Ministry of the Interior is questionable, in particular, as the same ministry has been provided with some monitoring functions. Ideally, the State Commission should rather be the only monitoring body with no links to the executive powers. It follows that this recommendation has not been fully addressed.

33. GRECO concludes that recommendation v has been partly implemented.

**Recommendation vi.**

34. *GRECO recommended to review the sanctions available for violations of the rules on political funding, to ensure that these are proportionate and dissuasive.*

35. The authorities of Slovakia refer to the new provisions on administrative offences in respect of political financing which are contained in the Act on Political Parties and Political Movements (Article 31) and in the Act on Election Campaigns (Article 19). The new legislation has been submitted to GRECO.

36. GRECO takes note of the provisions referred to by the authorities, which indicate that a whole range of administrative sanctions are now in place; for example, that the failure of a political party

to submit its annual accounts on time leads to a fine of €3 500 which is more than was possible according to the previous legislation. More important amendments have been adopted in respect of election campaigns. The Act on Election Campaigns also provides sanctions; for example, a party that continues campaigning beyond the timeframe stipulated in the law may be subject to a fine of between €30 000 and €300 000 and if it exceeds the permissible amount for campaign spending in national elections may risk a fine of between €10 000 and €100 000. GRECO notes that the current legislation provides for more and more severe sanctions than did the previous legislation, as described in the Evaluation Report (paragraphs 64-69 and 95). In addition, GRECO notes that new sanctions have been established in respect of election candidates and third parties which did not exist under the previous legislation.

37. GRECO concludes that recommendation vi has been implemented satisfactorily.

**Recommendation vii.**

38. *GRECO recommended to ensure that the mechanism by which sanctions are imposed for violations of the rules on political funding is independent, impartial and effective in practice.*
39. The authorities of Slovakia report that the institutional framework for imposing fines has been modified in order to provide for a decision making mechanism that is impartial and independent. The control over party funding and the mandate to pose sanctions for failure to adhere to the rules are no longer the competence of the National Council and the Ministry of Finance. Instead, the State Commission for the Elections and Control of Political Parties Funding, which is established as an independent and impartial body, has been given this competence. Decisions made by the State Commission are subsequently subject to review by a court of law. The overall supervision of party funding as well as election campaigns fall under the State Commission. However, the control of the election campaign financing is perceived as administratively difficult in Slovakia, in particular, in respect of the campaigns of candidates for mayors of towns. Therefore, the Act on the Election Campaigns gives the direct control in this respect to the Ministry of Interior, including the powers to issue fines for non-compliance with the rules. Nevertheless, the State Commission is also responsible for this process overall and decisions by the Ministry of the Interior concerning sanctions can be appealed to, or reviewed by, the State Commission and ultimately by a court of law.
40. GRECO takes note of the information provided. It recalls that there were two reasons for this recommendation. First, there was no evidence of any sanctions ever being used for infringements of party funding rules at the time of the adoption of the Evaluation Report. Second, it was questioned whether the Ministry of Finance (which at the time was one of the control bodies) was sufficiently independent in its role to issue sanctions. GRECO has already accepted that the *State Commission for the Elections and Control of Political Parties Funding* as such (see paragraph 20) is to be regarded as an independent body, according to the law as well as with regard to its composition. However, as stated in relation to recommendation v, the fact that the Commission is to be assisted by a secretariat which is a dedicated unit within the Ministry of the Interior and not by an independent secretariat is an issue in this respect, as the role of the secretariat is to prepare the work of the Commission as well as to propose decisions etc. The involvement of the executive power in this process is even more problematic as the Ministry of the Interior has been given powers to issue sanctions in respect of election campaign financing. It follows that the new institutional framework gives an impression of rather far-going executive power involvement in the monitoring process, even if the decisions of the Ministry of the Interior are subject to review by the State Commission. To sum up, GRECO takes the view that the independence of the new



monitoring system is a step in the right direction; however, the involvement of the Ministry of the Interior should preferably be eliminated in order to fully comply with the recommendation. GRECO cannot assess the effectiveness of the system at this stage as it is not yet operational.

41. GRECO concludes that recommendation vii has been partly implemented.

**Recommendation viii.**

42. *GRECO recommended to provide advice and training to political parties and election candidates on the applicable political funding regulations.*
43. It is recalled that some training efforts had been made in the past and that the recommendation was considered partly implemented in the Second Compliance Report.
44. The authorities of Slovakia now refer to Article 16 (3) of the Act on the Conditions of the Right to Vote according to which the “*State Commission provides political parties and candidates with methodological assistance and advice on the rules for the financing of political parties and election campaign financing*”.
45. GRECO is pleased that the State Commission - as the overall responsible body for political financing in Slovakia - has been given a clear mandate to provide methodological assistance and advice in respect of political financing. Such functions are of the utmost importance as preventive tools in the future work of the State Commission. GRECO encourages the authorities to allocate sufficient resources to the Commission so that this body, once operational, can develop training programmes at regular intervals with the various stakeholders concerned (political parties, third parties, candidates etc.) as well as a structure to handle its advisory function within reasonable time frames. GRECO recalls that good practices in this respect in a number of other GRECO member States are available in previous GRECO reports as sources of inspiration. It follows that the new legislation requires additional measures in order to become effective; however, GRECO takes the view that such measures could not possibly have been implemented at this early stage when the State Commission is not operational.
46. GRECO concludes that recommendation viii has been dealt with in a satisfactory manner.

**Recommendation ix.**

47. *GRECO recommended to establish liability of election candidates for infringements of political funding rules, in line with the rules applying to political parties.*
48. The authorities of Slovakia report that the Act on Election Campaigns (Articles 3-8) provides for a detailed list of provisions in respect of the financing of elections. Furthermore, the law provides for liability of political parties as well as individual candidates and third parties for infringements of these rules (e.g. for not establishing their own transparent accounts, keeping records of their expenditure, maintaining appropriate spending limits etc.). Non-compliance with these rules may lead to a variety of sanctions in the form of differentiated fines.
49. GRECO considers the adoption of the Act on Election Campaigns among the main achievements reported by Slovakia. This new political financing legislation (Articles 3-8) broadens the scope of liability from the political parties in the past to also cover individual election candidates and third parties involved in election campaign financing. GRECO wishes to commend the Slovak

authorities for this legislative achievement which, in itself, meets the requirements of the recommendation. At the same time, GRECO urges the authorities to ensure that these provisions will also be effective once applied in practice.

50. GRECO concludes that recommendation ix has been implemented satisfactorily.

#### **Recommendation x.**

51. *GRECO recommended to assess whether there is a need to amend the provisions of Act No 46/1999 on the Method of Election of the President with a view to enhancing the transparency of the funding of presidential candidates (to ensure that the amended provisions, if any, are in line with the requirements of Act No. 85/2005 Coll. on Political Parties and Political Movements).*
52. The authorities of Slovakia report that with the adoption of the Act on Election Campaigns, there are new provisions in place on presidential elections (Article 5), which increase the transparency of financing of such campaigns; for example, presidential candidates are to establish a special account for the purpose of their campaign; they are subject to spending limits (€ 500 000); funds can be transferred to the special account only from another account; presidential candidates are required to keep records of their election campaign expenditure according to a format provided by the law, these are public and are to be submitted to the Ministry of the Interior within 30 days after the elections. Failure to comply with these rules are subject to sanctions up to €30 000.
53. GRECO takes note of the new legislation regulating presidential election campaigns as provided in the Act on Election Campaigns, paragraph 5 (1-16), some examples of which are referred to above. These new provisions address the three main concerns behind this recommendation, as stated in the Evaluation Report (paragraph 99). First, the previous spending ceiling (which encouraged under-reporting) has been considerably increased; second, the accounting and reporting requirements have been developed significantly by the new law; and third, the accounting has to be made public, on-line. The Slovak authorities should be commended for the new legislation which is fully in line with the recommendation.
54. GRECO concludes that recommendation x has been implemented satisfactorily.

### **III. CONCLUSIONS**

55. **In view of the above – and also taking into account the conclusions of the Second Interim Compliance Report – GRECO concludes that the Slovak Republic has now implemented satisfactorily or dealt with in a satisfactory manner thirteen of the sixteen recommendations contained in the Third Round Evaluation Report.**
56. With respect to Theme I – Incriminations – it was already concluded in the Second Interim Compliance Report that all six recommendations were implemented satisfactorily or dealt with in a satisfactory manner. With respect to Theme II – Transparency of Party Funding – recommendations ii-iv, vi, and viii-x have been implemented satisfactorily or dealt with in a satisfactory manner, recommendations v and vii have been partly implemented and recommendation i has not been implemented.
57. In so far as Theme I (Incriminations) is concerned, GRECO recalls that it welcomed in the Second Interim Report the series of measures Slovakia had adopted in order to bring the criminal legislation into conformity with the requirements of the Criminal Law Convention (ETS173). In

doing so, Slovakia has implemented satisfactorily or dealt with in a satisfactory manner all the six recommendations addressed under this theme. More particularly, the criminal legislation has been amended, for example, to broaden the scope of the specific criminal acts covered by bribery and trading in influence as well as in respect of the range of public officials covered. Also the offence of bribery of foreign public officials has been made wider as it is no longer limited to business transactions; and bribery of arbitrators and jurors has been criminalised as such.

58. Reforms in Slovakia relevant to Theme II (Transparency of Party Funding), were initiated already in 2011 with a view to adopting new legislation in this area. Following a rather lengthy and cumbersome process, including parliamentary elections in 2012, the Slovak Republic has now managed to put in place a partly new and partly amended legal framework to enhance the transparency in respect of political financing, which does not only, as in the past, address the funding of political parties but also the broader aspects of making the financing of election campaigns more transparent, covering political parties as well as election candidates. The adoption of the Act on Election Campaigns in 2014 provides a significant improvement in this respect. However, it is to be noted that concerning parliamentary election campaigns, the financing of which as a main rule is only to be channelled via the political parties, leaves room for improvement in respect of possible financing directly to individual candidates. Moreover, the Act on the Conditions of the Right to Vote establishes an overall monitoring mechanism in the form of a State Commission as an independent body provided with a clear mandate. However, the fact that this Commission it is to be assisted by a unit of the Ministry of the Interior, and that the same ministry has some monitoring functions in respect of election campaign funding raises concern as to the independence and impartiality of the system as a whole. This calls for further reflexion. To sum up, Slovakia should be commended for the new legal framework in place while, at the same time, it is urged to further reflect on certain shortcomings as detailed in this report. It is also encouraged to make sure that the new legislation is effective as applied.
59. In view of the above, GRECO concludes that the current level of compliance with the recommendations is no longer “globally unsatisfactory” in the meaning of Rule 31, paragraph 8.3 of the Rules of Procedure and decides not to continue applying Rule 32 in respect of Slovakia. The adoption of this Addendum to the Second Compliance Report terminates the Third Round compliance procedure in respect of Slovakia.
60. GRECO invites the authorities of Slovakia to authorise, as soon as possible, the publication of the present report, to translate it into the national language and to make this translation public.