

Slovakia under the EU's Rule-of-Law Eye

Thomas Wahl



News

On 21 November 2025, the European Commission decided to open an infringement procedure against Slovakia for failure to comply with fundamental principles of Union law. By sending a letter of formal notice, the Commission particularly targets Slovakia's recent constitutional amendment which allows Slovak authorities, including courts, to assess whether and to what extent EU law may apply in Slovakia, including rulings of the Court of Justice of the EU. This contravenes the principle of the primacy of EU law, which is a fundamental element of the EU legal order, together with the principles of autonomy, effectiveness, and uniform application of Union law. The Commission also noted that the amendments were adopted without addressing the Commission's concerns that were raised in advance.

Recent legal changes by the Slovak government set off the alarm bells at the EU institutions. It is feared that they have negative consequences for media freedom and civil society, and for Slovakia's ability to fight corruption and the possible misuse of EU funds. On 10 September 2025, MEPs discussed with Commission and Danish Council Presidency representatives how to address democratic backsliding and threats to EU values in the country. The debate followed two visits of MEPs from the Budgetary Control Committee (CONT) and Civil Liberties Committee (LIBE) in May and June 2025. According to the MEPs' statements after these two visits, the following issues are particularly worrisome in Slovakia:

- Dissolution of the Special Prosecutor's Office, which put the protection of the Union's financial interests at risk. This includes a sharp decrease in early 2025 of the number of indictments for criminal activities formerly dealt with by the Office. MEPs also disagree with the argumentation that the amendments were made in compensation of extending the jurisdiction of the European Public Prosecutor's Office (EPPO), because the EPPO needs expertise at the national level.
- Other changes to Slovakia's criminal law, including the reduction of sentences for corruption-related offenses or the extension of the statute of limitations for sexual violence.
- Doubts as to whether Slovakia adequately detects and prevents fraud. The CONT delegation was pointed to several scandals involving agricultural or rural development funds. Concrete cases of misuse of EU funds included the financing of "guesthouses" which were never used for their intended purposes or the acquisition of lorries.
- There is a mismatch between the actual project funding and the existential needs of Roma communities.
- Democratic principles are compromised as the current Slovakian government continues the use of the expedited legislative procedures; this marginalises the legislative branch.

AUTHOR

Thomas Wahl

Senior Researcher
Max Planck Institute for the
Study of Crime, Security and
Law

Published in
2025, Vol. 20(3) [euCRIM](#)
ISSN: 1862-6947
<https://euCRIM.eu>



- The "Foreign Agents Act" render operations by non-governmental organisations burdensome and their work virtually untenable.
- Slovakia has established a prevailing climate of hostility towards journalists; this includes disinformation, politically motivated investigations and the deployment of strategic lawsuits against public participation (SLAPPs). The EU's Media Freedom Act is jeopardized by restructuring the public broadcaster and political interference into the broadcaster's independence.
- Compliance with the values of Art. 2 TEU is questionable as regards the plans to amend Slovakia's constitution by asserting the supremacy of Slovak law over international law in matters of culture and ethics, including family law.

On 17 January 2024, the European Parliament already adopted a [resolution](#) in which it voiced profound concern over several Slovak government's measures that will weaken the rule of law in the country (→[eucrim 1/2024, 3](#)).

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