

**Question for written answer E-001388/2021
to the Commission**
Rule 138
Loránt Vincze (PPE)

Subject: Compatibility of Member State legislation with EU law

The Commission previously explained¹ that Member State legislation created before accession must be amended accordingly to be compatible with EU law.

1. Does the Commission agree that Decision No 104/1945 of the National Council of the Slovak Republic², which forms part of the Slovak legal order and is the basis for court rulings, may facilitate discrimination based on race and ethnicity that could jeopardise legal certainty, and raises questions regarding the rule of law, and therefore its current and future application in the Member State is incompatible with European Union principles?
2. Can the authorities of a Member State confiscate immovable property without appropriate compensation, and by claiming that the State is merely correcting past errors of maladministration as regards asset confiscations on ethnic grounds, without prejudice to EU principles?
3. How can the Member State make the above law compatible with EU law, how can the Commission offer help in this, and should the principles of *ratione temporis* and the free movement of capital, and the requirements of the EU rule of law be taken into account in the process?

¹ OJ C 310 E, 25.10.2013

² Decision No 104/1945 of the National Council of the Slovak Republic on the confiscation and accelerated redistribution of agricultural property owned by Germans, Hungarians and the traitors and enemies of the Slovak nation, and the related Dekret presidenta republiky 12/1945 ze dne 21. června 1945 o konfiskaci a urychleném rozdělení zemědělského majetku Němců, Maďarů, jakož i zrádců a nepřátel českého a slovenského národa.