

**Statement of SK/GPO
on supplementary questions after on site
and to the comments of Ministry of Justice of SR, Ministry of Interior of
SR/Police Force to the primary documentation**

Following the course of the on-site visit on 16 February 2026, the list of „supplementary questions after the on-site visit, and in the context of the conclusions from the reception of Mr. Michael McGrath, EU Commissioner for Democracy, Justice and the Rule of Law, at the General Prosecutor's Office of the Slovak Republic on 24 March 2026, we hereby attach the following statement of the General Prosecutor's Office of the Slovak Republic as a supporting document for the preparation of the 7th Rule of Law Report.

V nadväznosti na priebeh on site visit dňa 16.2.2026, zoznam „doplňujúcich otázok po on isite visit a v kontexte záverov prijatia pána Michaela McGratha, komisára EÚ pre demokraciu, spravodlivosť, právny štát a ochranu spotrebiteľa, na pôde Generálnej prokuratúry Slovenskej republiky dňa 24.3.2026, pripájame nasledovné vyjadrenie Generálnej prokuratúry SR, ako podklad do procesu prípravy 7. RoL R.

A/ COMMENT ON SUPPLEMENTARY QUESTIONS

A/ VYJADRENIE K DOPLŇUJÚCIM OTÁZKAM

1. Could you update us on your experience so far with the functioning of the prosecution service under the new judicial map?

Beyond the documentation attached below and previously submitted, we have no further information to provide:

Oproti nižšie pripojeným podkladom, ktoré sme Vám už poskytli nemáme doplňujúce informácie:

14.Geographical distribution and number of courts/jurisdictions (“judicial map”)

SK/GPO

Information on the impact of the judicial map on the prosecution office of the Slovak Republic

Measures taken (in 2025) and findings on the impact of the judicial map on the activities of the prosecution office

The implementation of the judicial map reform also brought a set of fundamental and heterogeneous, but mostly negative, impacts to the daily exercise of the legal competence of the prosecution of the Slovak Republic during the evaluated period of the calendar year 2025. These vary depending on the specific configuration of the new judicial districts and the degree of application of the so-called district system by individual courts.

From a global perspective, it can be stated that while in some regions, such as the district of the Regional Prosecutor's Office Banská Bystrica, the impacts are essentially minimal thanks to the consistent preservation of the original personnel structures at the workplaces of the courts; in the rest of the republic systemic barriers persist that negatively affect logistics, economics and the overall efficiency of prosecutorial activities.

The most extensive negative phenomenon is the increase in logistical complexity associated with the inefficient use of prosecutors' working time. Regional Prosecutors' Offices in Trnava, Trenčín, Nitra, Žilina, Prešov and Košice all point to significant time losses of prosecutors caused by their obligation to commute for acts of criminal proceedings in court outside their core service district. In the Prešov region, the reform primarily affected the district prosecutors' offices of Bardejov, Svidník, Poprad and Kežmarok. As a result of the random allocation of criminal matters within joint judicial districts, situations occur where the acts are performed alternately in the seats of the courts (Poprad, Bardejov) and in their remote workplaces (Kežmarok, Svidník). This requires constant transfers not only of prosecutors, but also of extensive case files, while judges generally do not take into account the seat of the relevant and local prosecutor's office when setting deadlines. A similar situation exists in Košice, where the merger of three original courts into one Municipal Court Košice increased the time burden on prosecutors due to the increase in the number of judges in the criminal section from the original 6 to 14. This situation generates unproductive idle time, when prosecutors from different Košice prosecutor's offices are tied to the beginning and end of hearings with one judge, which de

facto makes it impossible to rationally plan other official activities.

In the district of the Regional Prosecutor's Office in Trnava, there is a significant physical and psychological burden on prosecutors due to frequent transfers between the districts of Trnava - Piešťany and Senica - Skalica. In addition to the increase in direct financial costs, the main problematic aspect is the loss of time that prosecutors would otherwise have spent exercising their supervisory powers in pre-trial and preliminary proceedings, or managing other agendas. The situation is also complicated by the fact that the court in Trnava refused to introduce a district system at the workplace in Piešťany. A specific problem, which is particularly emphasized by the Regional Prosecutor's Office in Nitra, is the increased costs of overtime work for drivers and prosecutors in cases where the length of the hearing in the regional seat exceeds the normal working hours of the visiting prosecutor from Topoľčany. In the Žilina region, this inefficiency was manifested in the doubling of the needs for the fleet of vehicles and the number of drivers in the territorial districts of selected district prosecutor's offices.

The reform of the court map also had a negative impact on the procedure in the preliminary proceedings, specifically when deciding on prosecutors' motions to take the accused into custody. The Regional Prosecutor's Office Trenčín has identified problems in the availability of judges for preliminary proceedings, when prosecutors from Považská Bystrica and Nové Mesto nad Váhom have to deliver motions to the judge on duty in Trenčín. This causes conflicts in providing transfers and delivering files, which is often resolved only thanks to the informal willingness of members of the Police Force. In Bratislava, the establishment of the new Municipal Court Bratislava I still causes a certain procedural void and stagnation in the hearing of older criminal cases until it is fully stabilized in terms of operations and personnel and the adoption of procedures for managing specific agendas by all criminal judges serving in the Palace of Justice.

In response to these negative aspects, certain specific measures are also being taken in the territorial competence of selected regional prosecutor's offices. The Regional Prosecutor in Trenčín operatively grants exceptions in specific criminal matters for mutual representation of prosecutors (including those on duty) from different districts in one court in order to ensure the economy and efficiency of the proceedings. As a result of the prosecutors of the District Prosecutor's Office Topoľčany having to travel to all stages of criminal proceedings conducted in the District Court Nitra, the District Prosecutor in Topoľčany appointed substitutes on duty who, in the event of the participation of the prosecutor on duty at a hearing before the District Court of Nitra, would handle the cases contested at that time on duty.

In the Prešov region, the activities of prosecutors' offices directly affected by the reorganization of the judicial map were comprehensively regulated in all its aspects by a special instruction of the regional prosecutor in Prešov.

Despite these efforts, the prosecutor's office identifies reduced accessibility of the court for citizens and parties to the proceedings, which in criminal matters leads to a higher rate of non-attendance and the subsequent need for people to be brought before the police.

A unique positive finding is that in the districts of selected district prosecutor's offices (Žilina, Liptovský Mikuláš) a reduction in the length of criminal proceedings is reported, even in the most serious criminal cases. The expansion of the circle of judges to whom criminal cases are randomly assigned has led to their more even workload and faster processing. This experience is a key argument in the ongoing professional discussion on the future form of the prosecutor's office. While one part of the prosecutorial community calls for a return to the original multi-district system of courts, the other is considering whether a solution aimed at making the conduct of criminal proceedings more efficient and at the same time contributing to consolidation could be a consistent "unification of districts" of prosecutorial offices. This is a model that assumes the merger of smaller district prosecutor's offices into larger units that would territorially copy the new district courts. Such a solution would help reduce logistical idle time and increase personnel stability, and last but not least, it would enable the real specialization of prosecutors in more than ten priority areas of criminal activity (from cybercrime to the protection of the financial interests of the European Union).

In conclusion, it can be stated that although the implementation of the court map in the conditions of the prosecutor's office was managed without jeopardizing the legality of the proceedings and the proper and timely fulfilment of its tasks, this came at the cost of an increased burden on personnel and inefficient spending of budgetary funds on transportation. The future stabilization of the sector will require either a systemic correction of the judicial map in terms of strengthening the district system, or a deep reform of the network of prosecutors' offices so that it fully reflects the new judicial reality of the Slovak Republic in terms of organization.

2. Could you please provide statistics on criminal proceedings involving judges in 2025 (incl. number of crime reports, investigations, indictments, proposals for indictment, decisions of courts).

In 2025, there were 178 criminal matters involving criminal complaints against judges processed during the stage prior to the initiation of criminal prosecution. The majority of cases were settled pursuant to Section § 197 Subsection 1 letter d) of the Criminal Procedure Code¹, or are currently pending without a decision on the merits having been reached or criminal prosecution having been initiated.

¹ **If there is no reason to initiate criminal prosecution or to proceed pursuant to paragraph 2, the prosecutor or police officer shall dismiss the case by resolution.**

Ak nie je dôvod na začatie trestného stíhania alebo na postup podľa odseku 2, prokurátor alebo policajt uznesením vec odmietne.

Number of criminal matters in which an investigation was conducted – 2 criminal cases, out of which

- In the first criminal matter a criminal prosecution was initiated pursuant to Section 199 Subsection 1 of the Criminal Procedure Code, this was terminated pursuant to Section 215 Subsection 1 a) of the Criminal Procedure Code on 14 July 2025
- In other criminal matter handled by Regional Prosecutor's Office Žilina under ref. no. 20 Kv 20/25/5500 charges were brought pursuant to Section 206 Subsection 1 of the Criminal Procedure Code against former judge JUDr. Y and the case is being handled now by Region Prosecutor's Office Banská Bystrica

Regarding investigators motions for indictment, filed indictments or court decisions concerning the criminal activities of judges, none were carried out in any criminal matter in 2025

Počet trestných oznámení na sudcov v roku 2025 vybavovaných v trestnom konaní vo štádiu pred začatím trestného stíhania 178 trestných vecí.

Väčšina bola vybavená podľa § 197 ods. 1 písm. d) Trestného poriadku¹, alebo sa v nich koná, avšak ešte nebolo meritórne rozhodnuté a ani nebolo začaté trestné stíhanie.

Počet trestných vecí, v ktorých bolo realizované vyšetrovanie - 2 trestné veci, z toho

- v 1 trestnej veci bolo podľa § 199 ods. 1 Trestného poriadku začaté trestné stíhanie, ktoré bolo dňa 14.7.2025 podľa § 215 ods. 1 písm. a) Trestného poriadku zastavené,
- v 1 trestnej veci realizovanej na KP Žilina pod sp. zn. 20 Kv 20/25/5500 bolo podľa § 206 ods. 1 Trestného poriadku vznesené obvinenie bývalému sudcovi JUDr. XY a vec aktuálne realizuje KP Banská Bystrica.

Pokiaľ ide o vyšetrovateľom podané návrhy na obžalobu, podané obžaloby alebo súdne rozhodnutia ohľadne trestnej činnosti sudcov, tieto neboli v roku 2025 realizované v žiadnej trestnej veci.

3. Could you please elaborate on the state of progress of the Case Management System for investigation files? The written input for 2025 Report referred to a postponement of work on the system. What is the new timeline?

We have no additional information beyond the documentation already provided to you, which is attached below:

Oproti nižšie pripojeným podkladom, ktoré sme Vám už poskytli nemáme doplňujúce informácie:

13.Digitalization

SK/GPO

(update)

Electronic investigation file - integration of information systems of the prosecutor's office and the police

During 2022 and also 2023, several meetings were held with representatives of the Ministry of the Interior of the Slovak Republic, the Prosecutor General's Office of the Slovak Republic and the Ministry of Justice of the Slovak Republic, with the aim to propose a legislative amendment to Decree No. 618/2005 Coll. on the creation of a file by criminal authorities and courts, and also defining the procedure in linking IS PATRICIA and IS MVS. The outcome of the above meetings was End to end testing of the integration between IS PATRICIA and IS MVS, which was successful, and verification of mutual processes in the test environment between the District Prosecutor's Office Pezinok and the Police Force District Directorate Pezinok. Subsequently, a pilot operation was to be launched between the above-mentioned components, within which electronic documents would be sent (so far only in PDF format, not in structured form), and at the same time documents would continue to be sent in paper form. However, technical and financial complications arose on the part of the Ministry of the Interior of the Slovak Republic, and therefore the launch of the pilot operation is being postponed for the time being. Several meetings were cancelled by the Ministry of Interior of the Slovak Republic due to delayed activities, and the planned meeting in January 2024 was also postponed indefinitely, as no significant progress was made on the part of the Ministry of Interior of the Slovak Republic.

The interconnection of information systems between IS PATRICIA - IS MVS - IS Court Management is currently not up to date.

eCodex, eEDES Platform

In 2022, the General Prosecutor's Office of the Slovak Republic ("GP SR") prepared the documents for the involvement of the Prosecutor's Office of the Slovak Republic in the system for sending European Investigation Orders, requests for legal assistance and electronic evidence via the eCodex system using the e-Edes platform, which serves for the digital exchange of electronic evidence. In this regard, representatives of the GP SR participated in a 2-day conference in Vienna, where, as part of informal discussions with representatives of the European Commission ("EC"), they discussed the possibilities of building and, in particular, refinancing the aforementioned system in the prosecutor's office environment. Subsequently, an online meeting was held with the participation of representatives of the IS supplier for the GP SR, where the EC presented the system and how its individual components work. At the beginning of 2023, an online meeting was held on the topic of the possibilities of refinancing the building of the given system by the EC, which published the JUST-2023-JACC-EJUSTICE call allowing the provision of grants to support cross-border projects in the field of e-justice, the rights of injured parties and procedural rights. One of the conditions was to create a partnership with at least one competent authority of another EU Member State. In this regard, the GP SR approached the Supreme State Prosecutor's Office in the Czech Republic, to which it received a positive response. Subsequently, a grant application was prepared in cooperation with an external supplier, which was submitted within the application deadline. In November 2024, the Grant Agreement was signed and the project implementation and realization phase will take place during 2025 and 2026.

GP SR uses an internal reporting module that provides overviews, reports and statistical information from data available in GP SR information systems. The basis is the data warehouse database (DWH), which contains appropriately transformed data from source systems. The DWH solution, as one of the ISGPSR modules, was deployed as two separate instances, used separately for IS PATRICIA and separately for IS EEO. The DWH includes several aspects, whether it is basic data on the activities and workload of the prosecutor and the method of processing cases in court proceedings, proceedings on extraordinary remedies, supervision in places where detention is carried out, imprisonment, protective and institutional treatment, protective and institutional education, the state of crime prevention, transfer of criminal proceedings abroad and taking over criminal proceedings from abroad (including the transfer and taking over criminal complaints abroad and from abroad), international legal cooperation, recognition and extradition proceedings, European Arrest Warrant and international arrest warrant proceedings, overview of the status and methods of processing files according to individual registers, etc. At the end of 2024, the DWH was adjusted due to a legislative change (abolition of the Special Prosecutor's Office). Other areas being regulated include expanded reporting by age and gender, the previously unaddressed area of legal entities, hours spent in court hearings, seizure of property, effective regret, etc.

In 2025, a test version of the eCODEX/eEDES system was implemented in the internal environment, because communication with the Czech Republic is not yet ready on the part of the Czech Republic.

Historically, the no longer supported Pentaho reporting tool has been used in GP SR. Therefore, in 2025, a new version of the Pentaho reporting tool was installed, with the provision that in 2026, GP SR reports will be upgraded to this new version of Pentaho.

4. Could you provide additional information regarding how many decisions were taken based on Section 363 of the Slovak Criminal Procedure Code in the year 2025 in total in all cases?

- a. If possible, could you also please provide information on how many requests for the decision of the Prosecutor General based to Section 363 of the Slovak Criminal Procedure Code, were filed in the year 2025?**

In 2025 – 656 requests – motions for action were filed pursuant to Section 363 Subsection 1 of the Criminal Procedure Code.

V roku 2025 bolo podaných 656 žiadostí – návrhov na postup podľa § 363 ods. 1 Trestného poriadku.

- b. Out of the total number of the decisions based on Section 363, we understand that only 2 cases concerned corruption cases (from the written input provided by you). Is this the number for the whole 2025, or only since 1 July 2025 onwards?**

In 2025, decision was made only in 2 criminal matters pursuant to Section 363 of the Criminal Procedure Code, which concerned corruption-related criminal activity.

In this connection, we draw attention to our information provided primarily.

The above is a real-life example of the meaningfulness of the institute under Section 363 et seq. of the Code of Criminal Procedure in the application of the principle of legality.

In both cases, the subject of the cassation by the aforementioned decisions was the prosecutor's resolution to stay the criminal prosecution of specific natural persons due to the statute of limitations, in contradiction with the binding interpretation of the reference Article 325(1) of the Treaty on the Functioning of the European Union and Article 2(1) of the Convention drawn up on the basis of Article K.3 of the Treaty on European Union on the protection of the European Communities' financial interests (hereinafter the 'PIF Convention'), as presented in the judgment of the Court of Justice of the European Union of 24 July 2023 in case C-107/23 (PPU [Lin])."

The procedural consequence of the General Prosecutor issuing these annulment resolutions is the restoration of the criminal prosecution.

As stated in our primary materials, in addition to two corruption cases, the application of the institute under Section 363 et seq. of the Code of Criminal Procedure—following a review of all affected matters by the Criminal Department of the General Prosecutor's Office—enabled the “restoration” to criminal proceedings of an additional 20 resolutions to stay prosecution. This had a consequence not only in the sphere of national financial interests but also, indirectly, in the sphere of the financial interests of the European Union.

We believe that the aforementioned will serve as a sufficient factor for the definitive removal of the historically present negative context regarding the implementation of the General Prosecutor's extraordinary cassation power in the Rule of Law Report. Furthermore, we expect that the related recommendations will also be adjusted in this context.

V roku 2025 len v 2 trestných veciach bolo rozhodované podľa § 363 Trestného poriadku, ktoré sa týkali korupčnej trestnej činnosti.

V danej súvislosti upriamujeme pozornosť **na naše primárne podklady.**

Uvedené je totiž reálnym **príkladom zmysluplnosti inštitútu podľa § 363 a nasl. TP pri uplatňovaní zákonnosti.**

Predmetom kasácie uvedenými rozhodnutiami bolo **v oboch prípadoch** uznesenie prokurátora o zastavení trestného stíhania konkrétnych fyzických osôb **v dôsledku premĺčania** v rozpore so záväzným výkladom referenčného článku 325 ods. 1 Zmluvy o fungovaní Európskej únie a článku 2 ods. 1 Dohovoru vypracovaného na základe článku K.3 Zmluvy o Európskej únii o ochrane finančných záujmov Európskych spoločenstiev (ďalej len „*PIF dohovor*“), predostretom **v rozsudku Súdneho dvora Európskej únie z 24. júla 2023 vo veci vo veci C-107/23 (PPU [Lin]).**

Procesnou konzekvenciou vydania zrušujúcich uznesení generálneho prokurátora **je obnovenie vedenia trestného stíhania.**

Ako sme uviedli v primárnych podkladoch, okrem dvoch korupčných trestných vecí uplatnenie inštitútu podľa § 363 a nasl. TP umožnilo (po vykonanom prieskume všetkých dotknutých vecí trestným odborom Generálnej prokuratúry SR) **z rovnakého dôvodu “navrátenie” do trestného konania ďalších 20 uznesení o zastavení trestného stíhania** s následkom spôsobeným nielen vo sfére národných finančných záujmov, ale sprostredkovane aj vo sfére finančných záujmov Európskej únie.

Veríme, že uvedené bude **dostatočným faktorom na definitívne odstránenie historicky prítomného negatívneho kontextu vnímania implementácie inštitútu mimoriadnej kasačnej právomoci generálneho prokurátora v správe o stave právneho štátu.** Očakávame, že v danom kontexte budú upravené aj súvisiace odporúčania.

Allready provided info:

Už poskytnuté informácie:

SK GPO

Cassation power of the Prosecutor General of the Slovak Republic in proceedings pursuant to Section 363, Paragraph 1 et seq. of the CCP

According to the statistical data completed so far, in the evaluated period of the calendar year 2025, a total of 656 criminal cases were kept in the individual material registers of the institute of annulment of final decisions in preliminary proceedings pursuant to Section 363, Subsection 1 et seq. of the Criminal Procedure Code (IV/1 Pz, IV/2 Pz and IV/3 Pz) at the General Prosecutor's Office of the Slovak Republic (hereinafter referred to as the "General Prosecutor's Office") in which a proposal was submitted by an authorized person, or a motion by another subject of criminal proceedings to exercise the extraordinary cassation competence of the Prosecutor General of the Slovak Republic (hereinafter referred to as the "Prosecutor General") in proceedings under the first section of the eighth chapter of the third part of the Criminal Procedure Code, or in which such a procedure was implemented by the Prosecutor General without a motion (i.e. in the ex officio regime) following the finding of a violation of the law.

In accordance with the long-term trend, the primary subject of the review obligation in the extraordinary corrective period and in the evaluated period of the calendar year 2025 were resolutions on the filing of charges, in connection with the amendment of the substantive law by Act No. 40/2024 Coll. with effect from 06.08.2024 (especially in the context of its direct or indirect impact on the length of the limitation periods of criminal prosecution), but, also to a significant extent, resolutions on the suspension of criminal prosecution of a specific accused natural or legal person due to its inadmissibility due to the statute of limitations.

Primarily on the basis of submitted motions (prevalently directed against the resolution pursuant to Section 206, Subsection 1 of the Criminal Procedure Code), in minority cases also ex officio (mainly in relation to resolutions to discontinue criminal prosecution due to statute of limitations), **the Prosecutor General exercised his extraordinary cassation power in 2025 with 110 resolutions, of which only 18 decisions had a direct impact on the resolution to bring charges.**

On the contrary, without accepting a motion or an initiative to annul a final decision, in 2025, the Prosecutor General **disposed of more than 400 matters** in proceedings pursuant to Section 363, Subsection 1 et seq. of the Criminal Procedure Code, **primarily due to the failure to establish grounds for annulment of the contested final decision, and occasionally also due to the expiry of the statutory period or due to the submission of a motion by an unauthorized entity.**

In criminal matters, the subject of which was the investigation of an act legally qualified as one of the **corruption criminal offences**, **the Prosecutor General issued a total of 2 annulling resolutions in proceedings pursuant to Section 363, Subsection 1 et seq. of the Criminal Procedure Code** in the evaluated period of the calendar year 2025, consistently adhering to one of the basic principles of criminal proceedings pursuant to Section 2, Subsection 22 of the Criminal Procedure Code (to ensure proper protection of the financial interests of the European Union in criminal proceedings).

The subject of the cassation of the aforementioned decisions was **in both cases** the resolution of the supervising prosecutor to discontinue the criminal prosecution of specific natural persons due to its **inadmissibility due to the statute of limitations**. The criminal prosecutions were conducted for various qualifying variants of the criminal offence of bribery pursuant to Section 333 of the Criminal Code, where the bribes were each allegedly provided by the perpetrators to public officials operating in the structures of the Financial Administration of the Slovak Republic in connection with the procurement of a matter of general interest in the form of ensuring the smooth payment of unduly claimed claims for the refund of value added tax (hereinafter referred to as "VAT") to several tax entities in significant amounts, i.e. with a direct factual impact (also) on the financial interests of the European Union.

The reason for concluding that the law was violated to the extent that it justifies the application of extraordinary cassation intervention pursuant to the above-mentioned legal provisions, was **the retroactive neutralization (negation of preservation or cancellation) of the substantive temporal effect of the procedural act causing the interruption of the limitation period** in the form of bringing charges against natural persons prosecuted for a serious criminal offence damaging the financial interests of the European Union pursuant to the provisions of Section 87, Subsection 3, letter a), Subsection 4 of the Criminal Code (effective from 06.08.2024), which, when applying the principle of lex mitior pursuant to Section 2, Subsection 1 of the Criminal Code (effective from 06.08.2024), was interpreted and applied by the supervising prosecutors in conflict with the binding interpretation of the reference Article 325, Paragraph 1 of the Treaty on the Functioning of the European Union and Article 2, Paragraph 1 of the Convention done on the basis of Article K.3 of the Treaty on European Union on the protection of the European Communities' financial interests (hereinafter referred to as the "PIF Convention"), as set out in the **judgment of the Court of Justice of the European Union of 24 July 2023 in Case C-107/23 (PPU [Lin])**.

From the aforementioned judgment of the Court of Justice of the European Union, the Prosecutor General concluded that it was imperative to interpret the provision of Section 87 Subsection 3 letter a), Subsection 4 of the Criminal Code (effective from 06.08.2024) so that, if all the statutory prerequisites by which the then effective substantive law conditioned the onset of the interrupting effect of the filing of charges (e.g. with regard to the timeliness of the performance of the procedural act from the point of view of the ongoing limitation period) at the time of application of the procedure under Section 206 Subsection 1 of the Criminal Code for serious fraud detrimental to the financial interests of the European Union prosecuted, such effect of the aforementioned procedure remains intact even after any later modification of the relevant normative regulation (e.g. reflected in the direct or indirect shortening of the limitation periods for criminal prosecution).

The seriousness of the fraud affecting the financial interests of the European Union was not assessed in the criminal matters concerned in accordance with the provisions of the Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud affecting the Union's financial interests by means of criminal law (hereinafter referred to as the "PIF Directive"), as these were always acts committed before its entry into force (05.07.2019), to which, for the aforementioned reason, a legally binding act of secondary European Union law is not applicable according to the case law of the Court of Justice of the European Union, but in accordance with the provisions of another legal instrument of EU law, which the PIF Directive has since replaced, namely the PIF Convention.

For the same reason, in the evaluated period of the calendar year 2025, the Prosecutor General also revoked another 20 resolutions

of supervising prosecutors to discontinue criminal prosecution of specific natural and legal persons due to its inadmissibility due to the statute of limitations, namely in criminal matters conducted for acts legally qualified as the crime of tax and insurance evasion pursuant to Section 276 of the Criminal Code, or as the crime of tax fraud pursuant to Section 277a of the Criminal Code, each time with a criminally relevant consequence caused not only in the area of national financial interests, but also indirectly in the area of financial interests of the European Union - due to the loss of the European Union's own financing resources resulting from the application of a single rate to the harmonized VAT assessment base. This was the procedure in relation to tax crimes related to VAT in cases where their extent exceeded the amount of EUR 50,000, or in which any of the statutory features of their qualified facts were fulfilled (as circumstances conditioning the application of a higher penalty rate).

The procedural consequence of issuing the discussed annulling resolutions of the Prosecutor General is the resumption of criminal prosecution of specific natural and legal persons for serious crimes (fraud and bribery) damaging the financial interests of the European Union in the pre-trial phase of criminal proceedings.

B/ STATEMENT TO THE COMMENTS OF MINISTRY OF JUSTICE OF SR, MINISTRY OF INTERIOR OF SR/POLICE FORCE TO THE SK/GPO PRIMARY INFORMATION

B/ VYJADRENIE KU KOMENTÁROM MS SR, MV SR A POLICAJNÉHO ZBORU K PRIMÁRNÝM PODKLADOM PROKURATÚRY SR

In a separately attached document² - we indicate the text of the primary information sent by the Prosecutor General's Office of the Slovak Republic (highlighted in yellow), the text of the secondarily attached statements by the Ministry of Justice of the Slovak Republic, the Ministry of Interior of the Slovak Republic, or the Police Force of the Slovak Republic, on which we have not had the opportunity to comment so far (highlighted in blue) and the indication of the serial number of the related comment of the Prosecutor General's Office of the Slovak Republic, the text of which is as follows:

V osobitne pripojenom dokumente - podklady SR - indikujeme text primárnych podkladov zaslaných Generálnou prokuratúrou SR (zvýraznené žltou), text sekundárne pripojených vyjadrení MS SR, MV SR, resp. Policajného zboru SR, ku ktorým sme sa nemali možnosť doposiaľ vyjadriť (zvýraznené modrou) a indikáciu poradového čísla súvisiaceho komentára GP SR, ktorého text je nasledovný:

1.

Str. 27 a nasl.

Vyjadrenie k obom komentárom MoI/PPF + MoJ

SK/GPO

The Prosecutor's Office is aware of the need to apply tools of public oversight over public administration authorities within a democratic society

However, the issue is not limited to media statements by politicians concerning specific, ongoing criminal matters, but also includes other forms of interference, such as summoning prosecutors to parliamentary committees.

<https://www.noviny.sk/slovensko/1146357-fico-sa-pytal-zilinku-na-vysetrovanie-generalny-prokurator-hovori-o-utoku-na-instituciu>

<https://sita.sk/gluck-vyzyva-zilinku-aby-suhlasil-s-ucastou-balogha-a-kovaca-na-vybore-vysvetlit-by-mal-aj-zavazne-podozrenia-video/>

² RoLR 2026 - SKGPO reaction to MoJ and MoI and PF additional inputs FINAL

<https://www.aktuality.sk/clanok/eoj2V0W/dramaticky-vybor-o-darovani-migov-maros-zilinka-predcasne-odisiel-kritikou-nesetril/>

Prokuratúra si je vedomá potreby uplatňovania nástrojov verejnej kontroly orgánov verejnej správy v podmienkach demokratickej spoločnosti.

Problémom nie sú však len mediálne vyjadrenia politikov, ktoré sa týkajú konkrétnych, stále prebiehajúcich trestných vecí, ale tiež iné zásahy, ako napríklad predvolávanie prokurátorov na parlamentné výbory:

2.

Str. 28-34.

Vyjadrenie ku komentáru Mol/PPF

Text na str. 29.

In 2025, several significant cases were investigated under the supervision of the EPPO. In one specific case, several people were charged with causing damage amounting to EUR 7 million to the EU budget.

The GP SR attributes the decline in the number of solved corruption cases to a general decrease in the number of cases, without taking into account the seriousness of individual corruption cases. Numerous corruption cases in the past, which the GP SR uses to support its argument, **did not have any impact on EU funds or the state budget**. Specialised units focus primarily on investigating serious corruption. Statistics indicators of the GPO does not take into account the seriousness of individual cases

SK/GPO

The 2022 statistical indicators, with which the GPSR compares current results in the fight against corruption, include all types of corruption cases, that means including both high-level corruption cases and cases of petty corruption. Similarly, the 2025 statistics also include cases of petty corruption. It is not true that corruption cases uncovered in the past had no impact on either the EU budget or the national budget. Quite the contrary, in the past, cases of corruption directly affecting state budget funds were also being uncovered. Similarly, cases where corruption was linked to EU funds have been both detected and convicted, as one of the examples, we can mention the case of a former high-ranking official of the Faculty of Natural Sciences of Comenius University doc. RNDr. M.T. PhD, who was convicted by a final judgement, who in 2023 accepted a bribe in the amount of EUR 20,000 in connection with the renovation of the faculty premises, which was funded by EU resources, specifically from the Operational Program Research and Innovation.

Furthermore, it should be noted that the case of more serious corruption in 2025, mentioned in the text by the Presidium of the Police Force (PPZ) where the bribe amounted to EUR 740,000, was documented during the existence of the National Crime Agency NAKA. In this case, charges were not brought against the State Secretary, but rather against the individual who offered the bribe. Other cases, which are mentioned in the text (two mayors of the municipalities, officer of the Financial Administration, and a hospital doctor) are undoubtedly interesting cases of detected corruption; however, they do not constitute high-level corruption. In the past, a relatively large number of similar corruption cases at the regional self-government level were uncovered by NAKA.

V štatistických ukazovateľoch za rok 2022, s ktorými GPSR porovnáva súčasné výsledky v boji proti korupcii sú zahrnuté všetky typy korupčných prípadov, to znamená aj prípady korupcie na vysokých miestach a aj prípady menšej korupcie. Rovnako tak aj v štatistike za rok 2025 sú uvedené prípady menšej korupcie. Nie je pravdou, že by v minulosti odhalené prípady korupcie nemali vplyv na rozpočet EÚ ani štátny rozpočet. Práve naopak, v minulosti boli odhaľované práve aj prípady korupcie priamo zasahujúcej prostriedky štátneho rozpočtu. Rovnako boli odhalené a aj odsúdené prípady, kedy korupcia súvisela s finančnými prostriedkami EÚ, pričom ako jeden z príkladov je možné uviesť napr. právoplatne odsúdený prípad bývalého vysokého funkcionára Prírodovedeckej fakulty Univerzity Komenského doc. RNDr. M.T.

PhD, ktorý v roku 2023 prijal úplatok vo výške 20.000,- Eur v súvislosti s rekonštrukciou priestorov fakulty, ktoré bola hrazená s prostriedkov EU a to konkrétne z Operačného programu Výskum a inovácie.

Ďalej je potrebné uviesť, že prípad závažnejšej korupcie za rok 2025, ktoré PPZ uvádza v texte a kde výška úplatku bola 740.000 Eur, bol zadokumentovaný ešte počas existencie NAKA a nebolo v jeho rámci vznesené obvinenie štátnemu tajomníkovi, ale osobe, ktorá mu úplatok ponúkla. Ostatné prípady, ktoré sú v texte uvedené (dvaja starostovia obcí a príslušník finančnej správy a lekár z nemocnice) sú nepochybne zaujímavými prípadmi odhalenej korupcie, avšak nejedná sa o korupciu na vysokej úrovni, pričom obdobných prípadov korupcie na úrovni regionálnej samosprávy bolo zo strany NAKA v minulosti odhaľované pomerne veľké množstvo.

3.

Str. 28-34.

Vyjadrenie ku komentáru MoJ

Text na str. 29 pod tabuľkou *Number of detected corruption crimes for the years 2023–2025*:

Statistical data on the development of the number of detected corruption crimes in the period from 2023 to 2025 show that this development can be characterized as relatively stable. Despite a slight decline in 2024, this is not a systematic or long-term decline that would justify the conclusion that there has been a significant reduction in the incidence of corruption-related crime.

When evaluating these data, it is also necessary to take into account that statistical indicators in the area of corruption are significantly influenced by the intensity of detection activities by law enforcement authorities, as well as by changes in the methodology of recording and classifying offences. The number of detected crimes cannot therefore be automatically equated with the actual level of corruption in society, but must be assessed in the broader context of the state's repressive and preventive instruments.

SK/GPO

In the section concerning statistics, the Ministry of Justice uses the term „number of detected criminal offences“, however, it has not provided a precise definition of what exactly it considers to be a „detected criminal offence“. The General Prosecutor's Office considers such a term to be misleading and difficult to verify retrospectively; it maintains that the statistical parameters used for many years by the Prosecutor's Office in its annual activity reports-namely:

- the number of criminal prosecutions initiated (a procedural instrument precisely defined by law under Section 199 of the Code of Criminal Procedure)
- the number of charges brought against specific individuals (a procedural instrument precisely defined by law under Section 206 of the Code of Criminal Procedure)
- the number of indictments filed (a procedural instrument precisely defined by law under Section 234 of the Code of Criminal Procedure) and
- the number of cases concluded with a conviction in court

provide a much more objective view on the effectiveness and the total number of relevant corruption cases.

Ministerstvo spravodlivosti v texte, týkajúcom sa štatistiky pracuje s pojmom „počet odhalených trestných činov“, pričom však nikde nezadefinovalo, čo presne považuje za „odhalený trestný čin“.

Generálna prokuratúra považuje takýto pojem za mätúci a ťažko späťne kontrolovateľný, pričom má za to, že štatistické parametre, ktoré používa už množstvo rokov prokuratúra vo svojich správach o činnosti, to znamená:

- počet začatých trestných stíhaní (zákonom presne definovaný procesný inštitút podľa § 199 Trestného poriadku),
- počet vznesených obvinení konkrétnym osobám (zákonom presne definovaný procesný inštitút podľa § 206 Trestného poriadku),
- počet podaných obžalôb (zákonom presne definovaný procesný inštitút podľa § 234 Trestného poriadku) a
- počet odsúdených vecí na súde,

poskytujú oveľa objektívnejší pohľad na efektívnosť a počty relevantných korupčných prípadov.

4.

Str. 28-34.

Vyjadrenie ku komentáru MoJ

Text na str. 30 pod tabuľkou *Number of detected/solved corruption crimes for the years 2023–2025*

A similar trend can be identified in the development of the number of solved crimes, which in the monitored period does not show any significant fluctuations or long-term trends leading to a substantial increase or decrease. The available statistical data show that the clearance rate has remained relatively stable, which indicates continuity in the detection and investigation activities of law enforcement authorities.

SK/GPO

In this case as well, the same reservation of the GPSR applies regarding the formulation used by the Ministry of Justice, or the Presidium of the Police Force (PPZ), concerning the statistics.

The term „number of resolved cases“ is ambiguous, as it is unclear what exactly the authors consider to be a resolved case. Indeed, this may also include cases where citizens criminal complaints regarding corruption were concluded by a rejection of the complaint or by a termination of the criminal prosecution, in which no further action is taken in the matter.

Once again, we state here that the objective and indisputable data which realistically reflect the success of the police in detecting corruption-related crimes are, above all, the number of charges brought and the number of indictments filed.

These objective criteria were also applied by the General Prosecutor of the Slovak Republic during his public criticism of the decline in the success rate of corruption prosecutions on 4 February 2026.

Aj v tomto prípade platí rovnaká výhrada Generálnej prokuratúry SR voči formulácii MS SR, resp. PPZ so štatistikou.

Pojem „počet vyriešených prípadov“ je nejednoznačný, nakoľko nevieme čo presne autori považujú za vyriešený prípad. Môže sa totiž jednať aj o prípady, kedy boli trestné oznámenia občanov o korupcii ukončené odmietnutím trestného oznámenia, alebo zastavením trestného stíhania, kedy sa ďalej vo veci nekoná.

Opäť aj tu uvádzame, že objektívnymi a nespochybniteľnými dátami, ktoré reálne vypovedajú o úspešnosti polície pri odhaľovaní korupčných trestných činov je predovšetkým počet obvinení a počet podaných obžalôb. Tieto objektívne kritériá použil aj Generálny prokurátor SR v rámci verejnej kritiky poklesu úspešnosti trestného stíhania korupcie dňa 4.2.2026.

5.

Str. 28-34.

Vyjadrenie ku komentáru MoJ

Text na str. 30 pod tabuľkou *Number of detected/solved corruption crimes for the years 2023–2025*

... it indicates that there have been no legislative or systemic changes that would have an immediate and significant negative impact on the ability of law enforcement authorities to solve criminal offenses

SK/GPO

Regarding this statement, it should be noted that both the Prosecutor's Office and the Police were forced – due to the amendment of the Criminal Code (reduction of prison sentences and shortening of statutes of limitation) - to terminate several serious corruption cases due to the expiration of the statute of limitations. These cases have been reported, including their descriptions, on several occasions during the Rule of Law Report dialogue with the EU

Commission.

Furthermore, legislative changes concerning the use of benefits for cooperating persons have caused several complications in the evidentiary process of corruption-related crimes. Specifically, the new wording of Section 119(6) of the Code of Criminal Procedure has the potential to negatively impact the evidentiary process in several extensive and exceptionally serious criminal cases that are already pending before the court.

It should be added – of which the EU Commission is aware – that the negative impacts of numerous amendments adopted since 2024 necessitated subsequent changes; specifically, several provisions had to be amended shortly after their adoption (e.g. the so-called “Horalkový§§ (wafer)” regarding minor thefts, and the statutes of limitations for PIF offences).

K tomuto tvrdeniu je potrebné uviesť, že prokuratúra aj polícia bola nútená z dôvodu zmeny trestného zákona (zníženie trestných sadzieb a skrátenie premlčacích lehôt) zastaviť pre premlčanie viacero závažných korupčných trestných vecí, ktoré sme pri viacerých príležitostiach v rámci RoL R dialógu EU COM aj reportovali, vrátane ich popisu.

Taktiež legislatívne zmeny týkajúce sa použitia benefitov pre spolupracujúce osoby priniesli viaceré komplikácie v procese dokazovania korupčných trestných vecí. Konkrétne nová formulácia § 119 ods. 6 Tr. zák. má potenciál negatívne postihnúť dokazovania viacerých rozsiahlych a mimoriadne závažných trestných vecí, ktoré už sú v konaní pred súdom.

Je potrebné dodať, o čom má EU COM vedomosť, že negatívne dopady početných zmien prijatých od roku 2024 museli byť, resp. boli následne menené (napr. tzv. “horalkový” paragraf, premlčacie lehoty pri PIF tr. činoch a pod.).

6.

Str. 28-34.

Vyjadrenie ku komentáru MoJ

Text na str. 34:

From the perspective of the rule of law, therefore, the absence of detected cases cannot be automatically interpreted as a deficit in the activities of the police (or even the prosecutor's office itself), but rather as a neutral statement of the factual situation, which in itself does not allow for evaluative conclusions to be drawn about the extent of corruption at high levels of public authority. The assessment of the effectiveness of law enforcement agencies should not be based solely on a formalistic evaluation of quantitative indicators.

SK/GPO

The claim that the absence of „new cases“ of high-level corruption does not automatically imply a failure of law enforcement authorities correctly points to the principle of the presumption of innocence; however, it ignores long-term trends observed in practice as well as the broader context of measuring corruption and its perception in society. Indeed, international indices, such as the CPI 2025 (Corruption Perceptions Index) published by Transparency International, point out that high-level corruption may not always be detected, but can be systematically present and perceived by the professional public.

If Slovakia ranks in a relatively lower position or stagnates within the 2025 CPI, it indicates that experts and the business community still perceive corruption risks within the public sector. In such a case, a zero count of “newly uncovered cases” does not necessarily reflect an absence of corruption; rather it may indicate low detection efficiency, insufficient investigation, or diminished trust in institutions.

Tvrdenie, že absencia „nových prípadov“ korupcie na vysokých pozíciách automaticky neimplikuje zlyhanie orgánov činných v trestnom konaní, síce samozrejme správne upozorňuje na princíp prezumpcie nevinu, no ignoruje v praxi vnímané dlhodobé trendy ako aj širší kontext merania korupcie a jej vnímania v spoločnosti. Práve medzinárodné indexy, ako napríklad **CPI 2025 (Corruption Perceptions Index)** publikovaný organizáciou Transparency International, poukazujú na to, že korupcia na vysokých úrovniach nemusí byť vždy odhalená, ale môže byť systematicky prítomná a vnímaná odbornou verejnosťou.

Ak sa Slovensko v rámci CPI 2025 umiestňuje na relatívne slabšej pozícii alebo stagnuje, znamená to, že experti a podnikateľské prostredie stále evidujú riziká korupcie vo verejnom sektore. V takom prípade nulový počet „nových odhalených prípadov“ nevypovedá nevyhnutne o absencii korupcie, ale skôr môže naznačovať nízku efektivitu jej odhaľovania, nedostatočné vyšetrovanie alebo zníženú dôveru v inštitúcie.

7.

Str. 37-39.

Vyjadrenie ku komentáru Mol/PPF

Text na str. 37/38:

Similarly, the statement that, in the sense of the phrase used by the prosecutor's office, "disorganisation" associated with the transfer of files and a series of changes in the staffing of investigators led to a temporary stagnation of proceedings, which prosecutors remedied by issuing binding instructions and notifying senior police officers, **does not appear to us to be correct information or a correct statement.** The organisational change, which resulted, among other things, in the transfer of some of the investigation files, caused short-term delays in these proceedings. However, these short-term delays did not result in the expiry of the limitation period. Similarly, the organisational change did not have any impact on criminal cases requiring priority treatment (*custodial cases*), which would have resulted, for example, in the release from custody due to delays in the investigation and the like.

SK/GPO

The Prosecutor's Office does not claim that the replacement of investigators has led to the statute of limitations expiring in corruption cases; however, it deemed it necessary to highlight the negative impacts of the police reorganization, part of which also consisted of delays in proceedings, whereas such a negative state of affairs occurred even in some of the most serious cases related to the management of state budget funds (see the case below, reported in the media by the Regional Prosecutor in Žilina, in which the General Prosecutor's Office of the Slovak Republic (GPSR) pointed out significant inactivity and delays in proceedings due to the replacement of investigators.)

Prokuratúra ani netvrdí, že z dôvodu výmeny vyšetrovateľov došlo k premlčaniu korupčných káuz, avšak považovala za potrebné upozorniť na negatíva reorganizácie v policajnom zbore, ktorých časť spočívala aj v prietahoch v konaní, pričom k takémuto negatívne stavu došlo aj v niektorých najzávažnejších prípadoch súvisiacich s nakladaním s prostriedkami štátneho rozpočtu (viď nižšie uvedený prípad, ktorý medializoval krajský prokurátor v Žiline a kedy GPSR upozornila na výraznú nečinnosť a prietahy v konaní z dôvodu výmeny vyšetrovateľov.)

8.

Str. 37-39.

Vyjadrenie ku komentáru Mol/PPF

Text na str. 38:

It follows from the above that all criminal cases in which no indictment had been filed were redistributed among prosecutors of the GP SR and regional prosecutor's offices, who, just as in the case of redistributed criminal cases involving police officers, had to study the cases and familiarise themselves with them. **The GP SR therefore criticises the PZ for precisely the same internal personnel and administrative processes that it had to apply in an identical manner itself.**

SK/GPO

The prosecution considers these claims to be highly misleading, as the General Prosecutor's Office of the Slovak Republic was not the initiator of the legislative process regarding the dissolution of the Special Prosecutor's Office (ÚSP), and bears no responsibility for the legislative amendment that led to its dissolution.

The law was not submitted through a regular legislative process and lacked proper expert discussion with relevant entities (including, for instance, the General Prosecutor's Office of the Slovak Republic). The subsequent organizational changes implemented by the General Prosecutor's Office of the Slovak Republic (GPO SR) were merely an acute response to the resulting legislative situation. The creation of a specialized unit within the GPO SR to combat corruption – the Serious Crime Department (later established by law as a division) – was an initiative of the GPO SR, which at that moment was fully aware of the necessity to maintain continuity in prosecutorial supervision regarding the prosecution of corruption, therefore transferred several prosecutors to this division who had originally worked at the Anti-Corruption Department of the Special Prosecutor's Office and possessed years of experience in its prosecution. Thus, the General Prosecutor responded to a legislative change that he himself had not initiated by modifying the organizational structure of the prosecution service.

In contrast, the dissolution of the National Crime Agency (NAKA) and the establishment of the Bureau for Combating Organized Crime (UBOK) were not carried out through a change in law, but through an autonomous organizational decision within the Police Force—specifically on the basis of an internal organizational regulation or a decision by the police leadership and the Ministry of Interior.

According to the Act on the Police Force (Act No. 171/1993 Coll.), the structure of the police is defined only in very general terms (the Presidium, units with nationwide or local jurisdiction). The law does not specify concrete units—such as NAKA. The detailed organizational structure is left to the Minister of Interior and the President of the Police Force, who may modify it through organizational acts.

Therefore, it is incorrect to state that “the General Prosecutor's Office of the Slovak Republic criticizes the Police Force for the exact same internal personnel and administrative procedures that it had to apply itself”.

Tieto tvrdenia považuje prokuratúra za veľmi zavádzajúce, pretože pri procese zrušenia ÚŠP nebola Generálna prokuratúra SR iniciátorom tohto legislatívneho procesu a nenesie za predmetnú zmenu zákona, ktorá vyústila do jeho zrušenia, žiadnu zodpovednosť. Zákon bez riadnej odbornej diskusie s relevantnými subjektami (napr. aj s Generálnou prokuratúrou SR) nebol predložený v riadnom legislatívnom procese. Následné reorganizačné zmeny, ktoré uskutočnila GPSR iba akútne reagovali na vzniknutú legislatívnu situáciu, pričom vytvorenie špecializovaného útvaru GPSR na boj proti korupcii – Oddelenia závažnej kriminality (neskôr na zákonom ustanovený odbor) bola iniciatíva Generálnej prokuratúry SR, ktorá si už v danom momente plno uvedomovala nutnosť zachovania kontinuity v prokurátorskom dozore v rámci stíhania korupcie, a preto na odbor presunula niekoľko prokurátorov, ktorí pôvodne pracovali na ÚŠP na oddelení korupcie a mali s jej stíhaním dlhoročné skúsenosti. Generálny prokurátor teda na zmenu zákona, ktorú sám nevyvolal, reagoval zmenou organizačnej štruktúry prokuratúry.

Naproti tomu zrušenie Národnej kriminálnej agentúry (NAKA) a vytvorenie Úradu boja proti organizovanej kriminalite (ÚBOK) nebolo urobené zmenou zákona, ale vlastným organizačným rozhodnutím v rámci Policajného zboru – teda na základe internej organizačnej normy / rozhodnutia vedenia polície a ministerstva vnútra.

Podľa zákona o Policajnom zbore (zákon č. 171/1993 Z. z.) je štruktúra polície definovaná len veľmi všeobecne (prezídium, útvary s celoslovenskou alebo miestnou pôsobnosťou). Konkrétne útvary – napr. NAKA – zákon neuvádza. Podrobné organizačné členenie je ponechané na ministra vnútra a policajného prezidenta, ktorí ho môžu meniť organizačnými aktmi.

Preto nie je korektné uvádzať, že „GP SR kritizuje PZ za presne tie isté interné personálne a administratívne postupy, ktoré musela uplatňovať rovnakým spôsobom.“

9.

Str. 37-39.

Vyjadrenie ku komentáru Mol/PPF

Text na str. 39:

In connection with the above, it is also worth noting that the jurisdiction of NAKA P PZ also covered simple criminal offences, which are investigated abroad by general units (e.g. petty corruption that had no impact on the misuse of EU funds and no impact on the public finances of the Slovak Republic, as well as crimes of extremism) In no EU country are such "minor" crimes investigated by units with nationwide jurisdiction, but by units that correspond to the level of regional police headquarters and district police headquarters within the Slovak Republic. The organisational change, including the change in jurisdiction, was aimed primarily at ensuring that investigators from the specialised police unit focus on investigating serious corruption and do not have to deal with crimes that are investigated by local police units abroad

SK/GPO

Regarding the argumentation involving "other EU countries," it should be noted that a central investigative body for all types of corruption was established in the Slovak Republic following a long-term search for an effective anti-corruption policy. This setup reflected the specific characteristics of the state and received positive assessments from both the EU and international institutions.

The police state that NAKA used to investigate all corruption cases regardless of their severity, which allegedly caused investigators to deal with petty corruption as well. The advantage of the new jurisdictional concept of UBOK is intended to be its selective jurisdiction, focusing exclusively on the most serious cases of corruption. The problem, however, is that this mentioned selective jurisdiction lacks clearly predefined criteria for selecting specific cases. Furthermore, the decision to assign a specific case to UBOK's jurisdiction is not made by the investigator who intends to pursue the matter; instead, it must be decided by the President of the Police Force, who is not bound by the investigator's proposal during the decision-making process. The degree of severity therefore essentially depends on the subjective assessment of a specific case by the President of the Police Force, as it is not clearly defined in any regulation.

Pokiaľ ide o argumentáciu "inými krajinami EU" treba poznamenať, že centrálny vyšetrovací orgán na všetky druhy korupcie bol v podmienkach SR nastavený po dlhodobom hľadaní efektívneho riešenia protikorupčnej politiky a odrážal špecifiká štátu, pričom bol aj v rámci hodnotení EU a medzinárodných inštitúcií hodnotený kladne.

Polícia uvádza, že NAKA vyšetrovala všetky korupčné veci bez rozdielu ich závažnosti, čo malo spôsobovať, že sa vyšetrovatelia zaoberali aj malou korupciou. Výhoda nového poňatia príslušnosti UBOK má byť v tom, že tento má výberovú príslušnosť na iba najzávažnejšie prípady korupcie. Problémom však je, že táto uvádzaná výberová príslušnosť nemá vopred jasne stanovené kritériá pre výber konkrétnej kauzy, pričom platí, že o výbere konkrétneho prípadu do príslušnosti UBOKu nerozhoduje vyšetrovateľ, ktorý by prípad chcel vyšetrovať, ale musí o ňom rozhodnúť prezident PZ, ktorý nie je pri rozhodovaní viazaný návrhom vyšetrovateľa. Miera závažnosti preto závisí v podstate na subjektívnom posúdení konkrétnej kauzy zo strany prezidenta PZ, a nie je v žiadnom predpise jasne definovaná.

10.

Str. 67-69.

Vyjadrenie ku komentáru Mol/PPF

Text na str. 67:

The police force is intensively investigating criminal corruption even after the organisational change in the structure of the police force. in the period from 1 September 2024 to the end of 2025, the relevant departments of the Police Force obtained **270 pieces of criminal intelligence** related to corruption offences such as bribery, accepting bribes and others, while in comparison with the period of 2022, which the GP SR compares in its opinion,

227 were obtained by NAKA.

In 2025, 74 criminal offences were detected and 41 were solved, with a clearance rate of 55 per cent, which is only 3 per cent lower than in 2022.

SK/GPO

Once again, the Police Force operates with parameters that are practically impossible for the prosecution to verify; furthermore, it is impossible to assess the quality of the obtained intelligence information. If the volume of intelligence information has increased, yet the number of initiated criminal proceedings and charges filed has decreased (which is a verified fact), this circumstance may indicate, for example, a lower quality of such intelligence information, as it has failed to lead to further procedural investigation.

Opäť, policajný zbor operuje s parametrami, ktoré je zo strany prokuratúry prakticky nemožné overiť a navyiac nie je možné posúdiť kvalitu získaných spravodajských informácií. Pokiaľ sa počet spravodajských informácií zvýšil, avšak počet začatých trestných stíhaní a vznesených obvinení sa znížil (čo je overený fakt), tak táto skutočnosť môže svedčiť napríklad o nižšej kvalite takýchto spravodajských informácií, keďže tieto informácie nevedli k ďalšiemu procesnému vyšetrovaniu.

11.

Str. 67-69.

Vyjadrenie ku komentáru Mol/PPF

Text na str. 67:

In 2025, 74 criminal offences were detected and 41 were solved, with a clearance rate of 55 per cent, which is only 3 per cent lower than in 2022.

SK/GPO

Once again, as previously mentioned, the police utilize the vague, non-procedural terms detected and solved crimes, whereas the prosecution strictly adheres in its claims to the terms and institutes of the Code of Criminal Procedure, such as the initiation of criminal prosecution, the bringing of charges, or the filing of an indictment.

Opäť ako už bolo uvedené vyššie, polícia používa nejasný, neprocesný pojem odhalené a vyriešené trestné činy, zatiaľ čo prokuratúra sa vo svojich tvrdeniach drží striktnie pojmov a inštitútov trestného poriadku akými sú začatie trestného stíhania, vznesenie obvinenia, či podanie obžaloby.

12.

Str. 67-69.

Vyjadrenie ku komentáru Mol/PPF

Text na str. 68:

The above statement by the former Special Prosecutor's Office, on which the General Prosecutor's Office of the Slovak Republic currently relies, implies that in 2022, **corrupt criminal activity was not uncovered by operational police officers, but by procedural authorities, i.e. investigators.** The criminal activity was uncovered on the basis of statements, and new acts of corruption emerged from individual statements. The corruption was therefore not uncovered through operational and investigative activities. We would just like to point out that in such a situation, if the investigator did not deal with the suspicions of corruption arising from the statements in a procedural manner, **the competent prosecutor supervising the investigation file would have to do so. We consider it incorrect to criticise the performance of operational and investigative activities on this basis**

SK/GPO

The General Prosecutor's Office of the Slovak Republic has never claimed that

corruption-related criminal activity in 2022 was not also detected by police undercover or operational officers. On the contrary, just as is the case today, in 2022, a portion of the cases was detected through operational intelligence, while another portion emerged from the interrogations of witnesses and the accused. However, the cited part of the 2022 report also criticized the insufficient performance of operational intelligence in high-level corruption cases at that time and urged for its improvement; nonetheless, it did not claim that operational intelligence failed to detect any corruption cases in 2022."

GPSR nikdy netvrdila, že by korupčnú trestnú činnosť v roku 2022 neodhalili aj operatívni príslušníci polície. Naopak, rovnako ako v súčasnosti, aj v roku 2022 časť prípadov odhalila operatíva a časť vyplynula z výsluchov svedkov a obvinených. Citovaná časť správy za rok 2022 však aj v tej dobe kritizovala nedostatočnú prácu operatívy pri závažných korupčných kauzách a *nabádala k jej zlepšeniu*, čím však netvrdila, že by operatíva neodhalila žiadne korupčné veci v roku 2022.

13.

Str. 67-69.

Vyjadrenie ku komentáru Mol/PPF

Text na str. 68:

The GPO's statement that investigators and operatives of the former NAKA were systematically trained over a long period of time to detect and investigate corruption offences **is therefore not in line with the relevant report submitted by the former SPO**. In this regard, on behalf of the Police Force, we refer to the specialisation identified in detail above, as well as to the numerous training activities identified in detail in the annex

SK/GPO

NAKA officers had long participated in various specialized training sessions focused on the fight against corruption; for instance, the Special Prosecutor's Office (ÚŠP) itself regularly organized one of these specialized training activities every year. The General Prosecutor's Office of the Slovak Republic (GPO SR) therefore continues to insist that the investigators and staff of the former NAKA were long-term and systematically trained in the detection and investigation of corruption-related crimes. Simultaneously, as specialists, they regularly drew from training activities provided by international sources and organizations where they had been well-established.

Príslušníci NAKA sa dlhodobo zúčastňovali na rôznych špecializovaných školeniach zameraných na boj proti korupcii, pričom napríklad pravidelne každý rok organizoval priamo ÚŠP jedno z takýchto špecializovaných školiacich aktivít. GPSR preto naďalej trvá na tom, že vyšetrovatelia a pracovníci bývalej NAKA boli dlhodobo a systematicky vyškolení na odhaľovanie a vyšetrovanie trestných činov korupcie. Súčasne, ako špecialisti pravidelne čerpali zo školiacich aktivít poskytovaných z medzinárodných zdrojov a organizácií, kde boli etablovaní.

14.

Str. 67-69.

Vyjadrenie ku komentáru MoJ

Text na str. 69:

Although the General Prosecutor's Office of the Slovak Republic pointed out that 168 cases of corruption were prosecuted in 2022, the qualitative aspect of the evidence in these cases was not sufficiently taken into account in the interpretation of this data. A significant proportion of these prosecutions were based mainly on the testimony of cooperating defendants, the evidential value of which was, in some cases, partially and, in others, fundamentally questioned or weakened in the course of further criminal proceedings.

SK/GPO

The General Prosecutor's Office is not aware of the basis on which the Ministry of Justice of the Slovak Republic makes these claims and, under no

circumstances, does it identify with them.

A relevant assessment of the alleged low evidentiary value of cooperating defendants would require an in-depth and rigorous analysis of specific corruption cases that have been final and binding. The GPO SR is not aware of the existence of any such objective analysis, nor has it ever participated in its preparation.

Generálnej prokuratúre nie je známe, na základe akých podkladov uvádza MS SR tieto tvrdenia a v žiadnom prípade sa s nimi nestotožňuje. Relevantné posúdenie otázky tvrdenej nízkej dôkaznej hodnoty spolupracujúcich obžalovaných by si vyžadovalo hĺbkovú a dôslednú analýzu konkrétnych korupčných prípadov, ktoré sú v súčasnosti právoplatne ukončené, pričom GPSR nie je známe, že by takáto objektívna analýza existovala, resp. nikdy na jej vypracovaní neparticipovala.

15.

Str. 67-69.

Vyjadrenie ku komentáru MoJ

Text na str. 69:

From a statistical point of view, 2022 can therefore be seen as a period when there was an increase in the number of criminal prosecutions that were not always supported by comprehensive and multi-source evidence

SK/GPO

It must be repeated once again that the General Prosecutor's Office of the Slovak Republic is unaware of the basis on which the Ministry of Justice makes these claims and, under no circumstances, does it identify with them. A relevant assessment of the alleged lack of support for criminal cases by comprehensive evidence from multiple sources would require an in-depth and rigorous analysis of specific corruption cases that have been final and binding; the GPO SR is not aware of the existence of any such objective analysis.

Opäť je potrebné zopakovať, že Generálnej prokuratúre SR nie je známe, na základe akých podkladov uvádza MS SR tieto tvrdenia a v žiadnom prípade sa s nimi nestotožňuje. Relevantné posúdenie otázky tvrdenej nepodloženosti trestných vecí komplexnými dôkazmi z viacerých zdrojov by si vyžadovalo hĺbkovú a dôslednú analýzu konkrétnych korupčných prípadov, ktoré sú v súčasnosti právoplatne ukončené, pričom GPSR nie je známe, že by takáto objektívna analýza existovala.

16.

Str. 71-72.

Vyjadrenie ku komentáru MoJ

Text na str. 71:

We would like to draw attention to the fact that the actions of the General Prosecutor and the facts he has presented show signs of bias against the current governing coalition. Evidence for this claim is the conflict between Prosecutor General Maroš Žilinka and Žilina Regional Prosecutor Tomáš Balogh, which was also presented in the media and which shows that the Prosecutor General was personally involved in actions detrimental to representatives of the Slovak government.²⁸

SK/GPO

This is a grossly misleading claim by the Ministry of Justice of the Slovak Republic.

There is no programmatic bias of the Prosecutor General of the Slovak Republic towards representatives of the Slovak Government (that is not at all conceivable).

Neither the General Prosecutor of the Slovak Republic nor his subordinate prosecutors act in criminal matters based on any bias, but exclusively based on the law.

Furthermore, there is no connection between the materials submitted by the prosecution within the process of the 7th Rule of Law Report and the proceedings regarding the dismissal of a regional prosecutor.

When processing the primary materials for the 7th Rule of Law (RoL) report, as in previous years, the General Prosecutor's Office of the Slovak Republic respected the structure of the questionnaire and the relevant methodology, and relied exclusively on its own analytical outputs.

Our conclusions are not politically motivated. The indicators of criminal prosecution following the legislative and institutional changes in 2024 are confirmed by the prosecution's statistics as well as practical examples, which are reported in accordance with the EU Commission questionnaire.

Regarding the dismissal of the Regional Prosecutor in Žilina, the General Prosecutor of the Slovak Republic was not in any personal conflict with the former Regional Prosecutor in Žilina, JUDr. Tomáš Balog. He exercised his statutory personnel competencies as a result of the severity of identified managerial failures (a chain of violations of legal norms and internal regulations) by the Regional Prosecutor in the area of economic management of the Regional Prosecutor's Office in Žilina.

The General Prosecutor of the Slovak Republic categorically rejects any claims regarding a political motive for this decision.

Simultaneously, the General Prosecutor of the Slovak Republic emphasizes that it is his duty to ensure strict compliance with legal procedures in criminal prosecution, including in cases of “persons close to the government coalition,” which encompasses the timeliness and continuity of criminal proceedings.

The Prosecutors' Council of the Slovak Republic also identified with the substantive reasons stated in the proposal for the dismissal of JUDr. Balog from the position of Regional Prosecutor after a personal hearing. Within its legally mandated prior statement on the proposal for dismissal, the Council concluded that the identified managerial failures were evaluated as incompatible with the position of a chief prosecutor, the Council concluded that the combination of serious managerial failures in the economic field, non-compliance with internal regulations, the inadmissibility of commenting on active criminal cases, along with inviting politicians into the resolution of internal disputes, is unacceptable; therefore, it recommended that the General Prosecutor of the Slovak Republic proceed with the proposed personnel measure.

A supportive statement from the Serious Crime Department (OZK), as the affected organizational unit.

The alleged “conflict” between the General Prosecutor and the Regional Prosecutor in Žilina actually consisted of the fact that the supervisory prosecutor of the Serious Crime Department (OZK) and the department director identified, in a specific criminal proceeding (in which charges

were brought, among others, against an individual currently holding a high-ranking position at the Government Office of the Slovak Republic), that—partly due to the police reorganization—there were long-term delays in the proceedings, in fact, during more than a year since the charges were brought against the specific individuals, almost no procedural acts had been performed. The Serious Crime Department (OZK) of the GPO SR notified both the supervising prosecutor and the Regional Prosecutor in Žilina in writing of these deficiencies, reproached them for their inactivity, and ordered them to take active steps to eliminate the delays in the proceedings.

At the same time, the Director of the Serious Crime Department (OZK), the supervisory prosecutor, and the General Prosecutor of the Slovak Republic himself also verbally notified them of these deficiencies. For reasons that are difficult to understand, these legitimate and legal procedural steps taken by the superior prosecution office were subsequently questioned by the Regional Prosecutor in Žilina, who sent a purposefully formulated letter to the National Council of the Slovak Republic's Committee on Defense and Security, accusing the General Prosecutor of the Slovak Republic of alleged interference in a criminal matter. Subsequently, members of the National Council of the Slovak Republic summoned the General Prosecutor of the Slovak Republic to explain the prosecution's procedure in the matter. The claim stated in the text—that the General Prosecutor personally participated in actions harming representatives of the Slovak Government—is therefore grossly misleading and contrary to the facts. The General Prosecutor's Office intervened in the criminal matter fully in accordance with its legal powers, with the objective of ensuring that serious delays in the proceedings were eliminated.

Ide o hrubo zavádzajúce tvrdenie MS SR.

Neexistuje žiadna programová zaujatosť generálneho prokurátora SR voči zástupcom slovenskej vlády (vôbec to nie je ani predstaviteľné).

Generálny prokurátor SR, ani jeho podriadení prokurátori, nekoniajú v trestných veciach na základe akejkoľvek zaujatosti, ale výhradne na základe zákona.

Neexistuje ani žiadna súvislosť medzi podkladmi prokuratúry uplatnenými v rámci procesu 7. správy o stave právneho štátu a konaním vo veci odvolania krajského prokurátora.

Generálna prokuratúra SR pri spracovaní primárnych podkladov v rámci procesu 7RoL, ako tomu bolo aj v predchádzajúcich rokoch, rešpektovala štruktúru dotazníka, príslušnú metódu a vychádzala výlučne z vlastných analytických výstupov.

Naše závery nie sú motivované politicky. Ukazovatele trestného stíhania po legislatívnych a inštitucionálnych zmenách v roku 2024 potvrdzujú štatistiky prokuratúry, ako aj praktické príklady, ktoré sú v zmysle dotazníka EU COM reportované.

Pokiaľ ide o otázku odvolania krajského prokurátora v Žiline, generálny prokurátor SR s bývalým krajským prokurátorom v Žiline JUDr. Tomášom Balogom nebol v žiadnom osobnom konflikte, uplatnil však svoje zákonné personálne kompetencie, a to v dôsledku závažnosti identifikovaných manažérskych pochybení (rešazenie porušenia právnych noriem a interných predpisov) krajského prokurátora v ekonomickej oblasti riadenia Krajskej prokuratúry v Žiline.

Akkoľvek tvrdenia o politickom motive tohto rozhodnutia generálny prokurátor SR dôrazne odmieta.

Zároveň, generálny prokurátor SR zdôrazňuje, že je jeho povinnosťou dbať na striktné dodržiavanie zákonných postupov trestného stíhania, a to aj v prípadoch „osôb blízkych vládnej koalícii,“ medzi ktoré patrí aj včasnosť a plynulosť trestného konania.

S vecnými dôvodmi uvedenými v návrhu na odvolanie JUDr. Balogha z funkcie krajského prokurátora sa, po osobnom prerokovaní, stotožnila aj Rada prokurátorov SR. V rámci svojho zákonom predpokladaného predchádzajúceho vyjadrenia k návrhu na odvolanie skonštatovala, že identifikované manažérske zlyhania boli vyhodnotené ako nezlučiteľné s postavením vedúceho prokurátora, pričom skonštatovala, že kombinácia závažných manažérskych zlyhaní v ekonomickej oblasti, nerešpektovanie interných predpisov, neprípustnosti komentovania živých trestných vecí, spolu s prizývaním politikov do riešenia interných sporov je neakceptovateľné a preto generálnemu prokurátorovi SR odporučila realizovať navrhované personálne opatrenie.

Podporné vyjadrenie OZK, ako dotknutej organizačnej zložky.

Uvádzaný „konflikt“ medzi generálnym prokurátorom a krajským prokurátorom v Žiline spočíval v skutočnosti v tom, že dohľadový prokurátor OZK GPSR a riaditeľ odboru identifikovali v konkrétnom trestnom konaní, (v ktorom bolo vznesené obvinenie okrem iného aj osobe, ktorá v súčasnosti zastáva vysokú funkciu na Úrade vlády SR), že (aj z dôvodu reorganizácie v polícii) dochádzalo k dlhodobým prieťahom v konaní, kedy prakticky v priebehu viac ako roka po vznesení obvinenia konkrétnym osobám neboli vykonané takmer žiadne procesné úkony. Na vzniknuté nedostatky OZK GPSR písomne upozornilo tak dozorového prokurátora, ako aj Krajského prokurátora v Žiline, vytkla im nečinnosť a uložila aby podnikli aktívne kroky na odstránenie prieťahov v konaní. Zároveň ich na nedostatky aj ústne upozornil riaditeľ OZK, dohľadový prokurátor a aj samotný Generálny prokurátor SR. Tieto legitímne a zákonné procesné postupy nadriadenej prokuratúry následne z ťažko pochopiteľných dôvodov spochybnil Krajský prokurátor v Žiline tým, že zaslal účelovo formulovaný list parlamentnému výboru NRSR pre obranu a bezpečnosť, v ktorom obvinil Generálneho prokurátora SR s údajného zasahovania do trestnej veci. Následne si

poslanci NRSR predvolali Generálneho prokurátora SR, aby im vysvetlil postup prokuratúry v predmetnej veci. Tvrdenie uvádzané v texte, že generálny prokurátor sa osobne podieľal na konaní poškodzujúcim zástupcov slovenskej vlády je preto hrubo zavádzajúce a v rozpore so skutočnosťou. Generálna prokuratúra do trestnej veci zasiahla plne v súlade s jej zákonnými oprávneniami a jej cieľom bolo dosiahnuť, aby sa odstránili závažné prieťahy v konaní.

.....

The General Prosecutor's Office is prepared to continue a constructive, partnership-based dialogue with the relevant entities and thus contribute to improving the functioning of the criminal justice system based on expert arguments.

Generálna prokuratúra je pripravená pokračovať v konštruktívnom, partnerskom dialógu s dotknutými subjektmi a prispievať tak k zlepšovaniu fungovania systému trestnej spravodlivosti na základe odborných argumentov.

V Bratislave, 24.3.2026

*Spracoval JUDr. Ing. Ladislav Majerník,
na základe podkladov organizačných zložiek GP SR a vyjadrení vedenia prokuratúry SR.*