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# MISSION REPORT

following the LIBE delgation to Slovakia - 15-17 December 2022

Committee on Civil Liberties, Justice and Home Affairs

Members of the mission:

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## ***Introduction***

On 12 October 2022, two young persons, Matúš Horváth and Juraj Vankulič, were brutally murdered and a third person injured in Bratislava. The shooting quickly appeared as a deliberate and planned attack explicitly targeting the LGBTIQ+ community, and intended to kill more people, including high officials and the Prime Minister. The perpetrator, 19-year-old Juraj Krajčík, had published a far-right manifesto online just before the attack and was found dead the following day, having committed suicide. The attack was declared an anti-LGBTIQ+ hate crime and, as of 17 October 2022, a terrorist attack.

The European Parliament took very swiftly position on the event with its “[resolution of 20 October 2022 on growing hate crimes against LGBTIQ+ people across Europe in light of the recent homophobic murder in Slovakia \(2022/2894\(RSP\)\)](#)”. As for the Civil Liberties, Justice and Home Affairs (LIBE) Committee, upon initiative of its Monitoring Group on Democracy, Rule of Law and Fundamental Rights (DRFMG), it decided on 27 October 2022 that a new fact-finding mission should be organised from 15 to 17 December 2022. Authorisation was granted by the Bureau on 21 November 2022.

The aim of the mission was to assess the background and the context of recent hate crimes and increased online radicalisation in Slovakia, and to discuss with relevant authorities and stakeholders concrete steps to be taken in the protection of vulnerable groups and the fight against hate. Regarding LGBTIQ+ persons in particular, it is to be noted that in Slovakia, marriage is constitutionally defined as a union between one man and one woman, and there is no same-sex marriage or civil partnership. In recent years, multiple anti-LGBTIQ+ legislative proposals have been tabled. Only 31% of Slovaks agree that LGBTIQ+ individuals should have the same rights as other citizens. This is the lowest share in the EU and it has actually fallen by 5% since 2015.

The three-Member delegation (Sophia in 't Veld (Renew), leading it, with Vladimír Bilčík (PPE) and Elena Yoncheva (S&D)) arrived in Bratislava on the day of a vote of no confidence in Parliament. The motion was adopted and the President asked the incumbent Government to remain in office until the organisation of elections<sup>1</sup>. However, the programme of the delegation was not impacted and MEPs met with Prime Minister Eduard Heger, the Ministers of Culture (Natália Milanová, accompanied by State Secretary Radoslav Kutaš) and of Education, Science, Research and Sport (Ján Horecký), the State Secretaries for Interior (Lubomír Šablica) and Justice (Edita Pfundtner), as well as the Prosecutor General (Maroš Žilinka) and the Special Prosecutor (Daniel Lipšic), high-level representatives of law enforcement authorities (President of the Police Stefan Hamran and Director for Slovak Criminal Agency Lubomir Danko), and the Government Plenipotentiary for Roma communities (Ján Hero).

Discussions with officials were followed by exchanges with civil society representatives - NGOs working in particular with LGBTIQ+ persons and promoting equal opportunity and protection of minorities, as well as journalists - and eventually a visit to the Tepláreň bar owned by Roman Samotný, spokesperson of the movement Ide nám o život (Our Life Is At Stake) where the murders took place.

The mission took place in the broader framework of monitoring work carried out by the LIBE-DRFMG on developments in the wider field of Democracy, Rule of Law and Fundamental Rights. The LIBE Committee, with the support of the DRFMG, has been monitoring the

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<sup>1</sup> “[Slovak prime minister gives until January end to find a new majority](#)”, 9 January 2023, by [Michal Hudec](#) | [EURACTIV.sk](#)

situation in Slovakia closely since the murder of Ján Kuciak and Martina Kušnírová in 2018. In the present legislative term, the group held eight meetings in Brussels and visited the country last on 21-22 September 2021 (more information is available on the [DRFMG Subject file](#) on the LIBE Committee webpages). The latest DRFMG meeting devoted to the follow-up to the inquiry into the assassination of the journalist and his fiancée, as well as to the judicial reform and the fight against corruption, took place on 22 April 2022.

The European Parliament Liaison Office (EPLO) provided critical support for the preparation and running of the mission in Bratislava, for which the LIBE Committee delegation is grateful.

### ***Summary account of meetings***

#### **Friday, 16 December 2022**

All meetings were introduced by the Head of delegation who presented the background and objectives of the visit. Referring first to the longer-term DRFMG monitoring work as a background to the mission, she insisted on the importance of quickly taking stock of the political context in which the murders took place and of the fundamental rights situation, as well as of showing support to the Slovak population in general and LGBTIQ+ people in particular.

#### **8:30 - 10:00 Meeting with civil society representatives**

- Martin MACKO, Executive Director, Iniciatíva Inakosť (Otherness initiative) – an umbrella association of several LGBTI+ organisations
- Roman SAMOTNÝ, owner of Tepláreň and spokesperson of Ide nám o život (Our Life Is At Stake) – a new movement to promote LGBTI+ security and rights created after the murder supported by 50+ NGOs and CSOs
- Robert FURIEL, Director of SAPLINQ and PRIDE Košice, Alexandra DEMETRIANOVÁ, Head of Campaigns and Advocacy, SAPLINQ, O.Z. - LGBTI+ organisation active in the Slovak regions

Civil society representatives were asked to assess reactions to the murders by the authorities and within the population at large as well as debates in the public space. They were also asked to comment more generally on the background and legal and policy framework, stressing challenges and actions needed.

The exchange unfolded around the following topics:

- The investigation on the attacks, on which NGO representatives indicated not having much information since they were not direct parties in the case, and at the time of the meeting the shooting was still under a news embargo.
- Their cooperation with the police, which was reported as very good around the murders and at the bar where the murders took place (Tepláreň). NGOs stressed that the police demonstrated sound professionalism. The reaction of the Police President, who gave strong support and showed determination in treating LGBTIQ+ persons like any other citizens by visiting the bar just after the events, was particularly noted. This position was highlighted as a good step in police forces against the general climate, which was otherwise qualified as homophobic and based on stereotypes and prejudices. The fact that the case was quickly requalified as a terrorist attack was seen as a sign that the events were taken very seriously. Insufficient reactions on other instances of attacks against LGBTIQ+ persons, including in schools, were also mentioned in the discussion,

as well as the fact that minority community members tend not to report crimes of which they are victims.

- The reaction of the authorities was overall felt as compassionate given the strong condemnation of the attacks. However, a lack of priority - visible also in terms of funding - given by the government to the protection of minorities in general and LGBTIQ+ persons in particular, and to the prevention of and fight against hate, was regretted. The NGOs regretted also the lack of safe places and of education policies on fundamental rights in general and sex/gender in particular, as those topics are only touched upon in religious classes. No concrete steps have been taken towards the recognition of same-sex partnership, not even mentioning marriage. On the contrary, restrictive legislation on medical transition for transgender persons is still in force. Interlocutors stressed that public media should do more to inform about LGBTIQ+ persons and to promote fundamental rights-based values.
- The development of hate speech amongst Members of Parliament was also pointed out, as MPs cannot be held criminally liable for their words and have refused to draw up an ethics code. Further, NGO representatives reported a feeling that there is no will to prosecute hate crimes in the public space and that prosecuted cases do not often lead to sentences. They expressed concerns about the climate of the next election campaign in that respect.
- The reaction of the public at large was seen as partly positive, with some expressions of support to the victims and openness towards LGBTIQ+ persons. However, homophobia was reported as still strongly rooted in the society, in particular against transgender persons. It was seen as causing a sense of insecurity amongst LGBTIQ+ persons who feel compelled to limit their behaviour in daily activities. Opinion polls showing a decrease in support for registered partnerships were mentioned. Homophobic - but also antisemitic and directed against Roma - speech was reported as developing in the public space. The reaction of the Catholic Church was particularly discussed, following the publication in an internal newsletter of Archbishop of Trnava's position, who had implied that the victims of the Tepláreň attack may not have been innocent, pointing at drug consumption in the bar. These comments were seen as reflecting a general orientation perceived in the Conference of Bishops' regular comments on laws. Individuals more open to respect LGBTIQ+ fundamental rights and a 'rainbow Christians' trend were also mentioned. However, this did not reflect in the institution's predominant public speech.
- Radicalism was stressed as being very present in society and action of the government to counter its development was perceived as rather weak. NGO representatives referred to the manifesto written and posted on the web by the perpetrator of the attack at Tepláreň. As for its impact, they stressed the fact that it was written in English, getting thus international audience, including from foreign security departments. NGO representatives evoked conspiracy websites against which it is felt that not enough was done, the priority of the government being on disinformation related to Ukraine rather than on hate crime. As for education in schools, it lacks a systematic approach and funding, and relies on individual initiatives of teachers and NGOs.
- EU funds were evoked in relation to a specific projects for which an informed consent by parents was required for kids to be able to participate. Advisory services for people victims of discrimination were also developed thanks to EU funds. However, the

increased administrative workload and the lack of support for coordination tasks were indicated as discouraging for small NGOs.

### **10:15 - 10:45 Meeting with Natália Milanová, Minister of Culture and Radoslav Kutaš, State Secretary**

The Minister of Culture and the State Secretary, the first representatives of the Government that the delegation met, started the exchange with clarifications on the state of play after the vote of no confidence. They further exchanged with the delegation on the following topics:

- The monitoring of Slovakia by the DRFMG since 2018, with the regard to the effectiveness of media freedom in the country, security of journalists and the independence of public media in particular, and the observation that no matter how the legislation evolved hate speech is still very present in the Slovak public space;
- The media environment with regard to the implementation by Slovakia of the Digital Services Act (DSA) aspects concerning the regulation of hate speech online and the disinformation in the media. Legislation had until then mainly been used to stop misinformation, notably in Russian-supported media, but this did not apply to the online environment. The Minister explained that the regulation of hate speech under the DSA fell under the responsibility of the Ministry of the Economy, including for implementation, and that the Ministry of Culture requested to co-sponsor the monitoring, as it has developed its own regulation authority, the media board, which can request platforms to remove content based on user's complaints. Finally, this will lead to unified legislation for press and online media.
- Continued hate and intolerance against the LGBTIQ+ community in Slovakian society and of the lack of legislative improvements under this Government's term due to a parliamentary resistance to address the issue, showing a clear need to do more for instance via programming on public TV (e.g. LGBTIQ+ characters in fictions);
- The difficulty to counter the spread of disinformation and hate online in a context of continued crises (COVID, war in Ukraine) and on the progress needed in digital literacy and education;
- Actions undertaken by the Ministry of Culture in support of the LGBTIQ+ community, including in funding opportunities for cultural events through the introduction of an equal opportunity funding clause and symbolic gestures, such as the participation of the Ministry in the festival that followed the Tepláreň killings.

### **10:45 - 11:10 Meeting with Ján Horecký, Minister of Education, Science, Research and Sport, accompanied by Janette Motlova, Research Institute of Child Psychology and Pathopsychology**

The Minister explained that the murders of Ján Kuciak and his fiancée acted as a strong stimulus to develop a policy against violence and radicalisation amongst the youth. In the wake of the violent events that took place in Slovakia, the Ministry and the Institute have developed resources (booklets, webpages, podcasts, webinars) aimed at children, parents and teachers to provide them with information on how to handle situations of violence and bullying. Multidisciplinary teams were also sent to schools to work on prevention. Schools are seen as spaces for prevention, for spreading values so that children grow as citizens ready to accept

differences. Mental health projects are also developed, for instance with online screening of anxiety. Ms. Motlova informed the delegation that behavioural standards in public and educational environments, which also target children from the youngest age (3 years), would be published by Ministerial decrees soon. These standards would address the issue of violence and radicalisation from a multidisciplinary approach and help detection, prevention and counsel for the youth.

The following topics were discussed during the exchange with the MEPs:

- Ongoing efforts to promote a “value-based education” and tolerance in schools, seen as positive though small steps, as changes to the curricula have remained limited, in particular on sexual/gender education;
- The neutrality of school programmes given the influence of other stakeholders, such as the Conference of bishops and their comments on education laws;
- The difficulty to implement guidelines on the prevention of homophobia and violence in practice, although communication of the ministry on LGBTIQ+ intolerance and racism has increased, including via regional centres established throughout the country;
- The need to further support programmes and LGBTIQ+-focused projects similar to ‘Our life is at stake’, to improve the system of prevention at school with additional funding and consultations with civil society, and more broadly the need to provide support to children from any minority at school.

The Head of the delegation indicated that an online exchange could be organised in 2023 with the new Government to continue the discussions and take stock of progress made since the visit.

### **11:15 - 12:00 Meeting with Maroš Žilinka, Prosecutor General and Daniel Lipšic, Special Prosecutor**

The exchange with the delegation revolved around the two cases under special jurisdiction - the attack at Tepláreň and the murders of Ján Kuciak and Martina Kušnírová - with discussions on limitations inherent to the legal framework.

The main points of discussions were the following:

- The Tepláreň attack: the Special Prosecutor clarified that the case being under investigation, he could not give details but assured that a robust investigation was going on with the help of Europol, which is likely to spread over months. He could also confirm that it had been classified as ‘terrorist attack’, given its main aim to create disorder in society. The main target of the attack was the Prime Minister. However, as the perpetrator was unable to contact him at his place of residence, the target moved to Tepláreň. The perpetrator’s Manifesto was published after the murder. The document denoted conspiracy elements about the Government perceived as Jewish, and that the attack was obviously inspired by external events, including New-Zealand and US cases. Identifying international and European links was one of the clear priorities of the investigation, for which cooperation with Europol and the FBI was developing.
- The Ján Kuciak and Martina Kušnírová murders: it was recalled that the acquittal judgement was reversed by the Supreme court. The case had started again, with new motions from the prosecution, hearings and the presentation of additional evidence on which the court had to decide. The case was near its closing argument and the Special Prosecutor indicated that the file was progressing well.

- The wider activities of the prosecution: cases of young people radicalising online and committing violent crimes in school (axe / guns to attack class-mates) were reported as multiplying, showing a deterioration of juvenile mental health, reflected also by a rise in suicide cases - a topic felt as deserving socially-wide attention. The Prosecutor General felt that the Prosecution understood the seriousness of hate crimes, seeing those as even more pronounced and visible. He noted that the war against Ukraine was a practical example of hate crime. The Prosecution services take part in international conferences, in particular on activism and terrorism. As for the fight against extremism, the Prosecutor General considered that this should be covered as part of education activities which are vital for prevention. He also insisted on the necessity to strictly implement legislation already in place.
- The reform of the prosecution, with the appointment of the Special prosecutor in 2021, was assessed as positive by the General Prosecutor in the fight organised criminality and terrorism. He provided the delegation with figures on the number of inducted cases, showing improvement since 2020.
- Article 363 of the criminal code and trust in the independence of the prosecution services was discussed in light of the unexpected use of Article 363 on November 29<sup>2</sup> to stop the procedure against Smer-SD head and former Prime Minister Robert Fico, ex-Interior Minister Robert Kaliňák, former Police Corps President Tibor Gašpar and his family member, and entrepreneur Norbert Bődör. All of them were charged in the 'Twilight case<sup>3</sup>', which concerned extensive corruption. The Prosecutor claimed that the use of Article 363 was based on objective facts and fully justified due to violation of the law by the police in the preliminary proceedings. He highlighted that the reasons for activating Article 363 in this case were duly communicated via a press briefing and, as usual, published in an anonymised way. The Prosecutor General also stressed that although high profile cases might shed the light to this procedure, recourse to Article 363 was less frequent than under his predecessor's office. Moreover, the Prosecutor General insisted that the use of Article 363 did not prevent the continuation of the case, mentioning cases where several persons were being processed after an initial cancellation of the proceedings.
- The use of IT technology and spyware: it was clarified that the use of spyware has to be authorised in court. It was acknowledged that there is room to improve the devices used and the competence to use monitoring techniques in the investigations. This will be up to the Government to decide on whether to allocate resources here. Meanwhile, it was noted that no information was collected on the Tepláreň attack before it took place. Another case was raised where the FBI had informed the Slovak police of an attack being prepared.

## **12:15 - 13:00 Meeting with Ľubomír Šablica, State Secretary, Stefan Hamran, President**

<sup>2</sup> The decision by the General Prosecution using the article 363 to stop the case, and comments by the Special Prosecution who did not agree with the GP decision can be found there: [https://www.facebook.com/permalink.php?story\\_fbid=pfbid02JhXUrEhbYF3cFksedRoejKJprqn8K6rwR4L6uNYgYz8cJHunMG8YMeN5AcyGijrNI&id=100078986981709](https://www.facebook.com/permalink.php?story_fbid=pfbid02JhXUrEhbYF3cFksedRoejKJprqn8K6rwR4L6uNYgYz8cJHunMG8YMeN5AcyGijrNI&id=100078986981709); see also related article in Dennikn <https://dennikn.sk/3139815/paragrafy-cita-generalna-a-specialna-prokuratúra-pri-ficovi-uplne-inac/>

<sup>3</sup> According to the investigator, the most serious charges in the investigation case named "Twilight" pertain to what he describes as an organised criminal group. With its people in some of the most powerful government positions, the group was able to launch or stop investigations into entrepreneurs or Smer's political opponents, according to the needs of the party's leaders. The group also worked to gather classified information and blackmail people. This allegation is based on the results of another ongoing investigation. The argumentation of the investigator is heavily contested by the defence lawyers.

## **of the Police and Ľubomír Daňko, Director of Slovak National Criminal Agency**

Police President Hamran started with expressing his firm rejection of any hate directed at the LGBTIQ+ community and his commitment to combat any manifestation of hate crime. He stressed that the police had for the first time condemned such anti-LGBTIQ+ attacks, and distanced itself from ambiguous reactions to the Tepláreň attack such as the one of the Catholic Church which questioned the ‘innocence’ of the victims. He expressed his intention to increase communication on these topics even further. He confirmed that the primary goal of the 12-October attack was the Prime Minister.

The Director of the Slovak National Crime Agency (NAKA), Ľubomír Daňko, presented the Agency as the only nation-wide body mandated for investigating the sort of hate crime that was perpetrated at Tepláreň. Action was taken after the attack to reinforce capacities, in consultation with the National Council, with the Slovak intelligence service, and changes to legislation were recommended. These will then translate into individual action plans for fighting terrorism or extremism. Several other hate crime-related issues were mentioned as being investigated thoroughly, such as an attack against a musician holding a rainbow flag on 10 December 2022. He observed that this type of crime was becoming more frequent.

Further, the exchange of views with the delegation covered the following main topics:

- The difficulty and need to improve monitoring of hate speech on the web and social networks, with the Police President referring to recommendations presented to the National Council and the Ministry of Interior, going beyond legislation and covering e.g. personnel matters, technical changes, individual measures, which could be integrated to a national document on security. Also, it was mentioned that a national anti-terrorist centre with a focused unit on terrorism was established this year. It was felt that structures are in place but lacked sufficient staff to monitor social networks.
- Cooperation with Europol and FBI, with a pre-court agreement pending and reference to a ‘Slovakbro case’<sup>4</sup> where a Slovak citizen was eventually prosecuted, although foreign agencies had assessed his publications as being posted by a native-English speaker. More broadly, it was mentioned that the Police works closely with the intelligence service, foreign services and military intelligence, under the cooperation of the Security Council. Nevertheless, in the Tepláreň case, no warning signs had been flagged and thus no preventive action was taken.
- Cooperation with the Ministry of education for a school project, with police prevention specialists visiting schools regularly. However, it was stressed that it is not the role of the police to be continuously in schools. Teachers should be trained to detect issues and students that might be potentially radicalised. Certain patterns can be identified, in cooperation with the police, but teachers are the ones who should educate about basic rights and freedoms. Families should also be considered, as radicals tend to come from families preaching themselves radical ideas.
- The strategy to promote tolerant attitudes within the police forces, seen as a needed action to improve prevention against homophobic crimes, which falls short of sufficient staff and police officers. The strategy is to press for substantial reform of the police

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<sup>4</sup> The 22-year-old Slovak citizen going by the name "Slovakbro" on Telegram and other social networks was arrested in early 2022 in a joint US and European operation and sentenced to 6 years of prison. The Teplaren killer referred to Slovakbro in his online manifesto. See: <https://spravy.pravda.sk/domace/clanok/646648-slovakbro-na-sude-specializovany-trestny-sud-rozhoduje-o-extremistovi/>



training system, with the prospect of an increase from 50 to 500 of police staff properly trained to engage in prevention and to engage with educators to fight against extremist views amongst the youth in the coming years. The police forces could absorb higher numbers of citizens, there is no problem of a lack of interest for working in the police, but as things stand there is not enough capacity to properly integrate citizens. The first phase of the reform of the Police was completed with the creation of a national centre for police analytics and a corps specialised on environmental criminality. Reinforcement should continue with 1000 additional places opening up.

- The difficulty to promote tolerance in the police while the political speech is getting less and less tolerant and politicians themselves resort to hate speech and mobilise voters on hate values.
- The development of broad cross-border movements or ideologies behind hate speech and crime, and radicalisation in Slovakia. Links between cases were for instance shown by references in the Tepláreň murderer's Manifesto to other crimes and expression of admiration to other perpetrators.

### **13:15 - 14:00 Meeting with Edita Pfundtner, State Secretary**

State secretary Edita Pfundtner conveyed the apologies of Minister Karas who had to deal with matters related to the follow-up of the vote of no-confidence in Parliament and the resignation of the Government. She then presented the action taken by the Minister since the Tepláreň attack, including meetings with representatives of the LGBTIQ+ community, as well as with the Jewish community. He also organised exchanges with representatives of academia, the police presidium, NAKA, in roundtables to identify ways to counter expressions of hate, which were central in those attacks.

In this respect, Ms Pfundtner stressed that legislation appears to be sufficient. However, the Ministry was tasked to review possible enlargement of the criminal act and conflict resolution proceedings and to reform the criminal code and courts. Far-reaching changes were presented into two pieces of legislation. She indicated that the Government would continue working on those two pieces of legislation. Proposed amendments to the criminal legislation also aim at reinforcing the protection of journalists and LGBTIQ+ persons.

The ensuing exchange of views revolved around the following topics:

- Ways to improve the situation of people, such as LGBTIQ+ persons, who enjoy lower level of protection in society; placing this issue at the top of the political agenda; the political will was questioned as promises made by the Government did not translate into concrete proposals (non-binding recommendations were mentioned, as well as annulment of regional decree contrary to CJEU rulings and the 'Jelina case' in favour of recognition of same-sex couples), including towards transgender persons; inaction was considered as becoming extremely dangerous given the atmosphere in society towards fundamental rights-based values (the risk of an upcoming violent electoral campaign being raised again here).
- Judicial cases which are not finalised, giving an impression of impunity against corruption and hate crimes.
- The status of the reform of the judiciary, which was supposed to have entered into force by 1st June 2023: it remained difficult to find people for certain courts and district court in Bratislava, judges not being all ready to change their remits. It was estimated that

only a third of the new measures went through. Work on implementation was expected to continue, as well as on the EU recovery funds, and the new administrative courts were presented as about to start operating soon.

### **14:30 - 15:30 Meeting with the Slovak Government Plenipotentiary for Roma communities Ján Hero**

The Plenipotentiary indicated that since taking office in 2021, he had worked on implementing the EU Roma strategic framework for equality, inclusion and participation of Roma for 2020-2030. Mr. Hero assured that his office had the necessary resources - expertise and funding - to fulfil its mission, i.e. to eliminate undignified living conditions for Roma communities in Slovakia, stressing in particular the support it receives from the Commission. On the other hand, he stressed that the current national context presented certain challenges that may hinder the work of his office. For instance, he stressed that the consequences of the COVID-19 pandemic, the humanitarian implications of the war in Ukraine or the rising of energy prices, limit the ability of municipalities to resort to public procurement.

Mr. Hero informed the delegation that in the framework of the EU Strategy, the government aims to improve the living conditions of the 200 000 Slovakian citizens belonging to the Roma community by palliating the lack of access to water, hygiene and education in municipalities. This is to be achieved through the implementation of a national action plan and in particular by increasing funding available for municipalities, strengthening capacities to identify needs at local level, auditing and developing projects, and setting up multidisciplinary expert teams. The funds levied under the action plans should benefit the whole community, not only Roma minorities, in order to avoid creating antagonisms and fostering inclusion and equality instead. Open calls are being launched to local authorities to increase absorption capacity. Mr. Hero explained that his office was in the process of updating and digitising the Atlas of Roma communities, which repertories the various Roma communities living in the country. Finally, the Plenipotentiary stressed that a comprehensive approach addressing multiple dimensions of inclusion was the only key to a successful inclusion of Roma minorities.

During the exchange with MEPs, the following issues were discussed:

- Ownership and increased political representation of Roma people in local and national institutions was seen as a positive step, as Slovakia now counts 52 Roma mayors (against 44 before the latest local elections), several Roma MPs and has seen the creation of two specific advisory bodies (a platform of NGOs working on Roma inclusion and a 'Roma Congress');
- Support given to Roma-led local projects and training given to Roma individuals to foster their involvement was positively assessed;
- The importance of articulating Roma inclusion policies with the national plan for improving employment;
- The potential to fight marginalisation through increased focus on education, in particular the history of the Roma people during WWII, and the promotion of the Roma language and culture, with a parallel here with LGBTIQ+ persons' 'coming out' in the public space;
- Obstacles to self-identification as Roma resulting from continuing discrimination and occasional acts of violence, and the need for further operational work on fighting discrimination. This should take place through the implementation of the action plans

and through policy developments, in line with the resolution adopted by the national Council on 27 September 2022 defining the notion 'Anti-Roma hatred' in accordance with the IHRA definition (International Holocaust Remembrance Alliance)<sup>5</sup>, with measures ensuring safe places and areas of withdrawal.

### **15:45 - 16:45 Meeting with journalists**

- Attila Lovász, Rádio Devín, part of RTVS - Radio and Television Slovakia
- Matúš Kostolný, Editor in chief, Denník N
- Beata Balogová, Editor-in-chief of SME or Ms Kovačič-Hanzelová
- Lukáš Diko, Editor, Investigatívne centrum Jána Kuciaka

Journalists were asked to give their assessment of the situation in the country with regard to LGBTIQ+ persons and minorities, in order for the delegation to better understand the background against which the Tepláreň attack took place, and to point at what could be done at different levels of intervention.

The following main topics were discussed:

- The massive and immediate reaction of support and compassion after the Tepláreň murders, hiding a deep-rooted rejection of fundamental rights-based values, including LGBTIQ+ rights within part of the population, nurtured by some political parties represented in Parliament and influenced by similar ideological trends as observed in Hungary.
- The shared responsibility of elites, including politicians and journalists, in this evolution over the last twenty years, as well as a lack of information amongst the population, where stereotypes and misconceptions around LGBTIQ+ ideas tend to survive against scientific evidence and societal development.
- The fact that the 200,000 registered refugees having been welcomed from Ukraine also represent an easy target for hate speech and attacks.
- The drug trade and organised crime situation in the country.
- The risk that such hate and populist speech may be further stimulated during the upcoming electoral campaign.
- The need to monitor activity on the web, including its 'dark' part and Telegram where groups of supremacists radicalising young people are operating and to act against the diffusion of online hatred and radicalisation.
- The need to protect journalists, and for the police to take to take their complaints seriously and show more trust towards the victims, in particular women and including when attacks are published via Telegram and are not direct physical threats;
- The media freedom act, which includes a media watchdog to be composed of nominees by local regulators lacking independence. However, journalists saw the definition of their activity as that of a writer as a positive protecting point and raised the question of the implementation of the act. Consultations in the legislative process were also seen as insufficient.

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<sup>5</sup> <https://www.holocaustremembrance.com/news-archive/slovakia-working-definition-anti-roma-racism>

- The question of independence of RTVS, the public broadcasting company, very much linked to its funding, felt as insufficient and problematic, in particular an ‘add on’ which might not be transferred before the elections - a situation seen as contributing to the vulnerability of the country to external influence and propaganda.

### **17:00 - 17:30 Press conference**

The [press release](#) issued at the end of the mission and [recording of the press conference](#) are available on the European Parliament website

### **17:45 - 18:30 Visit at Tepláreň bar owned by Roman Samotný, spokesperson of the movement Ide nám o život (Our Life Is At Stake)**

The delegation paid respect to Matúš Horváth and Juraj Vankulič in front of the memorials outside the bar where they were murdered on 12 October 2022. MEPs further discussed with Roman Samotný the circumstances of the attack and its consequences on the bar, which in spite of its small dimensions was presented as one of the few openly LGBTIQ+-friendly bar in the Slovak capital. While Mr Samotný explained his difficulties in foreseeing re-opening in a near future, the delegation expressed support, stressing the importance of keeping a safe meeting place for the LGBTIQ+ community and for the neighbourhood at large.

### **19:00 - 19:45 Meeting with Eduard Heger, Prime Minister of Slovakia**

The delegation exchanged with the Prime Minister, who asked for feedback from meetings held during the visit. They discussed in particular the atmosphere in the public sphere and the country as a whole, considering that an open and safe climate is the best protection against murders such as the ones that triggered this visit. On the contrary, the delegation noted a clear and worrying rise of homophobic and antisemitic hate speech. Radicalisation of the youth, online but also, unfortunately, on the streets, is mounting, grounded on increasing disinformation, including from foreign sources. Those topics were felt as likely to take a prominent part in the upcoming electoral campaign, calling for a strong counter-narrative. The delegation expressed their sense of urgency for public action in this respect, feeling that ambitions could be stronger than what they heard during the day.

Progress noted with regard to the Rule of Law since the DRFMG started its monitoring exercise in 2018 is felt as fragile and the delegation felt that the country was at a crossroad. Against the background of increased hate and intolerance, impunity would be a very negative signal. The Prime Minister expressed his commitment to continue fighting radicalisation, disinformation and hate speech and crime, supporting European values and the Rule of Law, combatting corruption and strengthening the independence of the judiciary, even though the Government was heading to care-taking functions until the elections.

### ***Conclusions***

Speaking on behalf of the delegation, Ms In't Veld presented highlights of the mission during the press conference, having taken stock of the relevant legal and political framework around the murders, and discussed concrete steps in the fight against hate in the country.

She stressed how shocked they were by the cruel and cowardly murder of Matúš Horváth and Juraj Vankulič, and expressed their heartfelt condolences to their loved ones and full support for the LGBTIQ+ community in Slovakia. She recalled the European Parliament's resolution of 2021 stating that the entire EU has to be a LGBTIQ+ freedom zone, and that there is no place for hatred, racism and discrimination in our societies.

The delegation strongly welcomed the efforts of the police, the NAKA and special prosecution services' to swiftly carry out the investigations into the terrorist offence at the Tepláreň bar and the involvement of Europol in the case. The delegation also stressed the urgent need to prevent and counter extremism, hate crimes and hate speech online and offline, including against members of the LGBTIQ+ community, and called on the government to allocate the necessary resources to the competent authorities. She shared their concern to learn that the case is a reflection of a larger problem of radicalisation of the society and especially of youth in the online space, as indicated in the murderer's personal notes, manifesto and social media posts. She indicated that any sense of impunity for far-right extremist groups should be eradicated, as it is considered to be among the reasons for the alarming rise in violent actions and threats against minorities.

While the meeting with NGOs indicated some increased support and openness towards the LGBTIQ+ community in some parts of the society, Ms In 't Veld reported that many of the delegation's interlocutors had described a toxic public debate, fuelled by offensive, aggressive and homophobic language towards the LGBTIQ+ community and minorities more generally, including by members of government, parliament and certain representatives of the Catholic Church in Slovakia. The delegation welcomed a clear message by the Police President that such extremist behaviour would not be tolerated in Slovakian society, and demanded immediate steps by the government and the National Council to put an end to hate speech and defamation, especially in view of the upcoming electoral campaigns, including the fight against disinformation. They encourage an ambitious approach from the future Minister of Education in including topics such as sexual orientation or gender identity in the regular curricular program, and welcome the increased cooperation between the police and schools with the aim to tackle radicalisation. The delegation also called to assign appropriate budgets to action plans and strategies anchored in the Antidiscrimination Act and equivalent legislation to allow for its efficient implementation.

Further, the delegation Chair recalled that the DRFMG was concerned about the deficient situation of equality rights in Slovakia, especially for LGBTIQ+ and Roma people. Ending discrimination and removing all obstacles those communities face when exercising their fundamental rights requires wide acknowledgement of the problems and a cross-party effort to address them. She indicated that DRFMG calls on the government to step up the efforts to improve the legal recognition of same-sex couples and their children and to quickly adopt other related legal reforms, including appropriate health care procedures for transgender people.

While recognising the limited powers of the caretaker government, the delegation felt encouraged by the Prime Minister's commitment to effectively use the tools at its disposal. Its Chair stated that DRFMG would stay vigilant and continue to closely monitor all relevant developments in Slovakia in the future, including the ongoing reforms of the judiciary, the powers of the state prosecutor and the annulment of charges against high-profile individuals.

## Annex I

### Committee on Civil Liberties, Justice and Home Affairs (LIBE)

#### Mission to Slovakia

15-17 December 2022

### Final Programme

#### Thursday, 15 December 2022

<b>14.00</b>	<i>Departure from Strasbourg to Bratislava, after votes in Plenary (recom. flight Stuttgart-Vienna 18.00-19.20, bus Vienna Bratislava)</i>
<b>21.00</b>	<i>Arrival at the hotel, individual dinner arrangement</i>

#### Friday, 16 December 2022

<b>8:00 - 8:30</b>	<i>Bus pick-up from hotel and transfer to EP Liaison Office, Palisády 29, Bratislava</i>
<b>8:30 - 10:00</b>	<b>Meeting with civil society representatives</b> <ul style="list-style-type: none"><li>• <b>Martin MACKO</b>, Executive Director, <b>Iniciatíva Inakosť</b> (Otherness initiative) – an umbrella association of several LGBTI+ organisations</li><li>• <b>Roman SAMOTNÝ</b>, owner of Tepláreň and spokesperson of <b>Ide nám o život</b> (Our Life Is At Stake) – a new movement to promote LGBTI+ security and rights created after the murder supported by 50+ NGOs and CSOs</li><li>• <b>Robert FURIEL</b>, Director of SAPLINQ and PRIDE Košice, <b>Alexandra DEMETRIANOVÁ</b>, Head of Campaigns and Advocacy, <b>SAPLINQ, O.Z.</b> - LGBTI+ organisation active in the Slovak regions</li><li>• <b>Silvia PORUBANOVÁ</b>, Executive Director, <b>Slovak National Centre for Human Rights</b> - 2 mandates: national human rights institution and national equality body</li><li>• <b>Fedor BLAŠČÁK</b>, Director, <b>Open Society Institute</b> – NGO promoting equality of chances and protection of minorities</li></ul> <p><i>Venue: EP Liaison Office, Palisády 29, Bratislava</i></p>
<b>10:15 - 10:45</b>	<b>Meeting with Natália Milanová, Minister of Culture and Radoslav Kutaš, State Secretary</b> <p><i>Venue: EP Liaison Office, Palisády 29, Bratislava</i></p>

<b>10:45 - 11:10</b>	<p><b>Meeting with Ján Horecký, Minister of Education, Science, Research and Sport</b></p> <p><i>Venue: EP Liaison Office, Palisády 29, Bratislava</i></p>
<b>11:15 - 12:00</b>	<p><b>Meeting with Maroš Žilinka, Prosecutor General and Daniel Lipšic, Special Prosecutor</b></p> <p><i>Venue: EP Liaison Office, Palisády 29, Bratislava</i></p>
<b>12:15 - 13:00</b>	<p><b>Meeting with Ľubomír Šablica, State Secretary for Interior, Stefan Hamran, President of the Police and Ľubomír Daňko, Director of Slovak National Criminal Agency</b></p> <p><i>Venue: EP Liaison Office, Palisády 29, Bratislava</i></p>
<b>13:15 - 14:00</b>	<p><b>Meeting with Edita Pfundtner, State Secretary for Justice</b></p> <p><i>Venue: EP Liaison Office, Palisády 29, Bratislava</i></p>
<b>14:00 - 14.30</b>	<p><i>Lunch (at EP Liaison Office, Palisády 29, Bratislava)</i></p>
<b>14:30 - 15:30</b>	<p><b>Meeting with the Slovak Government Plenipotentiary for Roma communities Ján Hero</b></p> <p><i>Venue: EP Liaison Office, Palisády 29, Bratislava</i></p>
<b>15.45- 16.45</b>	<p><b>Meeting with journalists</b></p> <ul style="list-style-type: none"> <li>• <b>Attila Lovász</b>, Rádio Devín, part of RTVS - Radio and Television Slovakia</li> <li>• <b><a href="#">Matúš Kostolný</a></b>, Editor in chief, Denník N</li> <li>• <b>Beata Balogová</b>, Editor-in-chief of SME or <b>Ms Kovačič-Hanzelová</b></li> <li>• <b>Lukáš Diko</b>, Editor, Investigatívne centrum Jána Kuciaka</li> </ul> <p><i>Venue: EP Liaison Office, Palisády 29, Bratislava</i></p>

<b>17.00 - 17.30</b>	<b>Press conference (Chair)</b> <i>Venue: EP Liaison Office, Palisády 29, Bratislava</i>
<b>17.45- 18.30</b>	<b>Visit at <u>Tepláreň bar</u></b> owned by Roman Samotný, spokesperson of the movement Ide nám o život (Our Life Is At Stake)
<b>19.00 - 19.45</b>	<b>Meeting with Eduard Heger, Prime Minister of Slovakia</b> <i>Venue: Námestie slobody 1, Bratislava</i>
<b>19.45</b>	<i>Bus transfer to the hotel</i>

**Saturday, 17 December 2022**

<b>6.15</b>	<i>Bus pick up from hotel and transfer to the airport in Vienna (recommended flight Vienna to Brussels at 9.15, SN 2902)</i>
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