

WRITTEN QUESTION P-4813/05
by Monika Beňová (PSE)
to the Commission

Subject: Development in Slovakia - Undermining of labour rights of Slovakian Police Union and remilitarisation of 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 periods of peace and war. The police will be considered as soldiers at time of war or war footing. In practical terms this means that Slovakian citizens will be policed by the military as of 2006.

The Slovakian Police Union, OzP Slovakia, organised a lawful demonstration in which over 3000 police officers took part. Following the demonstration the Interior Minister, Vladimir Palko, demoted Miroslav Litva, OzP President, from his high police rank. Minister Palko has threatened disciplinary action against any police officer participating in further demonstrations.

A cornerstone for the establishment of a common area for freedom, security and justice in the EU, as established in Title VI of the TEU, is to ensure that citizens have 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 don't have the same equal rights as other EU citizens, and can the Commission urgently clarify whether the actions by the Slovakian Government are an infringement of Article 6 of the TEU?

The decision to remilitarise constitutes a restriction of the individual rights of police officers as guaranteed in the European Convention on Human Rights and the Charter of Fundamental Rights and Freedoms, in particular art. 5 and art. 6, which underline all citizens' right to equal access and fair trial. This is related to the impartiality of civilian judges. However, in military courts, judges are military personnel, and thus police officers would not have the same rights as other EU citizens. The Slovakian Government's decision is therefore not in line with this European convention and the Recommendation No R (2001) 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 that all EU Member States respect their commitments towards our fundamental EU values. This is absolutely clear in the Conclusion by the European Council of 1993.