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FIFTH EVALUATION ROUND

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

SECOND COMPLIANCE REPORT

SLOVAK REPUBLIC



Adopted by GRECO
at its 95th Plenary Meeting (Strasbourg, 27 November – 1 December 2023)



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

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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 [Second 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. The corresponding [Compliance report](#) was adopted by GRECO at its 88th Plenary Meeting (22 September 2021) and made public on 19 January 2022.
3. As required by GRECO's Rules of Procedure¹, the authorities of the Slovak Republic submitted a Situation Report on measures taken to implement the recommendations. This report was received on 14 April 2023 and, together with subsequent updates, served as a basis for the Second 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 Ms Adea Pirdeni, on behalf of Albania, and Ms Katarzyna Naszczyńska, on behalf of Poland. They were assisted by GRECO's Secretariat in drawing up this Compliance Report.

II. ANALYSIS

5. GRECO addressed 21 recommendations to the Slovak Republic in its Evaluation Report. In the Compliance Report, GRECO concluded that recommendations xi and xiii were implemented satisfactorily, recommendations xiv, xv and xxi were partly implemented and recommendations i to x, xii, and xvi to xx were not implemented. Compliance with the outstanding recommendations is dealt with below.

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

Recommendations i and ii

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

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.

functions and remuneration linked to government tasks should be systematically published on governmental websites (recommendation ii);

7. GRECO recalls that these recommendations were not implemented. The authorities submitted that the Government's National Anti-Corruption Programme (NACP), which expressly referred to GRECO's recommendations, was in the process of being updated.
8. The Slovak authorities do not report any progress towards the implementation of these recommendations.
9. In the absence of any progress, GRECO concludes that recommendations i and ii remain not implemented.

Recommendation iii

10. *GRECO recommended 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.*
11. GRECO recalls that this recommendation was not implemented.
12. The Slovak authorities report that the Government's Corruption Prevention Department (CPD) plans to prepare a new strategic material in the area of preventing corruption and promoting integrity, together with the active participation of anti-corruption coordinators². The CPD is also preparing a statute of the Council of Anti-Corruption Coordinators and will develop a methodology on corruption risk management as a model for central authorities. The update of the NACP did not go through the approval process of the Government.
13. GRECO takes note of the initiatives proposed by the CPD, which are at an early stage. Pending their effective implementation and the subsequent adoption of an operational corruption prevention action plan to cover person with top executive functions, GRECO cannot consider that this recommendation has been complied with, even partly.
14. GRECO concludes that recommendation iii remains not implemented.

Recommendation iv and v

15. *GRECO recommended:*

² Anti-corruption coordinators have been designated in each Ministry and other central authorities, pursuant to the Anti-corruption Policy which has been approved by Government's Resolution no. 585/2018. They are responsible for, amongst other things, the management of corruption risks. A Council of Anti-corruption Coordinators has been set up as a platform for the exchange of knowledge, know-how, education, communication and preparation of strategic documents at expert level. Its role is to ensure consistency in the implementation of the Anti-corruption Policy.

- *that (i) 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 (recommendation iv); and*
 - *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).*
16. GRECO recalls that these recommendations were not implemented. Certain preliminary steps were taken to develop a code of conduct for PTEFs.
17. The Slovak authorities report that, by Resolution no. 49 of 31 January 2023, the Government has adopted the “Principles of Integrity in Public Administration”. Furthermore, public consultations³ about a package of measures introduced by the Ministry of Justice to implement GRECO’s recommendations are underway. The eventual approval by the Government of such a package will result in the adoption of a code of ethics for PTEFs, which will also apply to political advisers, and the establishment of an Ethics Commission, which will monitor compliance and application of the code of ethics, provide confidential counselling, issue general guidelines on ethical standards, provide educational materials on ethics and give opinions on declarations of conflicts of interest filed by candidate PTEFs prior to taking up office. Trainings will be organised on the basis of the to-be-approved code of ethics.
18. GRECO takes note of the progress made to date, including the ongoing public consultations about a package of measures aimed at adopting a code of ethics for PTEFs and setting up an Ethics Commission which will, amongst others, provide PTEFs with confidential advice. These are steps going in the right direction. However, pending the adoption of such a package by the Government, the subsequent examination of the content of the adopted code of ethics, the expectant establishment and operation of the Ethics Commission, GRECO cannot consider that these recommendations have been complied with, even partly.
19. GRECO concludes that recommendations iv and v remain not implemented.

Recommendations vi and vii

20. *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-*

³ <https://www.slov-lex.sk/legislativne-procesy/-/SK/dokumenty/LP-2023-583>

making process and (ii) the disclosure of such contacts and the subject-matters discussed (recommendation vi); and

- *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).*

21. GRECO recalls that these recommendations were not implemented. The preparation of a draft law on lobbying had been entrusted to the Deputy Prime Minister.
22. The Slovak authorities report that the Deputy Prime Minister published a preliminary information on the forthcoming draft legislation on lobbying in November 2021, while there has not been any progress since then. In addition, the authorities contend that the future code of ethics for PTEFs will contribute to the implementation of both recommendations.
23. Pending the adoption of the code of ethics by the Government, the final content of which is yet to be examined, GRECO concludes that recommendations vi and vii remain not implemented.

Recommendation viii and ix

24. *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 (recommendation viii); and*
 - *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).*
25. GRECO recalls that these recommendations were not implemented. As regards recommendation viii, the Government Office implemented an international standard, which was published online. Four ministries adopted rules on gifts. However, uniform development was missing throughout the entire Government.
26. The Slovak authorities report that the future code of ethics for PTEFs will contribute to the implementation of both recommendations.
27. Pending the adoption of the code of ethics by the Government, the final content of which is yet to be examined, GRECO concludes that recommendations viii and ix remain not implemented.

Recommendation x

28. *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.*
29. GRECO recalls that this recommendation was not implemented. The authorities embarked on a reflection process on the preparation of principles for the regulation and control of asset declarations and the setting up of an independent control mechanism.
30. The Slovak authorities report that the CPD has carried out an analysis of the current system for the submission of asset declaration, which has completed the inter-ministerial review process. However, the analysis has yet to be endorsed by the Government.
31. GRECO takes note of the steps undertaken by the authorities and encourages them to pursue their efforts with vigour. However, in the absence of any tangible progress, GRECO concludes that recommendation x remains not implemented.

Regarding law enforcement agencies

Recommendation xii

32. *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.*
33. GRECO recalls that this recommendation was not implemented. A working group was established to revise the existing Code of Ethics.
34. The Slovak authorities report that, as of 1 March 2022, a new Code of Ethics was adopted, which has been published on the Ministry of the Interior's website⁴. The new Code contains a set of moral principles, values, requirements, and norms of integrity, and sets out essential standards of ethical conduct and professional liability that police officers ought to adhere to while performing their official activities. It has been brought to the attention of police officers through their managers and by means of an internal information-sharing system, i.e. Fabasoft. In addition, the Ministry of the Interior's Centre of Education and Psychology of the Section of Personnel and Social Activities and the Academy of the Police Force are preparing an educational material containing practical examples of the principles of ethical conduct and professional responsibility, which may be finalised by the end of 2023.

⁴ https://www.minv.sk/?PZ_SR-eticky-kodex&subor=446017

35. GRECO takes note of the adoption of a new Code of Ethics, which contains certain brief provisions regulating the (mis)use of official information (Articles 4 and 6), conflicts of interest, gifts and contacts with third parties (Article 7). This is a step in the right direction. However, GRECO considers that the above integrity matters are covered in a cursory fashion (and not in detail as required by the first part of the recommendation; see also paragraphs 207 and 211 of the Evaluation Report); there are no provisions regarding post-employment restrictions (see also recommendation xviii below), and the preparation of guidance accompanied by concrete examples is still being worked out (see also paragraph 215 of the Evaluation Report). The first part of the recommendation has consequently been partly implemented. In addition, in view of the conduct of certain awareness and information sessions for police officers on the basis of the new Code of Ethics, GRECO considers that the second part of the recommendation has been partly implemented and calls on the authorities to organise training modules, as required by that part of the recommendation. Lastly, the online publication of the new Code of Ethics satisfies the requirements of the third part of this recommendation.
36. GRECO concludes that recommendation xii has been partly implemented.

Recommendation xiv

37. *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.*
38. GRECO recalls that this recommendation was partly implemented. While education and training activities was provided, the full implementation of the first part of the recommendation hinged on the adoption of an appropriate Code of Ethics, as supplemented with practical guidance. As regards the second part of the recommendation more regular ongoing training on detection and investigation techniques was required, together with the obligation to be followed by all investigators of NAKA (National Crime Agency) which is a branch of the Police Force. Turning to the third part of the recommendation, certain police members were trained on integrity matters to provide guidance to colleagues on integrity dilemma. However, no framework was put in place making such police officers (official advisers) easily identifiable by all police officers in need of advice and ensuring the provision of confidential advice.
39. The Slovak authorities report that, as regards the first part, a number of trainings have been provided to police officers as follows: (i) secondary vocational schools of the Police Force implement a basic police training programme for cadets, which lasts 10-12 months. In addition, a new post-graduation programme for newly recruited police officers has been implemented since February 2023 and lasts eight months. In both programmes, a course on *Law*, comprising two classes on selected corruption offences, and another course on *Ethics and Psychology of Police Work*, containing two classes on

the Code of Ethics, are taught. In 2022, 603 cadets completed the basic police training, and in 2023, 311 cadets. (ii) At the Academy of the Police Force, a course on *Criminal Legal Protection of Fight against Corruption* is taught at the Department of Criminal Law, which is elective.

40. Turning to the second part of the recommendation, the authorities provide that: (i) in October 2021, 16 investigators of NACA attended a working meeting on the issue of detecting, investigating and proving the serious corruption offences and corruption with an international element and contemporary issues of criminal liability of legal persons which was held by the Special Prosecutor's Office of the General Prosecutors Office of the Slovak Republic; (ii) in November 2021 a workshop, aimed at the issue of corruption and identification of new corruption offences, was organised for 12 employees of the Office of the Inspection Service; (iii) in November 2021, 70 persons attended an experts' workshop on *Financial Investigation – Application and Practice* aimed at financial investigation of the offences under NACA's jurisdiction, including all corruption offences and the offences related to money laundering; and (iv) in June 2022, NACA organised a professional workshop on the financial investigation for newly established departments of financial investigation, and also officers in charge of departments.
41. The authorities further report on the implementation of a joint project on Anti-corruption education of the Police Force between NACA and OECD, the aim of which is to train lecturers from amongst police officers and create a network of integrity coordinators. A training carried out in September 2022 was attended by 53 representatives of regional directorates of the Police Force, bodies of the Presidium of the Police Force, the Government Office, the Academy of the Police Force and the Office of the Inspection Service.
42. Concerning the third part of the recommendation, efforts are underway to establish a system of (up to ten) integrity officers from amongst police officers who will provide confidential counselling in ethical and integrity matters.
43. GRECO takes note of the trainings organised to date and those scheduled to be delivered in 2023. It reiterates that, for the first part of the recommendation to be fully implemented, the provision of training activities is to be linked to the new Code of Ethics, and its supplementary guidance, in respect of which GRECO expressed reservations in paragraph 35 above. This part of the recommendation therefore remains partly implemented. Regarding the second part of the recommendation, GRECO welcomes the efforts made by the authorities, in particular NACA, to provide specialised training to investigators dealing with corruption cases in 2021 and 2022 and considers that it has been complied with. Insofar as the third part of the recommendation is concerned, GRECO takes note of the intention to create a network of integrity coordinators who are expected to provide confidential counselling. Pending tangible progress in setting up such a system of appointed confidential counsellors, this part of the recommendation cannot be considered complied with, even partly.
44. GRECO concludes that recommendation xiv remains partly implemented.

Recommendation xv

45. *GRECO recommended that measures be taken to increase the representation of women in the Police Force, including in more senior positions.*
46. GRECO recalls that this recommendation was partly implemented. There was an increase in the number of female recruits in the last decade, women representing around 20% of the total number of police officers and 14% of managerial posts. A female Vice-President of the Police Force was appointed for the first time. Continuing efforts were needed to actively increase the number of female recruits and those in managerial positions.
47. The Slovak authorities report that the proportion of female candidates to join the Police Force has shown a growing trend: 37% in 2021 and 36% in 2022. The overall representation of women police officers in the Police Force was 20.4% in 2021 and 21.3% in 2022, and women occupied 14.7% of managerial positions in 2021 and 14.8% in 2022. The Criminal Police Department of the Presidium of the Police Force has prepared a questionnaire to solicit views, comments and feedback on ways to support, appreciate, encourage and enhance women in the Police Force. In September 2023, a training took place regarding measures to enhance the proportion of women in managerial positions, which was attended by 30 participants and in which the questionnaire was discussed. The Presidium of the Police Force intends to organise such activity annually.
48. GRECO notes that, in view of the figures provided by the authorities, there has been a steady representation of women in the Police Force, including in managerial positions for the last years. It also welcomes the initiative undertaken by the Presidium of the Police Force's Criminal Police Department to support and promote gender balance and increase the proportion of women in the Police Force. GRECO considers that the full implementation of this recommendation requires more tangible and firm results, demonstrating an increased representation of women in the Police Force, including in more senior positions.
49. GRECO concludes that recommendation xv remains partly implemented.

Recommendation xvi

50. *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.*
51. GRECO recalls that this recommendation was not implemented. Fundamental considerations and tangible measures were needed in respect of legislation and practice. In particular, regular proactive control of police officers' personal circumstances had to be introduced, irrespective of a requirement to declare changes to their personal circumstances; security checks had to 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; and, such checks had to be carried out by trained staff, outside the direct chain of command.

52. The Slovak authorities report that, in May 2022, the Minister of the Interior had submitted draft amendments to the CPA (the Civil Service of the Police Force Act) to the Government in order to require police officers to notify their superior officers of performing an authorised outside activity, to oblige police officers to declare the income gained from the outside activity in the revised asset declaration in addition to declaring other assets, debts and liabilities, to require police officers to undergo psycho-physiological truth verification exam, to prohibit police officers from running for elections, and to set up a mechanism to carry out such checks. In 2023, the Ministry of the Interior has submitted further amendments to the CPA to introduce a mechanism to check compliance with professional disciplinary regime, which will be of a preventive nature in order to eliminate misconduct of police officers. However, the legislative process has not yet started as the Government's legislative agenda for 2023 has not been approved.
53. GRECO notes that the proposed legislative amendments to the Civil Service of the Police Force Act have not moved forward in order to bring about concrete progress towards the implementation of this recommendation, and concludes that recommendation xvi remains not implemented.

Recommendation xvii

54. *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.*
55. GRECO recalls that this recommendation was not implemented. Legislative amendments to set up a framework for declaring and controlling ancillary activities of police officers were underway.
56. The Slovak authorities report that, in spite of the failure to proceed with the amendments to the CPA (see paragraph 52 above), on 15 May 2023 a methodological guidance on the performance of additional/outside activities by police officers was published on the intranet page of the Section of Personnel and Social Activities of the Ministry of the Interior. The guidance consists of summary of requirements and rules that need to be observed while performing another gainful activity. Thus, a police officer may perform another gainful activity provided that (i) it does not interfere with the proper exercise of his/her duties and that it is carried out only in his/her free time, (ii) the police officer is obliged to refrain from actions that could lead to a conflict of interest, and (iii) the police officer is to comply with the obligations stemming from the Code of Ethics as well as any other statutory obligations which are linked to the performance of such additional activities.

57. According to the guidance, police officers, managers or other relevant persons (e.g. control bodies in case of doubts about the legality of the performance of the activity) are to request, in writing, an opinion on a particular gainful activity from the Personnel Department of the Section of Personnel and Social Activities of the Ministry of the Interior. In turn, the Personnel Department issues an individual legal opinion, containing conclusions on the compatibility of such activities with the statutory provisions, and transmits it to the manager of the concerned police officer. The manager informs the police officer of the content of the opinion and of his/her final decision conclusions. The manager is then empowered to verify, at the outset and throughout the entire period of the performance of the additional activity, the possible impact of the exercise of the outside activity on the performance of duties by the police officer, on the dignity of and trust in the Police Force. The manager keeps a record of such verification. The guidance contains examples of most commonly exercised activities by police officers.
58. GRECO welcomes the publication of a guidance on the performance of additional/outside activities by police officers, which has laid down the procedure for obtaining authorisation prior to the exercise of additional activities as well as checks that are to be performed by superiors/managers throughout the entire period of the performance of such activities. In these circumstances, GRECO considers that this recommendation has been complied with, and it encourages the authorities to implement the guidance with vigour and to strengthen controls over the exercise of additional activities.
59. GRECO concludes that recommendation xvii has been implemented satisfactorily.

Recommendation xviii

60. *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.*
61. GRECO recalls that this recommendation was not implemented. A reflection process about the possibility of conflicts of interest when a police officer left the Police Force to work in other sectors had kicked off.
62. The Slovak authorities report that work has continued to harmonise rules on conflicts of interest throughout the State administration. A working group, comprising representatives from several State bodies, has been set up, and the first meeting took place in February 2023.
63. GRECO takes note of the early stage of engaging a working group on the harmonisation of rules on conflicts of interest, the outcome and deliverables of which are yet to be expected, and concludes that recommendation xviii remains not implemented.

Recommendation xix

64. *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.*
65. GRECO recalls that this recommendation was not implemented. A reflection process on strengthening the asset declaration system had started, regard being had to the observations made in paragraph 223 of the Evaluation Report.
66. The Slovak authorities report that, in addition to the intention to introduce a uniform system of submitting asset declarations for all State administration employees, a proposal has been made to modify and supplement the content of the asset declaration made by police officers in order to require them to declare the income from outside activities, assets they use but do not own (e.g. a flat, a car), debts incurred, loans and other financial liabilities. A working group has been established to assess the current system of declaration of assets. A meeting took place in May 2022 and the outcome of its work will aim at addressing the requirements of this recommendation.
67. GRECO notes that, other than the setting up of a working group to assess the current system of asset declaration, there has been no progress towards the implementation of this recommendation and concludes that recommendation xix remains not implemented.

Recommendation xx

68. *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.*
69. GRECO recalls that this recommendation was not implemented. The complaint mechanism, which was managed by the Bureau of Inspection Service - BIS (referred to as the Office of Inspection Service - OIS - in the Evaluation Report), remained the same as described in the Evaluation Report. Discussions were ongoing about the involvement of the Public Defender of Rights (Ombudsman) in the complaint procedure into alleged misconduct of police officers.
70. The Slovak authorities report that the independence of BIS is enshrined in its constituting statute. BIS handles complaints on alleged misconduct by police officers in the field of internal inspection, financial inspection, protection of personal data, and processing complaints by the responsible person within the Police Force. Upon orders by direct superiors, the examination of complaints is carried out by BIS investigators in an impartial, thorough and effective manner. There has been no follow-up to the involvement of the Ombudsman in the examination-of-complaints procedure. As regards criminal investigations into offences allegedly perpetrated by police officers, compliance with the lawfulness of preliminary investigations is performed by a competent prosecutor, and each decision issued by a BIS investigator is scrutinised by

the competent prosecutor's office. Lastly, BIS draws up an annual report and publishes it online⁵.

71. GRECO notes that the situation has remained unchanged, the authorities having not pointed to safeguards surrounding the complaint mechanism managed by the Bureau of Inspection Service in order to increase public trust in the police.
72. GRECO concludes that recommendation xx remains not implemented.

Recommendation xxi

73. *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.*
74. GRECO recalls that this recommendation was partly implemented. As regards part (i), while BIS, which was not an independent body, was entrusted with the processing of whistleblowing reports within the police, GRECO would have found it beneficial to entrust this role to an external independent body, such as the Office of the Protection of Whistleblowers (OPW) in order to encourage the reporting of misconduct from within the police. Statistics would be needed to show that the structural change was sufficient to prompt reports. Further efforts had to be made to strengthen the protection of whistleblowers and their anonymity from within the police. Concerning part (ii), only 80 police members attended training courses on the protection of whistleblowers, which had to become compulsory.
75. The Slovak authorities report that, as regards part (i), BIS acts as the internal reporting channel for the Police Force and the Ministry of the Interior, which employ more than 50,000 persons. The registration and processing of whistle-blowers' reports is carried out in accordance with domestic legislation (e.g. by email, mail delivery to BIS's address, etc.). BIS's independence is ensured through the selection procedure of its director by the National Council (Parliament), who is answerable to the Government. In 2022, BIS received 13 reports and four reports were carried over from the previous year. 12 reports were not assessed to be whistleblowing reports, as they failed to comply with the statutory requirements; they were handled in accordance with the applicable domestic legislation. Four reports were examined in accordance with the Whistleblower Protection Act, as follows: one report was referred to the Ministry of Education's inspectorate; one report was dealt with by BIS's inspection unit and, subsequently, referred to the regional police directorate in Presov; another report led to an inspection carried out by BIS at the criminal police department of the regional police directorate of Trnava (the regional prosecution office of Bratislava denied the request of the reporting person to grant him the status of protected whistleblower); a report was referred to the Personnel and Social Activities section of the Ministry of Interior. At present, a report is in the process of being verified.

⁵ <https://www.minv.sk/?urad-inspekcej-sluzby>

76. The protected whistleblower status is granted by the relevant prosecutor, within the context of criminal proceedings, if a person has blown the whistle about a criminal activity. A relevant administrative body (e.g. the National Labour Inspectorate, the Environmental Inspectorate, the Office for Health Care Supervisions, etc.) may also grant the protected whistleblower status, as part of the administrative proceedings, if a person has reported a serious administrative offence. The protected whistleblower status is notified in writing to OPW and the relevant superior(s) of the whistleblower. Upon granting the protected whistleblower status, the employer is not allowed to dismiss the whistle-blower or to apply any disciplinary (or work-related) measure against him/her without OPW's prior approval. During 2023, 20 staff members of the Ministry of Interior were granted the protected whistleblower status by the prosecutor, who informed BIS (which, in turn, informed the relevant hierarchical superiors) accordingly.
77. The national legislation provides several legal avenues for the protection of whistleblowers. In the first place, OPW may stay the execution of a disciplinary (or work-related) measure against an employee if the employer fails to provide that there was no causal link between the measure imposed against the whistle-blower and the whistle-blower's report. Also, OPW may impose a financial penalty on individuals or employers who take retaliatory measures against a whistle-blower for, or prevent a whistle-blower from, filing a report. It may notify representatives of public administration bodies about insufficient handling of a whistle-blower's report and request that remedial measures be taken. OPW acts as an external reporting channel. It may investigate allegations of retaliation, but it does not have the right to investigate reported wrongdoings, which are referred to the competent authority for investigation. In 2023, OPW has received four whistleblowing reports by police officers and three police officers were granted the protected whistleblower status. Secondly, the whistle-blower may also initiate court proceedings to challenge the disciplinary measure and request an injunction measure. If the court grants the injunction, the whistle-blower remains in his/her position pending the outcome of the proceedings. Lastly, amendments to the Whistleblowers Protection Act have brought about substantial changes to the protection of whistleblowers, obligations on employers, obligations on internal reporting channels, fines and rates imposed. As a result, BIS has prepared draft amendments to the Regulation on the internal system for handling anti-social activity reports (whistleblowing reports), which are undergoing the internal consultation procedure.
78. Concerning part (ii), OPW has carried out trainings since September 2021. Three training activities were carried out in 2021 for 91 future police officers of the Police Academy. From October to December 2021, 102 supervisors at district offices, 8 regional coordinators for crime prevention, and 24 employees of information offices for victims of criminal offences were trained on the issue of corruption reporting and whistleblowers' protection as part of a campaign on "Ten Principles in the Fight against Corruption" (*Desať princípov v boji proti korupcii*). In December 2021, the Criminal Prevention Department (CPD) of the Ministry of the Interior drew up an Educational Anti-corruption Package (*Vzdelávací protikorupčný balíček*) which is available online⁶.

⁶ https://www.minv.sk/?protikorupcny_koordinator_zakladne_informacie

The purpose of the package is to educate all MOI's employees in the area of corruption prevention, the internal system of handling whistleblowers' reports and whistleblowers' protection. In April 2022, MOI's Director of the Human Resources Department introduced a requirement to add the Educational Anticorruption Package to the induction course for new employees. Throughout 2022, 341 Police Force officers have benefitted from training courses which took place in July and December. In 2023, 496 Police Force officers have received training on reporting of corruption and protection of whistleblowers, the intention being to train an addition 120 police officers. CPD intends to create illustrative videos accessible to all the Police Force members as part of its efforts to train and inform them.

79. GRECO notes that the first part of the recommendation calls for increased independence and autonomy of the authority processing whistleblowing reports in order to improve the effectiveness of the protection of whistleblowers. As acknowledged by the authorities, the main challenge remains that the Bureau of Inspection Service (BIS), which is the processing authority, is perceived as a criminal investigation body. The fact that, in 2023, at least 20 employees of the Ministry of the Interior have benefitted from the protected whistleblower status by a decision of the relevant prosecutor may be seen as testament to BIS's lack of autonomy. GRECO expects that the proposed draft amendments, made by BIS, to the Regulation on the internal system for handling whistleblowing reports will address the concerns underlying this part of the recommendation (also, regard being had to the requirements laid down in section 10 of the Whistleblower Protection Act for the internal system for the investigation of whistleblowing reports). That said, GRECO takes note of the fact that four reports were handled in accordance with the Whistleblower Protection Act, which is a step in the right direction. It is for this reason alone that this part of the recommendation may be regarded as partly complied with. Concerning the second part of the recommendation, GRECO notes the positive developments in training an increased number of police officers in 2022 and 2023 compared to 2021 (80 in 2021, 341 in 2022 and 496 in 2023). In view of the overall number of the Police Force members (i.e. 22,000), additional outreach efforts ought to be made to reach the satisfactory threshold of regarding this part of the recommendation as fully complied with.
80. GRECO concludes that recommendation xxi remains partly implemented.

III. CONCLUSIONS

81. **In view of the foregoing, GRECO concludes that the Slovak Republic has satisfactorily implemented three of the twenty-one recommendations contained in the Fifth Round Evaluation Report.** Of the remaining recommendations, four have been partly implemented and fourteen have not been implemented. More specifically, recommendations xi, xiii, and xvii have been implemented satisfactorily, recommendations xii, xiv, xv and xxi have been partly implemented and recommendations i-x, xvi and xviii-xx have not been implemented.
82. With regard to top executive functions, the situation has remained the same as described in the Compliance Report, none of the outstanding recommendations having

been implemented, even partly. That said, the authorities are in the process of conducting public consultations on a package of measures, which, if adopted by the Government, will result in the approval of a code of ethics for PTEFs and the setting up of an Ethics Commission. GRECO, consequently, urges the authorities to swiftly proceed with the adoption of the package, which is expected to address the majority of its recommendations and the underlying concerns described in the Evaluation Report.

83. Regarding law enforcement agencies, the authorities have made certain visible progress to implement the corresponding recommendations. A new Code of Ethics has been adopted and published online, a new guidance on the performance of additional/outside activities by police officers has been produced, training and awareness raising activities for police officers have been organised, particularly for investigators of the National Crime Agency dealing with corruption cases, the representation of women in the Police Force has remained steady in the last years, and a fair number of police officers have been informed about whistleblowing protection measures. That notwithstanding, robust measures are called for in several areas: integrity checks are yet to take place on a regular basis, post-employment restrictions ought to be introduced, the control system of declarations of assets needs to be strengthened, the complaint mechanism about police misconduct has yet to benefit from reinforced safeguards and the independence and autonomy of the Bureau of Inspection Service in processing whistleblowing reports should be strengthened.
84. In view of the above, GRECO concludes that Slovak Republic is not in sufficient compliance with the recommendations contained in the Fifth Round Evaluation Report within the meaning of Rule 31 revised bis, paragraph 10 of the Rules of Procedure. GRECO therefore decides to apply Rule 32 revised, paragraph 2 (i) and asks the Head of delegation of the Slovak Republic to provide a report on the progress in implementing the outstanding recommendations (i.e. recommendations i-x, xii and xiv-xxi) by 31 December 2024.
85. In addition, in accordance with Rule 32 revised, paragraph 2, sub-paragraph (ii.b), GRECO invites the President of the Statutory Committee to send a letter – with a copy to the Head of delegation of the Slovak Republic – to the Permanent Representative of the Slovak Republic to the Council of Europe, drawing attention to the non-compliance with the relevant recommendations and the need to take determined action with a view to achieving tangible progress as soon as possible.
86. Further, in accordance with Rule 32 revised, paragraph 2, subparagraph (iii), GRECO requests the authorities of the Slovak Republic to receive a high-level mission with a view to reinforcing the importance of complying with the relevant recommendations.
87. 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.