

ORAL QUESTION WITH DEBATE O-0109/05  
pursuant to Rule 108 of the Rules of Procedure  
by Monika Beňová and Poul Rasmussen, on behalf of the PSE Group  
to the Commission

Subject: Development in Slovakia - Undermining of the labour rights of the Slovak Police Union and the remilitarisation of the Slovakian police force

The Slovakian Government has 'remilitarised' its police force, which means that military courts will have jurisdiction over members of the police force, the railway police, the prison and court guard, the National Security Authority and customs officers - in terms of peace and war. The police will be considered as soldiers in times of war or when the country is in a war footing. In practical terms, this means that Slovak citizens will be policed by the military as of 2006.

The Slovak Police Union, OzP Slovakia, organised a lawful demonstration in which over 3 000 police officers took part. Following the demonstration, the Interior Minister, Vladimir Palko, demoted Miroslav Litva, OzP President, from his senior police rank. Mr Palko has also threatened disciplinary action against any police officer participating in further demonstrations. Can the Commission clarify, as a matter of urgency, whether the actions of the Slovakian Government constitute an infringement of Article 6 of the TEU?

A primary condition for the establishment of a common area of freedom, security and justice in the EU, as established in Title VI of the TEU, is to ensure that citizens employ the same high level of law enforcement standards throughout the EU. How can the police be expected to cherish our EU democratic rights if they do not have the same rights as other EU citizens?

The decision to remilitarise constitutes a restriction of the individual rights of police officers guaranteed in the European Convention on Human Rights and their Charter of Fundamental Rights and Freedoms, in particular Article 5 and 6 thereof, which guarantee that all citizens have the right to equal access to the law and a fair trial. This involves the impartiality of civilian judges. However, in military courts, judges are military personnel, and police officers would, therefore, not have the same rights as other EU citizens. The Slovak Government's decision is, therefore, not in line with the European Convention and Recommendation 2000/10 on the European Code of Police Ethics of the Council of Europe's Committee of Ministers.

Membership of the European Union, as stipulated in the Copenhagen Criteria, requires all EU Member States to respect their commitments to our fundamental EU values. This is absolutely clear in the Conclusion by the European Council of 1993. If the Slovak government is not respecting its obligations as an EU Member State, what action will the Commission take?

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Deadline for reply: 12.12.2005