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FIFTH EVALUATION ROUND

Preventing corruption and promoting integrity in
central governments (top executive functions) and
law enforcement agencies

COMPLIANCE REPORT

SLOVAK REPUBLIC



Adopted by GRECO
at its 88th Plenary Meeting (Strasbourg, 20-22 September 2021)



Group of States against Corruption
Groupe d'États contre la corruption

COUNCIL OF EUROPE



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I. INTRODUCTION

1. GRECO's Fifth Evaluation Round deals with "Preventing corruption and promoting integrity in central governments (top executive functions, PTEFs) and law enforcement agencies (LEAs)".
2. This Compliance Report assesses the measures taken by the authorities of the Slovak Republic to implement the recommendations issued in the Fifth Round Evaluation Report on the Slovak Republic which was adopted at GRECO's 83rd Plenary Meeting (17-21 June 2019) and made public on 22 August 2019, following authorisation by the Slovak Republic ([GrecoEval5Rep\(2018\)9E](#)).
3. As required by GRECO's Rules of Procedure,¹ the authorities of the Slovak Republic submitted a Situation Report on measures taken to implement the recommendations. This report was received on 31 May 2021 and, together with subsequent updates, served as a basis for the Compliance Report.
4. GRECO selected Albania (with respect to top executive functions in central governments) and Poland (with respect to law enforcement agencies) to appoint Rapporteurs for the compliance procedure. The rapporteurs appointed were Mr Nino STRATI, on behalf of Albania, and Ms Natalia HAJDASZ, on behalf of Poland. They were assisted by GRECO's Secretariat in drawing up the Compliance Report.
5. The Compliance Report examines the implementation of each individual recommendation contained in the Evaluation Report and establishes an overall appraisal of the level of the member's compliance with these recommendations. The implementation of any pending recommendation (partially or not implemented) will be assessed on the basis of a further Situation Report to be submitted by the authorities 18 months after the adoption of the present Compliance Report.

II. ANALYSIS

6. GRECO addressed 21 recommendations to the Slovak Republic in its Evaluation Report. Compliance with these recommendations is dealt with below.

Preventing corruption and promoting integrity in central governments (top executive functions)

Recommendations i, ii, iii, v, vii and ix

7. *GRECO recommended:*
 - *that state secretaries be subject to an integrity check as part of recruitment (recommendation i);*

¹ The Compliance procedure of GRECO's Fifth Evaluation Round is governed by its Rules of Procedure, as amended: Rule 31 revised bis and Rule 32 revised bis.

- *that the status of political advisers be clarified: (i) advisers, including those working in advisory boards which may influence political decision-making, should undergo an integrity check as part of recruitment and; (ii) the names of all advisers, their functions and remuneration linked to government tasks should be systematically published on governmental websites (recommendation ii);*
 - *that an operational corruption prevention action plan is adopted to cover the government, based on a risk assessment specifically targeting persons with top executive functions, and includes particular steps to mitigate risks identified in respect of them (recommendation iii);*
 - *that (i) briefing and training on integrity issues be systematically organised and administered for persons with top executive functions upon taking up their positions, and regularly thereafter, and (ii) confidential counselling on ethical issues always be accessible to them (recommendation v);*
 - *that a requirement of ad hoc disclosure be introduced in respect of ministers, state secretaries and all advisers, regardless of their status, in situations of conflicts between private interests and official functions, as they occur (recommendation vii);*
 - *that (i) post-employment restrictions be broadened in respect of ministers and state secretaries and laid down for advisers and senior civil servants involved in top executive functions and (ii) rules on persons with top executive functions expressly prevent lobbying activities towards the government for a lapse of time after they leave government (recommendation ix).*
8. The Slovak authorities report no tangible progress on the implementation of these recommendations. However, they indicate that on 4 September 2019 the Government of the day adopted the National Anti-Corruption Programme (the “NACP”). They contend that the NACP partly reflected GRECO’s recommendations as it had been formulated shortly before the adoption of the Evaluation Report.
9. Following the last general elections, a new government was formed in March 2020. The Parliament approved the manifesto of the Government in May 2020. According to the authorities, this manifesto contains several items that are in line with GRECO’s recommendations. On this basis, the Government Office and its Corruption Prevention Department (CPD) have prepared an updated National Anti-Corruption Programme, which refers expressly to GRECO’s recommendations. The updated NACP was submitted for intersectoral consultation until 14 April 2021. The CPD has assessed the comments of the relevant authorities and organised meetings with them in order to find compromises on contentious points. The draft NACP is currently being amended and finalised and should be submitted to a forthcoming government session in September 2021.
10. GRECO notes that a revised National Anti-Corruption Programme is being prepared and that, according to the authorities, it is to address expressly GRECO’s recommendations.

While this would represent a positive start, it is however too early for GRECO to consider this recommendation even partly implemented.

11. GRECO concludes that recommendations i, ii, iii, v, vii and ix have not been implemented.

Recommendation iv.

12. *GRECO recommended (i) that a code of conduct for persons with top executive functions (ministers, state secretaries, political advisors and senior civil servants closely associated with decision-making) be adopted and made public in order to provide clear guidance regarding conflicts of interest and other integrity related matters (such as gifts, contacts with third parties, ancillary activities, the handling of confidential information and post-employment restrictions), and (ii) that proper monitoring and enforcement of such a code be ensured.*
13. The Slovak authorities state that this recommendation is reflected in the proposal of updated National Anti-Corruption Programme (see information in para. 9).
14. However, implementation has begun as part of measure B.7 of the 2019 NACP. The Government Office organised the first meeting of relevant bodies, including NGOs and private sector associations on 15 June 2021. One of the discussion documents is a provisional draft of Code of Conduct for the Government that contains principles that could be implemented as part of the Integrity Principles. The CPD intends to prepare the basis for a legal regulation on integrity in public administration. According to the Decision No. 426/2019, this aims is to fulfil this measure by the end of December 2021.
15. GRECO takes note of the information provided by the Slovak authorities. While it notes that first steps have been initiated, it is still the very beginning of a process that is to lead eventually to a Code of Conduct for the Government. Therefore, at such an early stage, the requirements of this recommendation cannot be considered even partly implemented yet.
16. GRECO concludes that recommendation iv has not been implemented.

Recommendation vi.

17. *GRECO recommended that rules be laid down to govern (i) contacts between persons with top executive functions and lobbyists/third parties that seek to influence the public decision-making process and (ii) the disclosure of such contacts and the subject-matters discussed.*
18. The Slovak authorities state that this recommendation is reflected in the current NACP in measure B.8. However, after the last general elections, the measure (i.e. preparing a draft law on lobbying) has been entrusted to the Vice Prime Minister for Legislation and Strategic Planning, on the basis of an agreement between the Minister of Justice and the Vice Prime Minister. This is reflected in the proposal of updated National Anti-Corruption (see para. 9). Work on the draft law has just begun.

19. GRECO takes note of the information provided by the authorities. The first steps are to follow from the adoption of the future NACP and therefore it is too early to consider it even partly implemented.
20. GRECO concludes that recommendation vi has not been implemented.

Recommendation viii.

21. *GRECO recommended establishing more stringent rules on gifts and other benefits for persons entrusted with top executive functions in the form of appropriate practical guidance, the obligation of reporting them and informing the public.*
22. The Slovak authorities state that this recommendation is reflected in the proposal of updated NACP (see para. 9). The Government Office has already implemented an international standard ISO 37001:2016 through its internal regulation, which is publicly available.² The Government Office would like to set the trend in this regard, and a draft measure calling for all ministries to adopt their own internal anti-corruption regulations has been prepared. Four ministries and some central administrations have already adopted internal rules on gifts. Most ministries have declared their intention to adopt rules as part of their internal anti-corruption policy or programmes. In the draft updated NACP there is a proposed measure asking to identify differences between internal regulations and set out the unified standards that have to be followed by the central authorities. In addition, the rules on gifts and other benefits for PTEFs are included in the draft Code of Conduct that was discussed at the meeting of 15 June 2021 (see para. 14). The CPD intends to include this issue into the Integrity principles as a basic framework which is to be the basis for regulations adopted by relevant bodies.
23. GRECO takes note of the information provided by the authorities. While four ministries are said to have adopted their own rules on gifts, homogenous developments depend on the future NACP and Code of Conduct, and the requirements of this recommendation cannot be considered met yet.
24. GRECO concludes that recommendation viii has not been implemented.

Recommendation x.

25. *GRECO recommended that the system of asset declarations for persons with top executive functions be strengthened (i) by lowering the thresholds above which assets need be declared and by making public more information contained in the declarations of assets; (ii) by ensuring that adequate verifications are carried out, including through appropriate resources and auditing capabilities of the control body, and sanctions applied.*
26. The Slovak authorities state that this recommendation is reflected in the proposal of updated National Anti-Corruption (see para. 9).

² <https://www.bojprotikorupcii.gov.sk/dokumenty-iso-37001/>

27. The general discussion regarding asset declarations of public officials, including those with top executive functions, has been carried out by the Government Office's Corruption Prevention Department (CPD). The one-year discussion has resulted in the Proposal for principles for the regulation and control of asset declarations. This document is to serve as a basis for further in-depth discussions, with the support of the President of the Constitutional Committee of the Parliament. The result should be the introduction of general principles in public life as well as the possible establishment of a national independent authority for the control of the public life. The deadline for adoption of a final document was postponed to the end of 2021. At the meeting of March 2021, organised by the Parliament, a consensus on a new authority was adopted. This idea is inspired by the High Authority for Transparency of Public Life operating in France. Discussions are still ongoing.
28. GRECO notes that a reflection process has been initiated. A Proposal for principles for the regulation and control of asset declarations has been prepared. It puts forward a number of principles regarding the scope, publicity and control of asset declarations. It proposes, *inter alia*, the setting up of an independent control mechanism. According to the authorities, this document is meant to be the basis for further in-depth discussions. Therefore, GRECO considers that the reflection process is still at an early stage as the aforementioned proposal is a starting point for discussions. GRECO encourages the authorities to pursue this process diligently.
29. GRECO concludes that recommendation x has not been implemented.

Regarding law enforcement agencies

Recommendation xi.

30. *GRECO recommended that the fight against corruption within the Police Force be strengthened by (i) establishing an operational anti-corruption strategy on the basis of risk assessments identifying risk areas and measures to mitigate such risks and (ii) determining concrete measures for its implementation.*
31. The Slovak authorities report, in respect of part (i) of the recommendation, that the Anti-Corruption Programme of the Ministry of the Interior 2019-2023 was adopted in August 2019. It is to be assessed every year in June. As part of its preparation, risks were identified and measures were proposed and planned in order to reduce them. The coordination of the relevant tasks was assigned to the Crime Prevention Department of the Office of the Minister of Interior. It draws up an annual assessment of how tasks of the Anti-Corruption Programme have been fulfilled.
32. As regards part (ii) of the recommendation, the authorities state that the National Crime Agency drew up the Action Plan for the Fight against Corruption 2019-2023 (Order No. 2/2020 of the Chief of Police). The Action Plan requires bodies of the Police Force to carry out tasks with a view to eliminating corruption risks within determined timeframes and to reporting regularly on their fulfilment so that the National Crime

Agency can draw up and submit to the Anti-corruption Coordinator of the Ministry of the Interior an assessment of the fulfilment of tasks with measurable indicators.

33. GRECO notes that, in respect of part (i) of the recommendation, the authorities refer to the Anti-corruption Programme of the Ministry of the Interior 2019-2023. While the programme was devised on the basis of a risk assessment, GRECO notes that it concerns quite broadly the whole of the Ministry of the Interior and its subsidiary bodies rather than risks more specifically prevalent in the Police Force. However, some risks are indeed also relevant for the Police Force. GRECO also notes that two tasks with set deadlines are addressed to the Police Force (revising the career framework; revising the Code of Conduct of Police Members).
34. In connection with both parts (i) and (ii) of the recommendation, GRECO notes that an Action Plan on the Fight against Corruption in the Police Force 2019-2023 was adopted subsequently. The Action Plan is based on risk identified by the National Crime Agency for the Presidium of the Police Force. Four areas were found to be particularly risk-prone: (i) decision-making, for instance in handling misdemeanours linked to on-the-spot fines, (ii) providing information from database systems to unauthorised persons; (iii) procurement to improve safety equipment in the area of integrated rescue system and activities related to security of road traffic; and (iv) performance of state supervision and inspection. As result of this assessment, a number of tasks have been set out, including regular training and protection of whistleblowers, with set deadlines for their appraisal. In view of the broad measures taken in respect of the strategy and its implementation, GRECO takes the view that the requirements of this recommendation have been met.
35. GRECO concludes that recommendation xi has been implemented satisfactorily.

Recommendation xii.

36. *GRECO recommended that (i) the Code of Ethics is updated and covers in detail all relevant integrity matters (such as conflict of interest, gifts, contacts with third parties, outside activities, the handling of confidential information), supplemented with a manual illustrating all issues and risk areas with concrete examples; (ii) all awareness and training to police members be based on this revised Code of Ethics and manual and (iii) the Code of Ethics be made known to the public.*
37. The Slovak authorities report that, in respect of part (i), the Minister of Interior issued Regulation No. 21/2021 establishing a working group in order to prepare an updated Code of Conduct for Police Force Members. Members of the working group include representatives of the Section of Personnel and Social Activities of the ministry (Centre for Education and Psychology, and HR Department), high schools of the Police Force, the Police Academy, the Presidium of the Police Force, the Office of the Minister of Interior, the Office for the Protection of Constitutional Officials and Diplomatic Missions of the Ministry, and the Bureau of the Inspection Service.

38. The activity of the working group to date has mainly been to process, evaluate and hold consultations on preliminary proposals to update the Code of Conduct. After a comprehensive evaluation, a draft internal regulation is to go through a consultation procedure.
39. As regards its contents, the amended Code of Conduct is to include standards of conduct concerning ethical values, principles and professional behaviour such as honesty, integrity, lawfulness, loyalty, transparency, impartiality and neutrality, non-discrimination, justice, respecting and protection of human dignity, and respect for human rights. Further to the specific position of police members as public officials and the considerable powers they are entrusted with, the Code of Conduct is to regulate areas related to the competence of a law enforcement representative. It concerns, above all, the exercise of legal powers, use of force, use of information, prohibition of discrimination as well as corruption risk prevention, prevention of acceptance of a bribe, gifts, hospitality, and also conflicts of interest, abuse of powers, disclosure of assets and termination of employment. The Ministry of the Interior intends to issue the relevant internal regulation by the end of 2021.
40. The current Code of Conduct was amended as of 9 November 2020 with the following addition: "A police member expressing their opinions in public also when having a discussion on internet fora, Facebook, Twitter, Instagram, and other social media acts impartially, reservedly in order not to raise doubts on their lack of bias". This legal regulation was adopted in reaction to detected cases of ethically inappropriate behaviour of police members, which impacted their integrity, mostly on social media.
41. As to part (ii) of the recommendation, once the new Code of Conduct is in force, training programmes are to be organised for police members, and related educational tools are to be adjusted within the ministerial education at police and high schools as well as in the Academy of the Police Force.
42. Finally, as regards part (iii) of the recommendation, once adopted, the new Code of Conduct is also to be published on the webpage of the Ministry of the Interior together with an explanatory manual.
43. GRECO takes note of the ongoing work on revising the existing Code of Conduct for Police Members, as per the recommendation. The intention to use the future revised Code of Conduct in training and to publish it would go in the right direction. However, GRECO considers it too soon to pronounce on whether its content, which is under discussion, will meet the expectations of the recommendation. It calls on the authorities to take the relevant considerations contained in the Evaluation Report fully into account during this process. It reiterates that the revised Code of Conduct should be accompanied by practical guidance with concrete examples based notably on the identified risk areas, as per recommendation xi (Evaluation Report, paras. 173-174). Therefore, while it is certainly a development with positive potential, GRECO cannot consider this recommendation even partly implemented yet.
44. GRECO concludes that recommendation xii has not been implemented.

Recommendation xiii.

45. *GRECO recommended that a risk management mechanism be established in order to identify corruption risks and emerging trends at regular intervals.*
46. The Slovak authorities report that, in accordance with Regulation of the Minister of the Interior No. 56/2020 amending and supplementing the Regulation on the Anti-Corruption Programme, a mechanism of internal inspection for corruption risk management has been established. This procedure of corruption risk assessment, including a set of activities and mechanisms determining the probability of occurrence in a given area, conditions, causes or opportunities for corruption or the probability of occurrence of the corruption itself, is applied within all subsidiary bodies of the Ministry of the Interior.
47. On the basis of identified risks, the extent of risks associated with particular processes is evaluated. Identified corruption risks are evaluated in terms of inducement, risk probability, impact, significance and a proposal of adequate measures. The risk management mechanism aims to regularly identify corruption risks and current trends. It also includes continuous corruption risk identification and adjustment of measures taken on the basis of conducted surveys. In line with Regulation of the Minister of the Interior No. 144/2019 on the Anti-corruption Programme, surveys are continuously conducted within the bodies of the Ministry of the Interior in order to identify corruption risks and assess measures taken. The survey questionnaire is conducted under the aegis of the Government Office and, as regards the Ministry of the Interior, under the aegis of the Crime Prevention Department of the Office of the Minister of the Interior. The surveys are conducted in stages in the Ministry of the Interior. In the period of 12 April 2021 to 14 May 2021, this survey was conducted within the Presidium of the Police Force (2 206 respondents). Currently, the catalogue of corruption risks is being created in the electronic system entitled *Corruption Risk Management (Riadenie korupčných rizík)* on the basis of the performed surveys, but also the evaluation of task and objective fulfilment arising from the Ministerial Anti-corruption Programme for the previous year.
48. GRECO notes that, in line with its recommendation, a mechanism of internal inspection of corruption risk within the Police Force has been set up in accordance with the Anti-Corruption Programme of the Ministry of the Interior. Its aim is to identify risks and trends regularly and adapt measures taken accordingly. For this purpose, regular surveys are to take place as provided by the Anti-Corruption Programme in all subsidiary bodies of the Ministry of the Interior, hence including the Police Force. Taking this development into account, as well as the information provided under recommendation xi, GRECO considers that the objective of this recommendation has been fulfilled.
49. GRECO concludes that recommendation xiii has been implemented satisfactorily.

Recommendation xiv.

50. *GRECO recommended that (i) training of police officers on integrity matters applicable to the police be strengthened and better connected to their professional development; (ii) specialised training for investigators dealing with corruption cases be enhanced; (iii) that a system of trained persons of trust be appointed in order to provide confidential counselling on ethical and integrity matters to all police members.*
51. The Slovak authorities report, in respect of part (i) of the recommendation, that the education of students at high schools of the Police Force and the Academy of the Police Force in Bratislava is organised in the area of corruption around specialised lectures, delivered by experts of the Presidium of the Police Force and the Bureau of the Inspection Service. Attendees are acquainted with relevant legislation and documents dealing with corruption adopted by the Government. The issue of corruption is incorporated in all school educational programmes within the curriculum of schools under the title “Ethics and Psychology of Police Work”, particularly in the following subjects: ethical aspects of police work, Code of Conduct of Police Members, and corruption as a social issue. The high schools of the Police Force do not incorporate the area of corruption investigation into the curricula of post-graduate qualification and development studies given the high expertise in this area of experts of the National Crime Agency, Financial Police Intelligence Unit of the Presidium of the Police Force and investigators of the Police Force.
52. The development of a preventive anti-corruption policy, ensuring the implementation of preventive anti-corruption programmes, embedding ethical and integrity standards into internal regulations, securing their transparent publishing, and keeping the employees informed via educational activities on anti-corruption measures is a priority and is continuously applied within the bodies of the Presidium of the Police Force. The National Crime Agency, in cooperation with the OECD Public Governance and Territorial Development Directorate, drew up in 2018-2019 the Anti-Corruption e-learning Programme entitled *By means of integrity against corruption (Integritou proti korupcii)*. The programme comprises three modules: (i) integrity in public administration, (ii) elimination of potential corruption, and (iii) raising awareness on corruption in the international business environment. The educational modules also include an interactive part comprising a multiple-choice questionnaire and an evaluation of the given replies. At the moment, the programme is used as a tool for fulfilling educational activities and securing of professional growth in the area of anti-corruption policy of the Ministry of the Interior and Police Force members, and is available on the webpage of the Ministry, in Slovak and English.
53. As regards part (ii) of the recommendation, in order to strengthen detection and investigation of corruption offences, the Police Force organises specialised training annually. Professional courses take the form of lectures focused on practice and interactive presentations, led by experienced lecturers. They are aimed at innovative methods, procedures and the best practices applied in detection and investigation of corruption offences by natural or legal persons. The main objective when initiating cooperation with partner services as well as European organisations is mutual exchange

of information, knowledge and experience from practical procedures in detection and investigation of corruption offences. In 2017, NAKA hosted a professional course on the legal implications of implementation of criminal liability of legal persons, with experts from the FBI. In 2018, NAKA held a professional course on the application of tools of international legal and judicial cooperation in criminal matters, with lectures by representatives of Eurojust and Europol. In 2019, NAKA held a professional course with the presence of representatives of the Special Investigation Service of Lithuania. The objective of the course was to establish mutual cooperation, secure exchange of theoretical knowledge and information and sharing experience from practical performance of activities in the area of prevention and fight against corruption offences. In 2020, an expert training project entitled *IntegriSport Erasmus+* on match fixing took place with support from the National Crime Agency. In addition, NAKA hosts international CEPOL courses for investigators and operative workers of anti-corruption units of EU member states, which NAKA representatives with a sufficient command of English attend. CEPOL courses illustrated various aspects of prevention and fight against corruption offences on the level of theoretical knowledge, legislative and institutional tools, as well as practical procedures and methods for detection and investigation of corruption. Participation in educational activities on investigative techniques is not compulsory for operative and investigators of NAKA.

54. Regarding part (iii) of the recommendation, the National Crime Agency is cooperating with the OECD on the project *Anti-Corruption Education of the Police Force- training of lecturers*. The object of the project is to train lecturers from amongst police members in the anti-corruption field, enforcement of integrity principles, standards of conduct, ethical and moral values in accordance OECD recommendations on public integrity. The trained lecturers are to coordinate anti-corruption efforts, and provide professional consultancy and guidance concerning the implementation of standards of integrity, enforcement of ethical standards, and anti-corruption awareness for members of particular Police Force bodies.
55. GRECO notes in respect of part (i) of the recommendation that education on corruption is an integral part of the curricula of vocational secondary police schools as well as the Police Academy. It also notes that an e-training tool is used for the purpose of continuing training on integrity. While these are no doubt positive features, the Evaluation Report tied this aspect of the recommendation to the revision of the Code of Conduct on Police Members and practical guidance supplementing it. It remains the opinion of GRECO that the Code of Conduct and its guidance should form the backbone of police education on all relevant integrity matters throughout the career of police members. The authorities mention that education is based around specialised lectures, which according to GRECO should be complemented with practical exercises based on the Code of Conduct and the concrete examples to be found in the accompanying guidance (inspired in particular of real-life experience in the Police Force). This revised Code of Conduct should also serve as benchmark for professional advancement as put forward in the Evaluation Report (para. 183), including ongoing professional training, which should be made compulsory at regular intervals. Therefore, while GRECO notes that some progress has been achieved, it considers that the full implementation of part (i) of the recommendation hinges on the adoption of an appropriate Code of Conduct with practical guidance as

being at the heart of initial and ongoing professional training as well as awareness all along police members' careers.

56. As regards part (ii) of the recommendation, GRECO takes note of the annual specialised classes for detection of and investigation into corruption cases. This is a positive development, but GRECO notes that the topic tackled in each session appears to be quite narrow and that there is no requirement to follow this training. More regular ongoing training on detection and investigation techniques, followed by all investigators, should be also be organised for this part of the recommendation to be fully implemented.
57. With respect to part (iii), GRECO considers it positive that designated police members are specifically trained on integrity matters to provide guidance to colleagues on integrity dilemma. However, GRECO is missing a framework making of these persons official advisers easily identifiable by all police members in need of advice and that the advisory process would be confidential. Therefore, GRECO cannot at this stage consider this part of the recommendation as entirely fulfilled.
58. GRECO concludes that recommendation xiv has been partly implemented.

Recommendation xv.

59. *GRECO recommended that measures be taken to increase the representation of women in the Police Force, including in more senior positions.*
60. The Slovak authorities report that the representation of women in the Police Force has long shown an upward trend, most perceptible in the category of new recruits of the Police Force. Whilst until 2015 the proportion of new female recruits was around 20%, this proportion increased to 35% in 2019 and 2020 (50% more than in 2013). The authorities put forward the implementation of the principle of equal opportunity in the ministry's human resources practice, but also the positive depiction of police work performed by women especially in the media (e.g. via female police spokesperson), in domestic television and film production, as well as in promotion materials issued by the Ministry of the Interior. At the moment, women represent approximately 20% of the overall number of police members, while their number increases every year by around 100 new female police members. In 2020 the number of female police members exceeded 4 300, an increase by more than 26% in comparison with 2012.
61. The number of women in the Police Force in managing positions has also been growing in recent years (12.9% in 2017 and 14.6% in 2021), and the first female Vice-President of the Police Force has been appointed. Female police members hold also various higher managing police positions, for example the positions of department director or deputy director in the bodies of the ministry or positions of heads of units. Regarding the current percentage, the representation of women in managing positions is at around 14%. When hiring managing positions within the Police Force the principles of career growth are followed in accordance with Regulation of the Ministry of the Interior No. 146/2020 on the Principles of Career Growth of a Police Force Member, Selection

Process and Selection in the Police Force, which is being amended in a legislative process with the aim to bring a greater rate of transparency into selection process for managing positions. The authorities report that female police members usually occupy various positions like clerks, senior clerks or investigators.

62. GRECO notes that there has been an increase in the numbers of female recruits in the last decade, according to the figures provided by the authorities. However, in 2020, women still represented only around 20% of total number of police members. As regards women in managerial posts in the Police Force, GRECO notes that, although slowly increasing over the last years, the level remains quite low at around 14%, even if it is to be welcomed that a female Vice-President of the Police Force has been appointed for the first time. Therefore, GRECO is of the opinion that continuing efforts need to be made not only to actively increase the number of female recruits but also those in managerial positions, which would require assessing what obstacles may hinder their career. This should be taken into account in the ongoing work on the Regulation of the Ministry of the Interior on the Principles of Career Growth of a Police Force Member, Selection Process and Selection in the Police Force. Therefore, at this stage, GRECO considers the requirements of this recommendation partly met.
63. GRECO concludes that recommendation xv has been partly implemented.

Recommendation xvi.

64. *GRECO recommended that the security check system be strengthened, including by ensuring that integrity checks take place at regular intervals in the careers of police members, depending on their exposure to corruption risks and the required security levels.*
65. The Slovak authorities indicate that, in order to implement this recommendation, it is necessary to adopt legislative measures establishing the obligation for a police member to report to the professional office all personal events that might affect their financial situation, which is seen as an essential prerequisite to establish regular inspection of a police member's integrity, depending on the extent to which they are exposed to corruption risks. Presently, this task is performed by submitting an annual property declaration and its evaluation by the corresponding superior. Apart from that police members undergo security clearance on a regular basis according to the level of a security clearance required pursuant to Act No. 215/2004 Coll. on Protection of Classified Information and on Amendment and Supplementation of Certain Acts as amended (hereinafter, Act on Protection of Classified Information). In performing clearance, moral and ethical criteria are examined as well as their acquisitions, contacts with third persons, etc.
66. The authorities contend that in order to perform more frequent security clearances with persons at higher corruption risk, it is necessary to amend the Act on Classified Information. Currently, there is a legislative process to propose amendments to this effect to Act No. 73/1998 Coll. on State Service of Members of the Police Force, Slovak Information Service, Prison and Court Guard Service of the Slovak Republic, and Railway

Police as amended. The proposal defines as an essential duty of all police members to undergo a psycho-physiological verification of veracity (by the means of a polygraph) to detect the credibility of the applicant. According to the authorities, through this means, it is also possible to find out whether the applicant tells the truth during the recruitment process about such facts as consumption of psychotropic, narcotic or other addictive substances, or it can be verified whether there are obstacles impeding the guarantee of proper exercise of state service. Such verifications of veracity can only be performed with the consent of the applicant.

67. GRECO notes that legislative amendments are being prepared to make it a requirement for police members to declare changes to their personal circumstances. This would represent a positive development towards the objective of this recommendation. However, the purpose of this recommendation was to introduce regular proactive controls of these personal circumstances (Evaluation Report, paras. 193-194), which is different from an obligation on the part of the police members to declare changes in their circumstances and implies that controls should be carried spontaneously whether a new declaration has been made or not, in particular in risk prone areas.
68. GRECO notes in this respect that, while the annual checks on the police members' property can be an indicator, in order to be thorough, security checks should be broadened so as to detect any reasons for police members to become more vulnerable to corruption taking into account the sector they work in (Evaluation Report, para. 193). It should be carried out by trained staff, outside the direct chain of command (Evaluation Report, para. 194). GRECO considers that the current reform of the system should take these elements on board to render regular security vetting effective, considering the low trust of the public in the police and allegations of influence of criminal networks that have come to light in recent years. The implementation of this recommendation requires further fundamental considerations as well as tangible measures and results in respect of legislation and practice. It follows that it has not been complied with, even partly.
69. GRECO concludes that recommendation xvi has not been implemented.

Recommendation xvii.

70. *GRECO recommended that guidance should be developed regarding standards for police officials regarding additional activities and that effective procedures should be in place to control any additional activity taken up by them.*
71. The Slovak authorities state that the implementation of this recommendation requires an amendment to the Act on State Service, which is currently underway. The draft amendment proposes to impose an obligation on police members to report to the professional office any activity performed alongside their professional police duties. Requirements that police members are to adhere to when performing an external lawful gainful activity are to be supplemented. The requirements are to allow the professional office to evaluate possible conflicts of interest with the activity a police member is performing as part of their position. It is also proposed for the superior to have an option

to disapprove an outside activity, should it have a negative impact on the performance of the police member's professional service. The proposed Act on State Service is to specify the legislation regarding activities of a political nature, particularly in relation to police officer's candidacy on the list of a political party or movement.

72. GRECO notes that legislative amendments are currently being worked out to set up a framework for declaring and controlling ancillary activities of police members. According to the Evaluation Report, the number of exceptions to the prohibition of ancillary activities required clear guidance and control (para. 210). GRECO considers that this should be fully taken on board as part of the current legislative amendments and accompanying measures. It is too early for GRECO to consider this recommendation partly implemented at this early stage.
73. GRECO concludes that recommendation xvii has not been implemented.

Recommendation xviii.

74. *GRECO recommended that rules be adopted to ensure transparency and limit the risks of conflicts of interest when police officers leave the Police Force to work in other sectors.*
75. The Slovak authorities report that, first, an analysis was conducted, using the contemporary knowledge acquired through the process of corruption risk identification on individual professional positions, and the level of these risks detected as part of the activity of the ministerial anti-corruption group. Second, legislation is to be adapted on the basis of the findings of the analysis. So far, the authorities indicate there is no comprehensive results, and an analysis of the forms of identified risks by the ministerial anti-corruption coordinator is ongoing. According to the authorities, as there are currently no restrictions on a former police member engaging in a gainful activity, once their police duties come to an end, and the evaluation of whether restrictions are legitimate, require further expert discussions.
76. GRECO notes that a reflection process has been engaged concerning the possibility of conflicts of interest when a police member leaves the Police Force to work in other sectors. However, given the early stage of this reflection process, GRECO is not in a position to consider the requirements of this recommendation partly met yet.
77. GRECO concludes that recommendation xviii has not been implemented.

Recommendation xix.

78. *GRECO recommended that the control system of declarations of assets of police officers be strengthened, including by ensuring that control is carried out outside the chain of command and that statistics on sanctions are kept.*
79. The Slovak authorities report that the implementation of this recommendation is linked to Task No. 9 of Government Resolution No. 426 of 4 September 2019, i.e. conducting an analysis of the current system of property declaration, and presenting a proposal to

increase its efficiency. As regards the ongoing legislative process on an amended Act on State Service, the proposal is to specify the provisions on property declarations of a police officer, i.e. to state the property being used by the officer, not only the one in their possession. Moreover, it is proposed to impose an obligation in the property declaration to declare the annual professional income together with the income coming from approved ancillary activities. The authorities consider that through a police officer's declaration of property in their possession and in use, including declarations of income from other activities, there would be sufficient elements to prove the legality of their incomes.

80. GRECO takes note of the ongoing reflection process on how to strengthen the asset declaration system. It is too early to pronounce on it as the process is still at its initial stages. This recommendation stresses the need to strengthen the control system. The Evaluation Report underlines that the personnel carrying out checks should be appropriately trained and that controls should be outside from the service where the police officer works (para. 223). Moreover, there should be an opportunity to combine information from other public records – for example registers for real estate, cars and the tax authorities – and the possibility of undertaking onsite visits to verify the information received (para. 223). GRECO considers that these aspects should form part of the current reflection process. At this point in time, it is too early to consider the requirements of this recommendation even partly met.
81. GRECO concludes that recommendation xix has not been implemented.

Recommendation xx.

82. *GRECO recommended that the safeguards of the complaint mechanism be further reinforced so as to guarantee that investigations into complaints of police misconduct are impartial and seen as such by ensuring a sufficient level of transparency to the public.*
83. The Slovak authorities report that, in order to strengthen independence, the Bureau of the Inspection Service (BIS) was set up.³ The appointment of the BIS Director is carried out on the basis of a selection process after a public hearing held by the Defence and Security Committee of the National Council (Parliament). The BIS management and operation lie with its director, who is answerable to the Government which, according to the authorities, enhances the director's independence. The BIS Director has no competence to interfere with investigations into criminal matters.
84. The BIS handles cases against police members in either a criminal or complaint procedure. In terms of criminal law, the BIS investigates cases against police members, where there is a suspicion of criminal offence. The independence itself when investigating criminal matters, under the scope of authority of the BIS, lies with the independent procedural status of a Police Force investigator operating in the BIS. The entire development of criminal proceedings, from the beginning to the decision, is monitored by a supervising prosecutor of the relevant Regional Prosecutor's Office or of

³ Act No. 6/2019 Coll. amending and supplementing Act of the National Council of the Slovak Republic No. 171/1993 Coll. on the Police Force as amended amending and supplementing certain acts.

the Special Prosecution Office. Subsequently, every decision of a Police Force investigator operating in the BIS must be examined by the supervising prosecutor.

85. At the beginning of 2021 a meeting of representatives of the BIS, Ministry of Justice and Office of the Public Defender of Rights assessed the possibility for the Public Defender of Rights, within the investigation conducted by the BIS against a police officer, to submit a motion to supplement the inquiry, which would need to be evaluated by the investigator and substantiated in case of rejection. One of the conclusions of the discussions was that a representative of the General Prosecutors Office had to be included into the process. The participating bodies are to further examine this option.
86. The complaint procedure deals with motions against police officers who allegedly acted in breach of the law or internal regulations of the Ministry of the Interior, which, depending on the severity and nature of the breach, cannot be inspected by criminal law bodies. Breaches are investigated in the field of internal inspection, financial inspection, personal data protection, complaint handling conducted by an inspection body of the BIS. Investigations into police officers' misconduct and complaints against their actions are therefore conducted by a body independent from the Police Force structures. The BIS provides the public with information on their activity by means of regular reports on the criminal activity of police officers and complaint handling.
87. GRECO notes that the complaint mechanism remains the same as described in the Evaluation Report, as the BIS had already been established. According to the Evaluation Report, while inspection services are technically autonomous from the Police Force, which is positive, a number of interlocutors had reported that an apparent lack of independence was detrimental to the way the complaint system is viewed by the public (para. 231). As a consequence, in order to increase public trust in the police and avoiding the current perception of "the police investigating the police", the authorities were to strengthen safeguards to ensure that investigations are truly impartial and seen as such by the public in being sufficiently transparent (para. 231). For this reason GRECO considers it positive that discussions are ongoing with the Public Defender of Rights on his involvement in the investigation process into alleged misconduct of police members. However, this process has just been initiated and it is therefore too soon to consider it sufficient to deem the recommendation partly implemented.
88. GRECO concludes that recommendation xx has not been implemented.

Recommendation xxi.

89. *GRECO recommended (i) that the effectiveness of the protection of whistleblowers be improved in terms of the processing of such reports, in particular in respect of the independence and autonomy of the processing authority and (ii) that police members be trained and informed on a regular basis about whistleblowing protection measures.*
90. The Slovak authorities report, in respect of part (i) of the recommendation, that the guarantee of effectiveness of an investigation into an anti-social activity report (whistleblowing report) depends mainly on the impartiality of a responsible person

dealing with the investigation and their expertise in the field of internal inspections, financial inspections, personal data protection, complaints and petition handling. Therefore, according to the authorities, as an independent and separate expert body under the scope of authority of the Ministry of the Interior, the BIS can be considered such a responsible body. The BIS registers and investigates the reports in question within the internal system of report inspections, pursuant to Act No. 54/2019 Coll. on the Protection of Whistleblowers and on Amendment and Supplementation of Certain Acts. Regulation of the Ministry of the Interior No. 99/2019 on Internal System of Reports on Anti-social Activity Handling sets out the details for submitting, verifying, registering, elucidating the person's case, and the processing of personal data. As to anonymous reports, they can be submitted via e-mail or in writing to the BIS. As regards the protection of whistleblowers, when the responsible person is getting acquainted with the content of the motion, they must withhold the identity of the whistleblower. Whistleblowers are entitled to apply for protection orally or in writing (to the prosecutor or the police when submitting a criminal complaint). Protection is granted by the prosecutor who first verifies whether the conditions are met.

91. A regards part (ii) of the recommendation, the Crime Prevention Department of the Office of the Minister of the Interior, in cooperation with the Government Office and the BIS, conducts online training dealing with reporting corruption and protection of whistleblowers. Their objective is to raise the awareness of employees on these issues and gradually educate all employees of the Ministry of the Interior. Similarly, employees participating in the national project "Improving the Access of Criminal Offence Victims to Services and Creation of Contact Points for the Victims" were trained to provide information on these issues via the information offices for criminal offence victims. Moreover, guidance materials were elaborated in order to increase awareness of the employees of the Ministry of the Interior; they are accessible on the webpage of the ministry and were distributed to all employees via email. Courses on reporting corruption and the protection of whistleblowers are organised for all staff of the Ministry of the Interior and nine such courses have been organised since 28 January 2021. Out of 518 attendees of these courses, 80 were members of the Police Force.
92. GRECO notes, in respect of part (i) of the recommendation, that the BIS has been entrusted with the processing of reports from whistleblowers from within the police. The Evaluation Report underlined that the role of whistleblowers was crucial as corruption was considered to be a highly latent phenomenon in the police force (para. 238). In view of that, the possibility for whistleblowers from within the Police Force to report to an independent body was to be explored. GRECO notes that such a role has been given to the BIS, which is not an independent body as it is answerable to the Ministry of the Interior – as is the Police Force – but an autonomous one, as it does not form part of the Police Force. Given the level of corruption, GRECO would have found it beneficial to entrust this role to an external independent body, such as the Office of the Protection of Whistleblowers, so as to further encourage reporting of misconduct from within the police. Previously, there had been no reports to the previous competent authority, and GRECO would like to have statistics showing that this structural change has been sufficient to prompt reports. GRECO also considers worth exploring how to strengthen the protection of whistleblowers and their anonymity from

within the police considering the particular risk existing for whistleblowers from within the police in the context described in the Evaluation Report (see for example para. 162).

93. As regards part (ii) of the recommendation, GRECO notes that online training on reporting corruption and the protection of whistleblowers has been organised within the Police Force. Some contact points have been trained to be able to provide advice, and guidance material has been produced and distributed to all police members. GRECO welcomes the regular organisation of courses on the protection of whistleblowers since the beginning of the year but notes that only 80 police staff have attended them so far and considers that it ought to be made compulsory.
94. GRECO concludes that recommendation xxi has been partly implemented.

III. CONCLUSIONS

95. **In view of the foregoing, GRECO concludes that the Slovak Republic has satisfactorily implemented two of the twenty-one recommendations contained in the Fifth Round Evaluation Report.** Of the remaining recommendations three have been partly implemented and sixteen have not been implemented.
96. More specifically, recommendations xi and xiii have been implemented satisfactorily, recommendations xiv, xv and xxi have been partly implemented and recommendations i to x, xii, and xvi to xx have not been implemented.
97. With regard to top executive functions, while there has been no tangible progress, a revised National Anti-corruption Programme is being prepared whose aim is to address expressly GRECO's recommendations. GRECO can only encourage the authorities to pursue this process toward compliance with its recommendations.
98. Regarding law enforcement agencies, progress has been made, more particularly on the identification of risks, mechanism to assess them and measures to be taken to address them. Moreover, an Action Plan for the Fight against Corruption in the Police Force formulates specific measures to be taken within a given timeframe. However, while work on a revised Code of Conduct for Police Members has been initiated, it is in its early stages. Training has continued, but the revised Code of Conduct supplemented by practical guidance should form the backbone of both initial and ongoing training. A reflection on including the Public Defender of Rights into disciplinary procedures led by the Bureau of the Inspection Service is currently explored, which could be a positive development to strengthen the appearance of independence of internal investigations and its transparency. Overall, a number of steps have been initiated but they need to be followed through in compliance with the requirements of GRECO's recommendations.
99. In view of the above, GRECO notes that further progress is necessary to demonstrate an acceptable level of compliance with the recommendations within the next 18 months. Pursuant to Rule 31 revised bis, paragraph 8.2 of its Rules of Procedure, GRECO invites the Head of delegation of the Slovak Republic to submit additional information

regarding the implementation of the pending recommendations i to x, xii, and xiv to xxi by 31 March 2023.

100. Finally, GRECO invites the authorities of the Slovak Republic to authorise, as soon as possible, the publication of the report, to translate it into the national language and to make the translation public.