

**Annex 2 [Note verbale reference: CU 2023/225/DTA/CEB/CSS]**

***“Progress made and challenges encountered in implementing resolution 9/1”***

States parties are invited to provide relevant information in line with paragraph 25 of resolution 9/1, entitled Sharm el-Sheikh declaration on strengthening international cooperation in the prevention of and fight against corruption during times of emergencies and crisis response and recovery, in which the Conference:

*[Requested] the secretariat to submit to the Conference of the States Parties at its tenth session a report on **progress made and challenges encountered in implementing [resolution 9/1]**<sup>1</sup>.*

**A. Contact Information**

Please provide contact details for potential follow-up questions. Contact details will be treated confidentially.

*Country: [Slovak Republic](#)*

*Government Agency: [Ministry of the Interior of the Slovak Republic](#)*

*Department: [National Crime Agency of the Police Force Presidium](#)*

[Redacted contact information]

**B. Questions**

**1. Progress made**

Please describe the measures or steps your country has taken (or is planning to take, together with the related appropriate time frame) to implement operative paragraphs 1 to 21 of resolution 9/1. *Please state the relevant operative paragraphs in your answer.*

1. *Encourages* States parties to further the full and effective use of the United Nations Convention against Corruption to develop, put in place and, where appropriate, improve and strengthen anti-corruption policies and strategies, in accordance with domestic law, to ensure emergency preparedness and address corruption during times of emergencies and crisis response and recovery;

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<sup>1</sup> Please note that the secretariat has collected information on the implementation of paragraphs 22 and 23 of resolution 9/1 separately.

Despite the repressive focus of competence activities, the National Crime Agency of the Police Force Presidium (hereinafter the NACA) also actively participates in the development of anti-corruption initiatives and participated in working meetings organized by the coordinator of the anti-corruption policy of the Ministry of the Interior of the Slovak Republic. During the implementation of the Action Plan for the fight against corruption of the Police Force for the years 2019 - 2023, as well as in the plans for the further development of the anti-corruption policy, she promoted the introduction of the principles of morality, ethics, integrity and prioritization of public interest over private interests within the Police Force.

In line with current anti-corruption challenges, as well as to comply with the recommendations of international organisations, the NACA in cooperation with the OECD Public Governance Directorate, has developed the Anti-Corruption e-learning program "Integrity Against Corruption".

The Anti-Corruption e-learning program consists of three training modules that provide a broad framework of policies on corruption prevention and promoting an integrity culture, such as standards for the governance of public officials, managing conflicts of interest, the revolving door system, setting a standard for accepting donations, preventing nepotism, fostering an open organisational culture, and ensuring transparency in lobbying, as well as the legal conditions for sanctioning corruption offences, including corruption offences in international business transactions.

The Anti-Corruption e-learning program is designed to improve the professional potential, awareness and educational level of employees from the public administration, business sector, civil society and the general public. It is displayed on the website of the Ministry of the Interior of the Slovak Republic in both Slovak and English languages <http://www.minv.sk/?dotaznik>, <http://www.minv.sk/?survey>.

2. *Also encourages* States parties to continuously monitor and review the anti-corruption measures implemented during the ongoing coronavirus disease (COVID-19) pandemic and other times of emergencies and crisis response and recovery and to monitor the impact of the COVID-19 pandemic on corruption-related trends, keeping in mind that corruption risks may have increased during the pandemic;

A particular feature of the last three years has been the critical moments marked by the COVID-19 pandemic, which among other negative impacts, has also provided an opportunity for those who seek to exploit the situation for illicit enrichment, taking advantage of corrupt and other illegal practices.

In order to prevent this phenomenon, several measures have been taken to prevent this undesirable phenomenon in the conditions of the Police Force. In order to eliminate corruption risks and related criminal activities in the wake of the Covid-19 pandemic, a mechanism for reporting, registering and evaluating crimes committed in connection with the Covid-19 pandemic has been established in the conditions of the Police Force. The contact point for reporting suspected crimes was the Criminal Police Office of the Presidium of the Police Force.

3. *Further encourages* States parties, in accordance with the fundamental principles of their legal system, to afford anti-corruption bodies, supreme audit institutions and other relevant entities the appropriate mandates and the necessary independence and resources to carry out their functions effectively and free from undue influence, including, where relevant, in coordinating anti-corruption efforts, during times of emergencies and crisis response and recovery, and to strengthen political will in this regard;

As a rule, the law enforcement authority is an investigator who is completely independent in securing, evaluating and using evidence. For this reason, he bears full responsibility for criminal proceedings. From the point of view of command and control, it is managed by a senior official who does not intervene in the actual performance of the criminal investigation, but issues tasks of an administrative-methodical nature that do not affect the course of the investigation itself.

The investigator is directly managed and controlled by the prosecutor. Other entities do not enter into this process as part of the dilution and control of the investigation. The independence of the investigators of the Police Force in the framework of the investigation is ensured by the provisions of § 201 par. 3 of the Criminal Code, which reads "Except for the case for which the decision or consent of the pre-trial judge or the prosecutor is required, the police officer performs all actions independently and is obliged to perform them in accordance with the law and on time."

The independence of police officers in matters of investigation is also regulated in the provisions of § 7 par. 1 of Act no. 171/1993 Coll. on the Police Force, as amended.

The consistent application of the independence of police officers in the field of prevention and detection of corruption in application practice is based on the premise that all police officers on duty must be apolitical. This obligation is regulated by the provision of Article 48(5) of Act No 73/1998 Coll. on the civil service of members of the Police Corps, the Slovak Information Service, the Prison and Judicial Guard Corps of the Slovak Republic and the Railway Police, as amended, in the following wording "*A police officer assigned to shall not be a member of a political party or a political movement, nor shall he/she carry out activities in favour of them*".

Since the activities of police officers are contingent on the public's trust, in order to perform their duties effectively, police officers must adhere to the highest standards of moral and ethical values. The obligation of the members of the Police Force to observe the Code of Ethics in the performance of their professional activities is enshrined in Section 8(1) of Act No. 171/1993 Coll. on the Police Force, as amended.

The Code of Ethics of a Police Officer was issued by the Slovak Ministry of the Interior Regulation No. 41/2022 as a set of moral principles, values, requirements and integrity standards which a police officer shall follow in the performance of his/her official activities. According to Article 4(1) of the Code of Ethics, "*A police officer shall always act and decide objectively, impartially, without prejudice or bias, and shall not discriminate against anyone, including with regard to national, ethnic, religious, racial, ethnic, class, gender, sexual, age, social, political and economic differences, in the performance of his/her official duties*".

The independence of police officers is also declared in Article 4(1) of the Code of Conduct: *“A police officer shall not, in the performance of his/her official duties, take part in political activities, associate himself/herself with any political party or political movement, or engage in activities for or against any political party or political movement”*.

4. *Calls upon* States parties to prevent opportunities for public officials to use their status, influence or insider knowledge to profit from procurement processes or the design, allocation, distribution or management of crisis response and recovery measures by requiring public officials to disclose potential conflicts of interest and ensuring appropriate review, management and sanction mechanisms, in accordance with domestic law;

Within the Police Force, particular attention is paid to the prevention of criminal activities of police officers by supporting and promoting the integrity of police officers and the Police Force as a whole, with the aim of applying professional principles and standards and common ethical values and prioritising the public interest over private interests in the activities of police officers.

The Code of Ethics of a Police Officer, as a set of moral principles, values, requirements and standards of integrity which a police officer follows in the performance of official activities, states in paragraph 1 of Article 7, marked "Integrity and conflict of interest", *“A police officer shall observe ethical values and standards of conduct in the performance of official activities, guided by the principles and standards of professional courtesy, responsibility and professionalism, honesty, fairness, integrity, with a view to promoting the interests and needs of society as a whole over personal interests, and shall refrain from conduct that may lead to a conflict of those interests”*.

The prevention of conflicts of interest in the performance of a police officer's official duties is also regulated by Article 7(2) *“A police officer shall not associate with persons whom, in the circumstances and in view of his or her personal circumstances or his or her official position, he or she should or could have known to be persons connected with the commission of criminal offences, except in the performance of official duties”*.

5. *Urges* States parties to establish and, where necessary and appropriate, further strengthen, through the whole public procurement cycle, transparent, competitive and objective public procurement systems conducted by electronic means, if feasible within their means and in accordance with their domestic law, and to develop and improve guidelines for the use and governing of emergency procurement procedures that integrate anti-corruption safeguards to help ensure transparency, oversight and accountability during times of emergencies and crisis response and recovery, including by supreme audit institutions and other oversight bodies;

The analysis of the activities the NACA to date shows that, in addition to the standard processing of findings, information and anonymous reports, it is essential that the efforts of operatives focus in particular on longer-term documentation of cases

and the related penetration into areas where corruption undoubtedly exists but is concealed by the individual actors in the corruption scheme of business-legal relations.

These are in particular the areas of handling public funds in the context of public procurement, the use of non-repayable funds from the European Union budget, within individual ministries, state and local government bodies and the organisations they manage. In this area, it is important to focus operational detection on the quality of operational documentation, which means in particular documenting cases over a longer period of time. Thanks to the application of appropriate analytical tools and expert procedures in the processing of NACA information, it was possible to prove the hitherto highly latent corrupt criminal activity committed even in high places.

6. *Also urges* States parties to have in place sufficient internal audit systems and, where necessary, to strengthen them to help monitor the allocation and distribution of emergency relief and ensure the implementation of measures to prevent corruption during times of emergencies and crisis response and recovery, in accordance with their domestic legal frameworks;

From the point of view of the effectiveness of monitoring and detecting the misuse of emergency aid, the decisive criteria are the timeliness and quality of information about the given anti-social activity. This dominant position of information in terms of its recognition places high demands not only not only on the method of its acquisition, but also on the method of its analytical processing and effective use.

The application practice in detecting indicators of the antisocial activity in question involves methodologies aimed at effective control and audit in conjunction with other findings in operational screening of the relevant information resources.

7. *Encourages* States parties to have in place transparency and accountability measures in managing public finances during times of emergencies and crisis response and recovery and, where necessary, to enhance them, including by presenting budget items to ensure that budgets and accounts are available for public access, using flexible and effective financial distribution policies to manage funds allocated for relief and enabling supreme audit institutions and other relevant entities to perform their functions in this regard, especially by upholding policies and procedures for the management of public finances, in accordance with the fundamental principles of domestic law, with a view to easing the burden on, and improving the conditions of, people in vulnerable situations;

Gained experience from the practice in the given areas of police activities indicate only proactive and coordinated financial investigation adhering to the principle of “follow the money” enables to bring effectiveness into the identification process, seize proceeds from crime and hinder their infiltration into legal economy. In this respect, it is inevitable to simultaneously conduct financial investigation of unlawful incomes of the offenders within their criminal proceedings.

In order to increase professional level and educational potential of the financial investigation departments and analytical departments in the structure of the NACA, in the course of 2023, a whole set of trainings take place funded from the Recovery and

Resilience Plan of the Slovak Republic. The aim of the training is to support the performance of professional activities in terms of identification and analysis of cash flows, personal and property relations of suspicious entities, corrupt relations in public procurement, obtaining subsidies from the budgets of the Slovak Republic and the European Union in high-value public contracts and other crimes involving wasteful use of public funds.

8. *Reaffirms* States parties' commitment to improving their understanding of the linkages between gender and corruption, including the ways in which corruption can affect women and men differently, including during times of emergencies and crisis response and recovery, and to continuing to promote gender equality and the empowerment of women in this regard, including by mainstreaming it in relevant legislation, policy development, research, projects and programmes, as appropriate and in accordance with the fundamental principles of domestic law;

In addition to repressive activities in the area of corruption, the NACA has also actively participated in the development of anti-corruption initiatives. In this context, the NACA, in cooperation with the OECD Public Governance Directorate, drew up a project titled "Anticorruption education of the Police Force – Training of Lecturers". The aim of the project is, via training the lecturers from among the Police Force members, to build a network of coordinators, employees dealing with integrity and anticorruption policy within the Police Force, provide consultancy and guidance in integrity standards application, enforcement of ethical norms, including gender equality and anticorruption awareness among Police Force members.

Following the mutual project of the NACA with the OECD Public Governance Directorate, on 21-22 September 2022 a training course took place in Bratislava, focused on securing a professional growth, enhancing integrity culture and elevating educational level of Police Force members in the context of international legal framework on integrity in civil service. Altogether 53 representatives of Police Force Units participated in the course.

The Code of Ethics of a Police Officer, which includes the principles of gender equality, was issued by the Ministry of the Interior of the Slovak Republic by Decree No. 41/2022, as a set of moral principles, values, requirements and standards of integrity by which a police officer is guided in the performance of official activities. According to Article 4 par. 1 of the Code of Conduct "*Policeman acts while performing official duties and always makes decisions objectively, impartially, without prejudice and bias, does not discriminate, even with regard to national, ethnic, religious, racial, ethnic, class, gender, sexual, age, social, political and economic differences*".

The Code of Ethics of a Police Officer is published on the website of the Ministry of the Interior of the Slovak Republic: [https://www.minv.sk/?PZ\\_SR-eticky-kodex](https://www.minv.sk/?PZ_SR-eticky-kodex).

9. *Urges* States parties to incorporate and implement corruption risk management processes, in particular in institutions responsible for or concerned with crisis response and recovery, to help identify and mitigate potential corruption risks when designing, administering and managing the whole cycle of public procurement and relief measures, in accordance with the fundamental principles of their legal systems;

The [Corruption Prevention Department](#) (the “CPD”) of the [Government Office of the Slovak Republic](#) (the “Government Office”) has drawn up the [Anti-Corruption Policy of the Slovak Republic for the period 2019-2023](#) (the “AC Policy”) approved by the Resolution of the Government of the Slovak Republic (the “Government”) No. 585/2018 of 12 December 2018.

One of the main objectives of the AC Policy is to reduce opportunities for corruption in all areas of public authorities, the national economy and the society and to increase public confidence in public authorities and their employees.

The AC Policy includes 4 main obligations for its addressees (i.e. for all ministries and other central authorities):

1. Creation of a position of an **anti-corruption coordinator** at each obliged authority.
2. Introducing a **corruption risks management** at each obliged authority and identifying corruption risk areas.
3. Adoption and publishing of **sectoral anti-corruption program** by each obliged authority.
4. Annual **evaluation and update** of sectoral anti-corruption programs by each obliged authority.

Important steps for changes following the AC Policy were:

- Appointing the **anti-corruption coordinator** at every obliged authority to shift from the formalistic approach that has been taken by the institutions dealing with corruption prevention before 2017;
- Designing the **methodology for corruption risk management**<sup>2</sup>;
- Introduction of the **Electronic Questionnaire on Corruption Risks Management** - a specific electronic questionnaire that provides an overview of the corruption risks at all levels of ministries and central authorities. Based on this questionnaire, the database of corruption risks is created implementing an evidence-based approach<sup>3</sup>.

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<sup>2</sup> Each institution identifies their corruption risks in their own way; however, the CPD published the [methodology for the management of corruption risks](#) that the obliged authorities can use. This methodology is facultative.

<sup>3</sup> Groups of questions (question contexts) were severely adjusted and updated in 2022 and currently are divided into 7 question context groups as follows:

- Discretion in decision-making;
- Anti-corruption management system;
- Organization’s integrity;
- Transparency;
- Whistleblower protection;
- Accountability;
- Conflict of interests.

There are 28 individual corruption risks listed under question contexts in the questionnaire and one or two questions are allocated to the particular corruption risk.

The corruption risk management model is based on the equation of prof. Klitgaard, who explains that a space for corruption arises when there is a monopoly of power, decision-making power and, on the other hand, a minimum accountability  $C = M + D - A$ . The equation can be supplemented by other factors affecting the incidence of corruption.

The CPD is an administrator of this electronic tool, however, at individual levels, there are anti-corruption coordinators responsible for management of their own sectoral questionnaires and for creation of corruption risks databases for their institutions. It is not a compulsory tool; the obliged authorities can use other forms of corruption risks management.

Ministries and other central authorities identify their specific risks associated with their institutions and develop appropriate custom-made internal anti-corruption strategies often reflected in their sectoral anti-corruption programs. These sectoral anti-corruption programs are evaluated annually and published on the websites of relevant institutions not only for their employees, but also accessible to general public.

Conceptual objective of the preventive anticorruption policy is to enforce and protect public interest, diminish space and opportunities for corruption, improve quality of legislative and legal ambience, support and endorse transparency, improve entrepreneurial conditions, elevate integrity culture and enhance legal awareness in the area of prevention and fight against corruption offences.

The essential prerequisite of the Anticorruption Program of the Ministry of Interior of the Slovak Republic for 2019-2023 and the related Action plan for fighting corruption in the Police Force is an active corruption risk management, effective enforcement of anticorruption measures and the set-up of control mechanisms prioritizing the risk areas. The NACA primarily responsible for prosecution of corruption offences actively is engaged also in the process of identification and management of corruption risks within the Police Force.

10. *Calls upon* States parties, where appropriate, to adopt or strengthen the anti-corruption measures necessary for private sector compliance with applicable laws and regulations, including with due regard for data protection and privacy rights, and to continue efforts to promote the development of codes of conduct for the correct, honourable and proper performance of the activities of business and all relevant professions and the prevention of conflicts of interest;

The [National Anti-Corruption Program of the Slovak Republic](#) (the “National AC Program”) adopted by the Resolution of the Government No. 426/2019 of 4 September 2019 is a second current strategic anti-corruption document of the Slovak Republic, following the AC Policy. The National AC Program includes measures, which should be tackled at horizontal level and defines 14 tasks with identifying concrete institutions responsible for implementing them.

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As to the electronic tool on Corruption Risks Management, the first general survey was launched by the CPD between 6 November 2020 and 13 May 2021. After feedback from the questionnaire respondents from the first survey and after receiving OECD recommendations (as part of the Activity 1 of the project between the Slovak Republic and the OECD [“Improving Integrity of Public Administration in the Slovak Republic”](#); the “project”), the CPD made significant changes to the questionnaire. As a result, 102 original questions were reduced to the current number of 32.

The task No. 10 of the National AC Program is *to identify and analyze the causes of the corrupt behavior in private business sector and to propose corresponding anti-corruption measures*. This task is assigned to the [Ministry of Economy of the Slovak Republic](#) as a main gestor (with participating institutions: the Government Office, the Ministry of Finance of the Slovak Republic, the Ministry of Justice of the Slovak Republic, Ministry of Interior of the Slovak Republic). Deadline for the task is by 31 December 2023 and this task is currently ongoing.

Proper clarification and investigation of corruption offences requires efficient performance of operative and search activities in close cooperation with investigators of the Police Force and willingness of the persons in question to cooperate with the Police Force. In cases of investigating the corruption offences, given the clandestine nature of this offence, still the primary tool to gain adequate evidence on corruption is willingness of the concerned subjects, mostly whistleblowers, to cooperate with the Police Force.

In its efforts to prevent and combat corruption, NACA brings together public and private sector actors in the collaborative efforts needed to advance national anti-corruption policy priorities, develop initiatives to implement anti-corruption programs, ensure corruption risk management, and strengthen integrity within both sectors.

Within the framework of the aforementioned Anti-Corruption e-learning program, the module "Raising Awareness on Prevention of Corruption in the International Business Environment" has been created, which illustrates for domestic and foreign business entities the OECD's recommendations, risk areas of corruption occurrence, suggestions for corruption prevention procedures in the business environment, as well as legal tools for prosecution of corruption cases of natural and legal persons in international business relations.

11. *Reaffirms* States parties' commitment to making efforts in international cooperation and taking appropriate measures to enhance beneficial ownership transparency by ensuring that adequate, accurate and timely beneficial ownership information is available and accessible to competent authorities and by promoting beneficial ownership disclosures and transparency, such as through appropriate registries, where consistent with the fundamental principles of domestic legal systems, and encourages States parties to take such measures also during times of emergencies and crisis response and recovery;

In order to increase the efficiency of activities in the field of detection and investigation of illegal activities of the most serious criminal significance, organisational changes have been made within the NACA effective from 1 February 2022. Due to the increased requirements related to the identification of assets acquired from criminal offences and the subsequent penetration of legal economic structures for the purpose of money laundering, Financial Investigation Units have been established within the Executive Sections of the NACA, in particular Sections - Bratislava, West, Centre and East.

Gained experience from the practice in the given areas of police activities indicate only proactive and coordinated financial investigation adhering to the principle of monitoring of financial flows can bring efficiency into the identification process, seize

proceeds from crime and hinder their infiltration into legal economy. In this respect, it was inevitable to simultaneously conduct financial investigation of unlawful incomes of the offenders within their criminal proceedings.

12. *Calls upon* States parties to investigate and prosecute offences established in accordance with the Convention against Corruption that result in unfair commercial practices, such as price gouging and the manipulation of the prices of essential goods and services or bids, especially those needed to respond during times of emergencies and crisis;

The police officers of the NACA is continually fulfilling tasks, mainly in the area of its priority activities regarding detecting and investigating the offences focusing on the category of illicit activity of the most serious criminal relevance, within the range of offences aimed against life, well-being, freedom, corruption offences, offences against property, offences adversely affecting the financial interests of the European Union and offences of terrorism and extremism.

Procedures for analysing the links between corruption and other forms of crime, in particular organised crime, including money laundering, and taking adequate measures to eliminate it, have also proved successful in this area.

Since the method of committing corruption offences are evolving, the offenders are adjusting to new trends according to dynamics of social development which presumes elevated requirements for the quality of analytical outcomes in detecting and investigating the most serious forms of corruption, offences adversely affecting the state budget and European Union budget, the hierarchical changes conducted on 1 February 2022 within the NACA included supplementation of analytical departments into the regional sections (Bratislava, West, Centre and East) topically focused on analyses, and drawing up conceptual outcome products supporting the performance of professional activities in the area of detection and investigation of criminal offences within the scope of the NACA.

13. *Encourages* States parties to reinforce and enhance inter-agency cooperation at all levels to prevent individuals and companies, other legal entities, and systems used to transfer money, as well as non-regulated or unregistered financial or commercial or non-commercial entities at serious risk of being abused for corruption and money-laundering, from committing or being used to facilitate acts of corruption, including during times of emergencies and crisis response and recovery, and to encourage and support companies and financial institutions in this regard, including to make better use of resources already expended;

Following the enhancement of cooperation with the national bodies, the NACA coordinates and methodologically directs activities of the National Expert Group of Fight against Corruption (hereinafter the Expert Group) established by the Interministerial Expert Coordination Authority for Fight against Crime. The priority objective of establishing the Expert Group was to secure efficient enforcement of national and ministerial anticorruption policy, and fight with corruption offences while involving a wide range of subjects and strengthening their accountability and engagement for eradication of corruption offences.

Members of the Expert Group are nominated representatives of the ministries, other central bodies of the state administration, General Prosecutor's Office of the Slovak Republic, and of the Association of Cities and Villages of Slovakia. In order to fulfil the objectives of Rule of Law Initiative, the Expert Group was complemented by members of business associations and chambers of commerce. Also the representatives of Transparency International, a non-governmental organization, are invited to attend meetings of the Expert Group as observers.

In 2022, a new member was accepted to the Expert Group, Industrial Innovation Cluster, currently uniting 9 companies and its supplementation is significant given the wide range of addressees in relation to key objectives of the Expert Group to enforce integrity principles, ethical values and anticorruption policy in the business area.

The Expert Group under the auspices of the NACA, focused on preventing and combating corruption, promotes cooperation and mutual understanding necessary to advance national anti-corruption policy priorities, create sectoral initiatives to implement anti-corruption programmes, ensure the management of corruption risks, and strengthen integrity within the private and public sectors.

14. *Also encourages* States parties to take anti-corruption measures to ensure that adequate safeguards are in place regarding the use of emergency executive authority during times of emergencies and crisis response and recovery, such as legislative oversight, committee reports and monitoring mechanisms, in accordance with their domestic legal frameworks;

Conceptual objective of the preventive anticorruption policy is to enforce and protect public interest, diminish space and opportunities for corruption, improve quality of legislative and legal ambience, support and endorse transparency, improve entrepreneurial conditions, foster a culture of integrity and enhance legal awareness in the area of prevention and fight against corruption offences.

A significant role in eliminating the possible occurrence of corruption is represented by national and ministerial anticorruption programs assigned mainly to institutions of the public sector with the aim to strengthen integrity of the civil service, secure transparency and restore the trust in governmental institutions.

The essential prerequisite of the Anticorruption Program of the Ministry of Interior of the Slovak Republic for 2019-2023 and the related Action Anticorruption Plan of the Police Force is an active corruption risk management, effective enforcement of anticorruption measures and the set-up of control mechanisms prioritizing the risk areas.

The new Anti-Corruption Policy of the Slovak Republic is in the process of preparation. The key step of the preparation is involvement of the newly-institutionalized Board of the Anti-Corruption Coordinators and reflecting particular sectoral needs into this strategic document. The new policy is supposed to be adopted this year for the period of 5 years (2024-2028).

15. *Urges* States parties to take measures, within their means and in accordance with the fundamental principles of their domestic law, to provide the public with timely

information during times of emergencies and crisis response and recovery, to prevent and combat corruption and to counter misinformation;

Generally speaking, we may conclude the way of committing the criminal offences are modifying, the offenders are adjusting to the new trends according to the development of new information and communication technologies, payment methods and cumulatively adapting to the dynamics of how the society develops. The important tool of enhancement of fight against serious crimes within NACA's jurisdiction is the use of the latest technical and technological means in order to improve the quality of operational detection processes and criminal proceedings.

Relevant and timely information is quintessential for everyday efforts in the area of prosecution of criminal offences. Regarding the above, the most powerful tools in order to enhance effectiveness of criminal proceedings are securing a reliable exchange of information and cooperation in terms of criminal proceedings. Enhancing the tools in question for fight against criminal offences requires set-up of efficient and secure means of communication so the transmitting the information is conducted in a targeted, timely, and safe manner.

16. *Notes with appreciation* the important role of civil society, academia, the private sector and the media in identifying, detecting and reporting on cases of corruption and, in this regard, urges States parties to take appropriate measures, within their means and in accordance with the fundamental principles of domestic law, to promote the active participation of individuals and groups outside the public sector, such as civil society, non-governmental organizations, community-based organizations and the private sector, in the prevention of and fight against corruption and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption, including during times of emergencies and crisis response and recovery, encourages States parties to respect, promote and protect the freedom to seek, receive, publish and disseminate information concerning corruption, which may be subject to certain restrictions, such as are provided for by law and are necessary for respect of the rights or reputations of others and for the protection of national security, public order or public health or morals, and also encourages States parties to consider inviting those individuals and groups to contribute to the development and implementation of technical assistance programmes, upon request and based on the needs identified for the implementation of the provisions of the Convention against Corruption, and making efforts so that the conditions are present for their effective contribution to achieving the objectives of the Convention, including the ability to operate independently and without fear of reprisal because of their efforts in that regard, in accordance with domestic law and their respective applicable international obligations;

In general, the role of members of the Police Force is primarily to protect security and order in society, to enforce the rule of law, to protect the rights and freedoms of persons, to act preventively against criminal and other antisocial activities and to strive for the continued support and confidence of the public through the performance of their duties.

Since the activities of police officers are conditional on public confidence, in order to perform their duties effectively, police officers must uphold the highest standards of

moral and ethical values. The infiltration of crime into the Police Force is a particularly dangerous phenomenon, compounded by the fact that the Police Force is a fundamental institution in the fight against crime.

Strengthening the responsiveness of the police to the public implies an effective fight against disinformation, which is particularly offensive in the current development of new information and communication media, with the aim of undermining the established effective cooperation between the police and the public and undermining their trust and public order in society.

Transparent provision of access of the general public, including journalists, to information of individual institutions of the public sector is generally considered one of the most effective tools in the fight against corruption. Free and as wide as possible access to information effectively eliminates places of possible corruption and fundamentally affects transparency and increases the risk of its detection.

In recent years, the Slovak Republic has significantly strengthened the field of transparent publication and free access to public administration information for journalists and the general public. In particular, Act No. 211/2000 Coll. on free access to information and on the amendment of certain laws as amended and Act No. 315/2016 Coll. on the register of public sector partners and on amendments to certain laws as amended.

In the context of the above, the institute of whistleblower protection is significant. The conditions for providing protection to persons in an employment relationship in connection with reporting crime or other illicit activity are regulated by Act No. 54/2019 Coll. on the Protection of Whistleblowers and on Amendments and Supplementations to Certain Acts as amended, which entered into force on March 1, 2019.

The Whistleblower Protection Office, established by the law, is responsible for supervising compliance with the law, providing expert opinions and advising on the application of this law. The office also deals with suspected violations of whistleblower protection and submits annual reports on the activities of the National Council of the Slovak Republic.

The Whistleblower Protection Office during a short period of its existence, it has considerably contributed to protection of whistleblowers, reporting of particular criminal complaints and thus ensuring prosecution of criminally relevant actions in terms of corruption, furthermore corruption prevention and setting up integrity culture in the society.

The CPD would like to mention a few campaigns in line with recommendations of this paragraph as follows:

- Public awareness campaign of the Whistleblower Protection Office (the "WPO") , addressing the potential whistleblowers and raising awareness about the whistleblower protection ;
- Communication campaign of the Government Office / the CPD as a part of the project; addressing primarily people working in public sector with overlap to the general population for some aspects of the project ;

- Public awareness campaign of the Ministry of Interior of the Slovak Republic (the “Ministry of Interior”) named Anti-Corruption Decalogue – 10 principles of fight against corruption .

17. *Calls upon* States parties to establish and, where appropriate, diversify and strengthen confidential complaint systems and protected reporting systems that are accessible and inclusive to facilitate the timely reporting of and to provide protection against any unjustified treatment for any person who reports in good faith and on reasonable grounds any facts concerning offences established in accordance with the Convention against Corruption, including as they relate to the allocation, distribution, use and management of emergency relief;

The WPO oversees the compliance with the WPA, provides expert opinions and advises on the application of this law, drafts the annual reports for the National Council and also has the competence to draw attention to the deficiencies in addressing the suspicions that have been reported.

According to the WPA, every public organization with more than 5 employees and private companies with more than 50 employees is obliged to establish internal reporting system. This includes not only setting up the reporting system but also designating a person/unit to receive reports (the “responsible person” according to the WPA). One of the duties of such person is to provide information about the reporting system in a brief, understandable and easily accessible way. The responsible person is also in charge of receiving, investigation and follow-up on the reports.

On its website, the WPO provides [methodological guidance](#), [manual for public sector](#) as well as [private sector](#) concerning the internal reporting system to provide guidance on how to set up a well-functioning internal reporting channel including what should be included in the internal rules.<sup>4</sup> The WPO also organizes [trainings for responsible persons](#) on whistleblower protection system in general including internal reporting mechanisms to civil servants and partially also to private employees.

In addition to the information on the whistleblower protection provided above (public and private sector internal reporting systems), there are several complaint systems and protected reporting systems in place, e.g.:

- The WPO provides for the possibility to use the [online form](#) available on the website of the WPO that allows to describe any illegal activity citizens encountered at work that they want to report;
- Suspicions of corruption can be reported through the free-of charge [“Anti-Corruption Hotline”](#) of the Government Office at designated telephone number, via e-mail, in writing or in person. At its website, the CPD also informs about [other reporting institutions and possibilities](#);
- In accordance with the abovementioned campaign of the Ministry of Interior, an employee of the Ministry of the Interior may report corruption to the [Bureau of the Inspection Services](#). Citizens can report corruption at four [National Crime Agency](#) offices within the Slovak Republic and by calling 158 (police of the Slovak Republic). Any client/citizen can also seek advice on this matter at the [information offices for victims of crime](#);

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<sup>4</sup> This manuals/handbooks highlight benefits of internal reporting systems, explain the procedure - receiving and investigating reports and informing the reporting person of the outcome and describe best practices.

- Suspicions of corruption of judges and employees under the Ministry of Justice of the Slovak Republic may also be reported via a [designated anticorruption hotline or by e-mail](#).

The implementation of the whistleblower protection institute is also significant in terms of the potential of the Ministry of the Interior of the Slovak Republic. The internal system of handling notifications of illegal activities within the Ministry of the Interior of the Slovak Republic is regulated by the Decree of the Ministry of the Interior of the Slovak Republic No.99/2019 on the internal system of handling notifications of illegal activities as amended, where the Inspection Service Office is responsible for reviewing notifications of illegal activities.

The Inspection Service Office as responsible person, who performs tasks pursuant to the Whistleblower Protection Act, publishes the methods of submitting notifications, the contact details of the responsible person and information on the internal system for handling notifications on the following link: <https://infoweb.minv.sk/>

The responsible person shall examine each communication, including an anonymous communication. Notifications received shall be recorded in a special register to which only designated staff of the responsible person shall have access and who shall be obliged to maintain confidentiality while examining the notifications, while heeding the personal data protection.

18. *Encourages* States parties to, as appropriate and in accordance with domestic law and their respective applicable international obligations, develop and strengthen the use of reliable, high-quality, timely and effective electronic communication channels that enable anti-corruption bodies, supreme audit institutions and other relevant entities to rapidly share timely information at the national and international levels through existing mechanisms, including those of the International Criminal Police Organization (INTERPOL), and consider accepting electronic copies in the sending and receiving of mutual legal assistance requests, including during times of emergencies and crisis response and recovery, and notes the new Global Operational Network of Anti-Corruption Law Enforcement Authorities, which aims to develop a quick, agile and efficient tool for combating cross-border corruption offences, strengthen communication exchange and peer learning between competent anti-corruption law enforcement authorities and complement and coordinate with existing and efficient tools for international cooperation;

The key area in the interest of the support of activity of the NACA is to intensify cooperation with European organizations, like Europol, OLAF, Eurojust, EPPO in order to maximize effort and synergy of interests in law enforcement and judicial cooperation.

NACA, with a remit to detect and investigate corruption offences, is participating in Europol's "AP Corruption" analytical project, which foresees the provision of a direct connection to the SIENA application for the anti-corruption services of the European Union Member States and third parties associated to AP Corruption.

Ensuring a direct connection of anti-corruption services to Europol's SIENA application corresponds to the interests of the NACA which, in accordance with the OECD Convention on Combating Bribery of Foreign Public Officials in International

Business Transactions, also detects and investigates corruption offences involving foreign public officials, where a rapid and direct exchange of information and communication with foreign law enforcement authorities is an essential part of the fight against this crime.

In this context, the NACA appreciates the direct connections to the Europol SIENA application in the perspective of mutual cooperation and information exchange in the fight against corruption in international business transactions with partner anti-corruption authorities.

19. *Also encourages* States parties to provide the necessary training and resources to ensure that relevant officials of oversight institutions have the tools and expertise required to analyse data and information to inform crisis planning, response and recovery, and in this regard further encourages States parties to take advantage of capacity-building and training programmes provided by the United Nations Office on Drugs and Crime and other relevant international organizations and institutions, such as the International Anti-Corruption Academy, to increase public awareness and integrity;

Criminal acts of corruption can be characterized by qualified methods of committing and concealing, therefore its detection and investigation requires professional and creative activity of police officers working in this area. Its success is also significantly influenced by the quality of education.

In order to increase the professional level and educational potential of the newly established departments of financial investigation and analytical departments, a number of trainings funded by the Recovery and Resilience Plan of the Slovak Republic will take place during 2023 in order to support fight against crime, including corruption within the scope of the NACA.

The relevant trainings are focused on supporting performance of professional activities from the perspective of cash flows, personal situation and property of suspicious subjects, corruption relations in public procurements, subsidies acquisition from the budgets of the Slovak Republic and the European Union in public contracts of high value and other criminal offences where public finances are handled in a wasteful manner.

In addition to the educational provisions of the Act No. 55/2017 Coll. On Civil Service (abbreviated as the Civil Service Act, the “CSA”)<sup>5</sup>, the CPD cooperates with

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<sup>5</sup> The Government Office creates conditions for education of its employees by means of continuous education and increasing of qualification pursuant to provision of Section 161, par. 2 of the CSA. The continuous education is realized by adaptation education (for every new civil servant during the trial period of the employment) and competence education. The competence education is realized mainly by forms of professional education, language education, management education, education focused on personal development and education in the IT area. The Government Office provides different facultative education courses and trainings for its employees. Senior employee shall prepare an individual plan of competence education annually by 15 February and its evaluation shall be carried on by the end of the particular year. Furthermore, selected employees of the CPD are also trained as internal auditors of the [ISO Standard 37001:2019](#).

the [International Anti-Corruption Academy](#) (the “IACA”) on a regular basis. The IACA provides educational programs for the CPD staff, based on a cooperation agreement with the Government Office. These programs include:

- [Summer Academy](#) (an intensive, interdisciplinary program that addresses trends and practices on the global anti-corruption agenda and promotes a culture of the reflective practitioner);
- [Executive Diploma in Anti-Corruption and Diplomacy](#) provided jointly by IACA and UNITAR (offering courses to provide comprehensive insight into anti-corruption, foundation of cyber-security issues for diplomats, and knowledge and skills for multi-lateral diplomacy);
- [Master in Anti-Corruption Studies](#) (MACS; offering a series of interdisciplinary modules that concentrate on concepts and applied perspectives for preventing and countering corruption and establishing solid components of compliance).

IACA offers also a wide range of [self-paced courses](#) for the CPD staff including topics such as building a whistleblowing system to counter corruption, fraud and corruption prevention in public procurement, use of anti-corruption compliance standards and guidelines for designing and implementing an anti-corruption compliance program, etc.

In the course of 2022 and 2023, the CPD also facilitated [tailor-made trainings](#) delivered by the IACA for teachers and students of the Academy of the Police Force of the Slovak Republic, anti-corruption coordinators of the Slovak Republic, auditors of the Slovak Republic and for the employees of the Government Office.

The CPD, via the project, organizes different **workshops together with the OECD** on selected topics covered by the project activities. These workshops include, e.g. workshop for anti-corruption coordinators on behavioral insights (Behavioral barriers and enablers to improve Integrity Risk Management; 2022), workshop for anti-corruption coordinators on national integrity and anti-corruption strategies (planned for 2023), workshop for anti-corruption coordinators on communicating on anti-corruption and integrity (planned for 2023), etc.

20. *Urges* States parties to collect and exchange best practices in preventing and fighting corruption and lessons learned concerning the use, availability and impact of data and digital tools, where feasible and taking into consideration the different circumstances of respective countries, to inform crisis response and recovery measures and help build, implement and maintain resilient emergency response systems;

The Slovak Republic is a signatory of several important **international multilateral conventions** in the field of the fight against corruption, especially the [United Nations Convention against Corruption](#) (the “UNCAC”), the [OECD Convention on Combatting Bribery of Foreign Public Officials in International Business Transactions](#) (OECD Anti-Bribery Convention) and the [Council of Europe Criminal Law Convention on Corruption](#). As a result, the Slovak Republic has been the subject of the **peer review processes** of the Implementation Review Mechanism established under the UNCAC, the OECD Working Group on Bribery in International Business Transactions (WGB), the Council of Europe’s Group of States against Corruption

(GRECO) and Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL).<sup>6</sup>

Furthermore, the Slovak Republic participates in **international anti-corruption networks** set up to strengthen international cooperation and exchange information in the field of corruption prevention. E.g., the Government Office is a member of the [Network of Corruption Prevention Authorities](#) (the “NCPA”), which aims at uniting efforts to improve the systematic collection, management and exchange of information among anti-corruption authorities, supporting the members to enhance capacities and promote operational independence, promoting international standards for the prevention of corruption and partnering with other international stakeholders for the promotion of integrity.

Apart from commitments deriving from legally binding international instruments, the Slovak Republic voluntarily participates in projects in cooperation with **international organizations** such as the OECD and IACA aimed at raising level of awareness and education of anti-corruption and integrity topics.

The CPD would hereby like to refer to the other forms of international cooperation of the Slovak Republic provided in information in the Article 5, par.4 of the **Draft Country Review Report of Slovakia**; Review by the Republic of Moldova and Mozambique of the implementation by Slovakia of articles 5-14 and 51-59 of the United Nations Convention against Corruption for the review cycle 2016-2021.

The actions of the perpetrators and the methods of committing the criminal activity of corruption are constantly evolving, the perpetrators of this criminal activity, mainly on the basis of knowledge from publicized cases, commit this criminal activity more cautiously, in a latent way, where a bribe is provided, or taken under various pretexts, disguised expressions or through confidential persons, which makes it difficult for the NACA to detect and investigate this criminal activity. The use of covert listening devices by the Police Force is also weakened by the modern ways of communication of criminals through some encrypted communication applications.

Following on from the above, it is essential for partner anti-corruption units to collect and exchange information and best practices in preventing and combating corruption in the framework of international cooperation.

21. *Recalls* article 43 of the Convention against Corruption, in which States parties are mandated to cooperate in criminal matters and, where appropriate and consistent with their domestic legal systems, consider assisting each other in investigations of and proceedings in civil and administrative matters relating to corruption, also recalls article 46 of the Convention, in which States parties are mandated to afford one another the widest measure of mutual legal assistance in investigations, prosecutions and judicial proceedings in relation to the offences covered by the Convention, through central authorities, and urges States parties to

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<sup>6</sup> These reviews were coordinated at the national level by the Ministry of Justice of the Slovak Republic and involved wide participation of all relevant national stakeholders. These reviews helped to identify gaps and shortfalls in the anti-corruption framework and thanks to issued recommendations had significant impact on the adoption of important anti-corruption regulatory and institutional measures in the Slovak Republic over the last years.

assist one another, including through joint or parallel investigations and bilateral sharing of capacity and expertise, where appropriate, through INTERPOL, including during times of emergencies and crisis response and recovery;

In general, it can be concluded that the methods of committing corruption crimes are being modified, the perpetrators are adapting them to new trends in accordance with the development of new information and communication technologies, means of payment, and this collectively in the context of the dynamics of the development of society.

Following on from the above, the NACA cooperates, especially with partner anti-corruption units of neighbouring countries, on joint investigations and bilateral sharing of capacities and expertise in preventing and fighting corruption.

NACA also develops cooperation with international organizations in providing professional training and education of NACA police officers with a focus on preventing and fighting corruption crimes. NACA representatives participate in courses and seminars organized by the European Criminal Office (Europol), the European Union Agency for Law Enforcement Training (CEPOL), the Central European Police Academy (MEPA), the International Law Enforcement Academy (ILEA), the European Office for Combating fraud (OLAF), as well as on educational programs carried out on a bilateral level with the Czech Republic and Italy.

## **2. Challenges encountered**

Please describe any challenges your country has encountered in implementing operative paragraphs 1 to 21 of resolution 9/1 regarding strengthening international cooperation in the prevention of and fight against corruption during times of emergencies and crisis response and recovery. *Please state the relevant operative paragraphs in your answer.*

From the results of the analysis of the cases that have been subject to the NACA implementation, it can be concluded that corruption is a highly latent and sophisticated organised crime, with targeted actions by its perpetrators aimed at concealing it, which makes it very difficult to detect. It is relatively difficult to obtain operational information that it is taking place or has been committed, as illegal activities usually take place between persons who trust each other and do not involve unverified, third parties in their communications.

The specificity of the corrupt relationship, due to the absence of a direct victim, also determines the specific ways in which this crime is documented. It is difficult to obtain witnesses to this crime, as they are afraid to testify because of possible retaliation as well as intimidation. An effective way of sanctioning the perpetrator is to appoint the person asking for the bribe as an agent, which makes it possible to obtain relevant information about the course of the criminal activity.

In the case of documenting so-called historical corruption, the use of simultaneous financial investigations has proved successful, in particular focusing on the transfer of funds in bank accounts, the examination of the circumstances of the acquisition of assets that do not correspond to the declared income, as well as the causal analysis of business-legal relations suspected of serving only to cover up previous corrupt conduct or to launder the proceeds of corruption offences.

The proper clarification and investigation of corruption offences requires the effective performance of operational and investigative activities in close cooperation with the investigators of the Police Force and the willingness of the persons concerned to cooperate with the Police Force. In cases of investigations of corruption offences, given the clandestine nature of this crime, the combination of criminal procedure institutes and the willingness of the subjects concerned, mostly whistle-blowers, to cooperate with the Police Force is still the primary tool for obtaining adequate evidence of corruption.

Such a procedure is used in the detection and investigation of corrupt behaviour in the judiciary, in the prosecution service, in the health and education sectors, in the exercise of local self-government, as well as in the area of the approval and use of non-repayable financial contributions from European Union funds, corrupt behaviour in the award and implementation of contracts with a focus on commercial companies with state participation, as well as corrupt behaviour in the award and implementation of contracts with the participation of private companies in the use of non-repayable financial contributions.

Relevant and timely information is essential for day-to-day efforts to prosecute corruption offences. In view of the above, ensuring reliable information exchange and cooperation in criminal proceedings are the most powerful tools to enhance the effectiveness of criminal proceedings. Strengthening the instruments in question in the fight against crime requires the establishment of effective and secure means of communication, so that the transfer of information is targeted, timely and secure.

Criminals are taking advantage of the digital transformation, new technologies, globalisation and mobility, as well as the interconnection and blurring of the boundaries between the physical and digital worlds. Effective use of these tools requires continuous improvement of qualifications and professional profiling of police officers of analytical units, financial investigation units, as well as operatives and investigators of corruption crimes in the conditions of the NACA.

A long-standing problematic issue is the reduced interest of corruption aware persons in cooperation, which is a consequence of their negative experience with the subsequent development of criminal proceedings due to the repetition of interrogations in different procedural positions, verbal and other attacks on their integrity by the accused and their lawyers in the course of carrying out procedural acts, not excluding the provision of information through mass communication means.

Another important tool to strengthen the fight against serious corruption offences is the implementation and use of new information and communication technologies to support the performance of NACA activities.

In terms of prevention of corruption crimes, new national as well as departmental anti-corruption programmes need to be developed for the next period on the basis of identification of corruption risks and detection of their causes in order to prevent the emergence of new conditions, opportunities and situations for corrupt behaviour of natural and legal persons within the society.

**Annex 2 [Note verbale reference: CU 2023/225/DTA/CEB/CSS]**

***“Progress made and challenges encountered in implementing resolution 9/1”***

States parties are invited to provide relevant information in line with paragraph 25 of resolution 9/1, entitled Sharm el-Sheikh declaration on strengthening international cooperation in the prevention of and fight against corruption during times of emergencies and crisis response and recovery, in which the Conference:

*[Requested] the secretariat to submit to the Conference of the States Parties at its tenth session a report on **progress made and challenges encountered in implementing [resolution 9/1]**<sup>1</sup>.*

**A. Contact Information**

Please provide contact details for potential follow-up questions. Contact details will be treated confidentially.

*Country: [Slovak Republic](#)*

*Government Agency: [Ministry of Interior of the Slovak Republic](#)*

*Department: [National Crime Agency of the Police Force Presidium](#)*

[Redacted contact information]

**B. Questions**

**1. Progress made**

Please describe the measures or steps your country has taken (or is planning to take, together with the related appropriate time frame) to implement operative paragraphs 1 to 21 of resolution 9/1. *Please state the relevant operative paragraphs in your answer.*

1. *Encourages* States parties to further the full and effective use of the United Nations Convention against Corruption to develop, put in place and, where appropriate, improve and strengthen anti-corruption policies and strategies, in accordance with domestic law, to ensure emergency

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<sup>1</sup> Please note that the secretariat has collected information on the implementation of paragraphs 22 and 23 of resolution 9/1 separately.

preparedness and address corruption during times of emergencies and crisis response and recovery;

Despite the repressive focus of competence activities, in the evaluated period of 2022, the National Criminal Agency (hereinafter the NACA) also actively participated in the development of anti-corruption initiatives and participated in working meetings organized by the coordinator of the anti-corruption policy of the Ministry of Interior of the Slovak Republic. During the implementation of the Action Plan for the fight against corruption of the Police Force for the years 2019 - 2023, as well as in the plans for the further development of the anti-corruption policy, the NACA promoted the introduction of the principles of morality, ethics, integrity and prioritization of public interest over private interests within the Police Force.

2. *Also encourages* States parties to continuously monitor and review the anti-corruption measures implemented during the ongoing coronavirus disease (COVID-19) pandemic and other times of emergencies and crisis response and recovery and to monitor the impact of the COVID-19 pandemic on corruption-related trends, keeping in mind that corruption risks may have increased during the pandemic;

3. *Further encourages* States parties, in accordance with the fundamental principles of their legal system, to afford anti-corruption bodies, supreme audit institutions and other relevant entities the appropriate mandates and the necessary independence and resources to carry out their functions effectively and free from undue influence, including, where relevant, in coordinating anti-corruption efforts, during times of emergencies and crisis response and recovery, and to strengthen political will in this regard;

Since the method of committing corruption offences are evolving, the offenders are adjusting to new trends according to dynamics of social development which presumes elevated requirements for the quality of analytical outcomes in detecting and investigating the most serious forms of corruption, offences adversely affecting the state budget and European Union budget, the hierarchical changes conducted on 1 February 2022 within the NACA included supplementation of analytical departments into the regional sections in question preserving the central analytical method aimed at securing the operative and topically focused analyses, and drawing up conceptual outcome products supporting the performance of professional activities in the area of detection and investigation of criminal offences.

4. *Calls upon* States parties to prevent opportunities for public officials to use their status, influence or insider knowledge to profit from procurement processes or the design, allocation, distribution or management of crisis response and recovery measures by requiring public officials to disclose potential conflicts of interest and ensuring appropriate review, management and sanction mechanisms, in accordance with domestic law;

The NACA is continually fulfilling tasks, mainly in the area of its priority activities regarding detecting and investigating the offences focusing on the category of illicit activity of the most serious criminal relevance, within the range of offences aimed against life, well-being, freedom, corruption offences, offences against property, offences adversely affecting the financial interests of the European Union and offences of terrorism and extremism.

Procedures for analysing the connection between corruption and other forms of criminal activity, especially organized crime, including money laundering and taking adequate measures to eliminate it, have also proven themselves in this area.

5. *Urges* States parties to establish and, where necessary and appropriate, further strengthen, through the whole public procurement cycle, transparent, competitive and objective public procurement systems conducted by electronic means, if feasible within their means and in accordance with their domestic law, and to develop and improve guidelines for the use and governing of emergency procurement procedures that integrate anti-corruption safeguards to help ensure transparency, oversight and accountability during times of emergencies and crisis response and recovery, including by supreme audit institutions and other oversight bodies;

In order to increase professional level and educational potential of the newly-established financial investigation department and analytical department, in the course of 2023, a whole set of trainings take place funded from the Recovery and Resilience Plan which will be supporting performance of professional activities from the perspective of cash flows, personal situation and property of suspicious subjects, corruption relations in public procurements, subsidies acquisition from the budgets of the Slovak Republic and the European Union in public contracts of high value and other criminal offences where public finances are handled in a wasteful manner.

6. *Also urges* States parties to have in place sufficient internal audit systems and, where necessary, to strengthen them to help monitor the allocation and distribution of emergency relief and ensure the implementation of measures to prevent corruption during times of emergencies and crisis response and recovery, in accordance with their domestic legal frameworks;

From the point of view of the effectiveness of detecting crimes of corruption, the decisive criteria are the timeliness and quality of information about the crime of corruption. This dominant position of information in terms of its recognition places high demands not only on the method of its acquisition, but also on the method of its analytical processing and effective use.

The application involves methodologies aimed at effective auditing to detect corruption in conjunction with other findings in operational screening and criminal proceedings.

7. *Encourages* States parties to have in place transparency and accountability measures in managing public finances during times of emergencies and crisis response and recovery and, where necessary, to enhance them, including by presenting budget items to ensure that budgets and accounts are available for public access, using flexible and effective financial distribution policies to manage funds allocated for relief and enabling supreme audit institutions and other relevant entities to perform their functions in this regard, especially by upholding policies and procedures for the management of public finances, in accordance with the fundamental principles of domestic law, with a view to easing the burden on, and improving the conditions of, people in vulnerable situations;

Gained experience from the practice in the given areas of police activities indicate only proactive and coordinated financial investigation adhering to the principle of follow the money enables to bring effectiveness into the identification process, seize proceeds from crime and hinder their infiltration into legal economy. In this respect, it was inevitable to simultaneously conduct financial investigation of unlawful incomes of the offenders within their criminal proceedings.

8. *Reaffirms* States parties' commitment to improving their understanding of the linkages between gender and corruption, including the ways in which corruption can affect women and men differently, including during times of emergencies and crisis response and recovery, and to continuing to promote gender equality and the empowerment of women in this regard, including by mainstreaming it in relevant legislation, policy development, research, projects and programmes, as appropriate and in accordance with the fundamental principles of domestic law;

The NACA actively participated in development of anticorruption initiatives and attended work meeting held by the coordinator of anticorruption policy of the Ministry of Interior of the Slovak Republic. In this context, the NACA, in cooperation with the OECD Public Governance Directorate, drew up a project titled "Anticorruption education of the Police Force – Training of Lecturers". The aim of the project is, via training the lecturers from among the Police Force members, to build a network of coordinators, employees dealing with integrity and anticorruption policy within the Police Force, provide consultancy and guidance in integrity standards application, enforcement of ethical norms, including gender equality and anticorruption awareness among Police Force members.

Following the mutual project of the NACA with the OECD Public Governance Directorate, on 21-22 September 2022 a training course took place in Bratislava titled focused on securing a professional growth, enhancing integrity culture and elevating educational level of Police Force members in the context of international legal framework on integrity in civil service. Altogether 53 representatives of Police Force Units participated in the course.

The new Code of Conduct, including gender equality, was issued as Regulation of the Ministry of Interior no. 41/2022 on the Code of Conduct of a Police Force Member effective as of 1 March 2022. It is published on the webpage of the Ministry: [https://www.minv.sk/?PZ\\_SR-eticky-kodex](https://www.minv.sk/?PZ_SR-eticky-kodex).

9. *Urges* States parties to incorporate and implement corruption risk management processes, in particular in institutions responsible for or concerned with crisis response and recovery, to help identify and mitigate potential corruption risks when designing, administering and managing the whole cycle of public procurement and relief measures, in accordance with the fundamental principles of their legal systems;

Conceptual objective of the preventive anticorruption policy is to enforce and protect public interest, diminish space and opportunities for corruption, improve quality of legislative and legal ambience, support and endorse transparency, improve entrepreneurial conditions, elevate integrity culture and enhance legal awareness in the area of prevention and fight against corruption offences.

The essential prerequisite of the Ministerial Anticorruption Program and the related Action Anticorruption Plan of the Police Force is an active corruption risk management, effective enforcement of anticorruption measures and the set-up of control mechanisms prioritizing the risk areas. The NACA is primarily responsible for prosecution of corruption offences, and is actively engaged in the process of identification and management of corruption risks within the Police Force in accordance the Anticorruption Program of the Ministry of Interior of the Slovak Republic for 2019-2023 and its Action plan for fighting corruption in the Police Force.

10. *Calls upon* States parties, where appropriate, to adopt or strengthen the anti-corruption measures necessary for private sector compliance with applicable laws and regulations, including with due regard for data protection and privacy rights, and to continue efforts to promote the development of codes of conduct for the correct, honourable and proper performance of the activities of business and all relevant professions and the prevention of conflicts of interest;

Proper clarification and investigation of corruption offences requires efficient performance of operative and search activities in close cooperation with investigators of the Police Force and willingness of the persons in question to cooperate with the Police Force. In cases of investigating the corruption offences, given the clandestine nature of this offence, still the primary tool to gain adequate evidence on corruption is an appropriately applied combination of institutes of criminal procedures, and willingness of the concerned subjects, mostly whistleblowers, to cooperate with the Police Force.

The new Code of Conduct was issued as Regulation of the Ministry of Interior of the Slovak Republic no. 41/2022 as a set of moral principles, values, requirements and standards of integrity by which a police officer is guided in the performance of official activities. According to Article 4 par. 1 of the Code of Conduct "Policeman acts while performing official duties and always makes decisions objectively, impartially, without prejudice and bias, does not discriminate, even with regard to national, ethnic, religious, racial, ethnic, class, gender, sexual, age, social, political and economic differences".

11. *Reaffirms* States parties' commitment to making efforts in international cooperation and taking appropriate measures to enhance beneficial ownership transparency by ensuring that adequate, accurate and timely beneficial ownership information is available and accessible to competent authorities and by promoting beneficial ownership disclosures and transparency, such as through appropriate registries, where consistent with the fundamental principles of domestic legal systems, and encourages States parties to take such measures also during times of emergencies and crisis response and recovery;

To increase the efficiency of activities in order to detect and investigate illicit activity of the most serious criminal relevance, including corruption offences, hierarchical changes were conducted within the NACA effective since 1 February 2022. Owing to the increased requirements concerning the identification of assets acquired by the means of criminal offences, were established financial investigation departments within the executive sections of the NACA, particularly, sections-Bratislava, West, Centre, and East.

Gained experience from the practice in the given areas of police activities indicate only proactive and coordinated financial investigation adhering to the principle of follow the money enables to bring effectiveness into the identification process, seize proceeds from crime and hinder their infiltration into legal economy. In this respect, it was inevitable to simultaneously conduct financial investigation of unlawful incomes of the offenders within their criminal proceedings.

12. *Calls upon* States parties to investigate and prosecute offences established in accordance with the Convention against Corruption that result in unfair commercial practices, such as price gouging and the manipulation of the prices of essential goods and services or bids, especially those needed to respond during times of emergencies and crisis;

Generally speaking, we may conclude the way of committing the corruption offences are modifying, the offenders are adjusting to the new trends according to the development of new information and communication technologies, payment methods cumulatively adapting to the dynamics of how the society develops.

The important tool of enhancement of fight against serious corruption offences is to employ new information and communication technologies. Implementation of innovation tools within the NACA requires improving the conditions for evaluation in terms of support of criminal proceedings.

13. *Encourages* States parties to reinforce and enhance inter-agency cooperation at all levels to prevent individuals and companies, other legal entities, and systems used to transfer money, as well as non-regulated or unregistered financial or commercial or non-commercial entities at serious risk of being abused for corruption and money-laundering, from committing or being used to facilitate acts of corruption, including during times of emergencies and crisis response and recovery, and to encourage and support companies and financial institutions in this regard, including to make better use of resources already expended;

Following the enhancement of cooperation with the national bodies, the NACA coordinates and methodologically directs activities of the National Expert Group of Fight against Corruption (hereinafter the Expert Group) established by the Interministerial Expert Coordination Authority for Fight against Crime. The priority objective of establishing the Expert Group was to secure efficient enforcement of national and ministerial anticorruption policy, and fight with corruption offences while involving a wide range of subjects and strengthening their accountability and engagement for eradication of corruption offences.

Members of the Expert Group are nominated representatives of the ministries, other central bodies of the state administration, General Prosecutor's Office of the Slovak Republic, and of the Association of Cities and Villages of Slovakia. In order to fulfil the objectives of Rule of Law Initiative, the Expert Group was complemented by members of business associations and chambers of commerce. We also invite representatives of Transparency International, a non-governmental organization, to attend meetings of the Expert Group as observers.

In 2022, a new member was accepted to the Expert Group, Industrial Innovation Cluster, currently uniting 9 companies and its supplementation is significant given the wide range of addressees in relation to key objectives of the Expert Group to enforce integrity principles, ethical values and anticorruption policy in the business area.

The Expert Group under the auspices of the NACA aimed at prevention and fight against corruption endorse cooperation and mutual understanding necessary to enforce priorities of the national anticorruption policy, create sector initiatives of anticorruption program implementation, secure corruption risk management and enhance integrity within the private and public sectors.

In 2022, the NACA organized an expert workshop for the Expert Group members focused at application of legal aspects of whistleblowers' protection with emphasis on enhancing the trust in the institute in question. In the course of the

workshop, employees of the Whistleblower Protection Office (hereinafter the Office), presented the competence and powers of the Office in providing legal counselling, whistleblowers' protection, participation in criminal proceedings and proceedings before a court, as well as providing the pertinent methods and trainings.

14. *Also encourages* States parties to take anti-corruption measures to ensure that adequate safeguards are in place regarding the use of emergency executive authority during times of emergencies and crisis response and recovery, such as legislative oversight, committee reports and monitoring mechanisms, in accordance with their domestic legal frameworks;

Conceptual objective of the preventive anticorruption policy is to enforce and protect public interest, diminish space and opportunities for corruption, improve quality of legislative and legal ambience, support and endorse transparency, improve entrepreneurial conditions, elevate integrity culture and enhance legal awareness in the area of prevention and fight against corruption offences.

A quintessential role in eliminating the possible occurrence of corruption is represented by national and ministerial anticorruption programs assigned mainly to institutions of the public sector with the aim to strengthen integrity of the civil service, secure transparency and restore the trust in governmental institutions.

The essential prerequisite of the Ministerial Anticorruption Program and the related Action Anticorruption Plan of the Police Force is an active corruption risk management, effective enforcement of anticorruption measures and the set-up of control mechanisms prioritizing the risk areas.

The new Anti-Corruption Policy of the Slovak Republic is in the process of preparation. The key step of the preparation is involvement of the newly-institutionalized Board of the Anti-Corruption Coordinators and reflecting particular sectoral needs into this strategic document. The new policy is supposed to be adopted this year for the period of 5 years (2024-2028).

15. *Urges* States parties to take measures, within their means and in accordance with the fundamental principles of their domestic law, to provide the public with timely information during times of emergencies and crisis response and recovery, to prevent and combat corruption and to counter misinformation;

Relevant and timely information is quintessential for everyday efforts in the area of prosecution of corruption offences. Regarding the above, the most powerful tools in order to enhance effectiveness of criminal proceedings are securing a reliable exchange of information and cooperation in terms of criminal proceedings. Enhancing the tools in question for fight against criminal offences requires set-up of

efficient and secure means of communication so the transmitting the information is conducted in a targeted, timely, and safe manner.

16. *Notes with appreciation* the important role of civil society, academia, the private sector and the media in identifying, detecting and reporting on cases of corruption and, in this regard, urges States parties to take appropriate measures, within their means and in accordance with the fundamental principles of domestic law, to promote the active participation of individuals and groups outside the public sector, such as civil society, non-governmental organizations, community-based organizations and the private sector, in the prevention of and fight against corruption and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption, including during times of emergencies and crisis response and recovery, encourages States parties to respect, promote and protect the freedom to seek, receive, publish and disseminate information concerning corruption, which may be subject to certain restrictions, such as are provided for by law and are necessary for respect of the rights or reputations of others and for the protection of national security, public order or public health or morals, and also encourages States parties to consider inviting those individuals and groups to contribute to the development and implementation of technical assistance programmes, upon request and based on the needs identified for the implementation of the provisions of the Convention against Corruption, and making efforts so that the conditions are present for their effective contribution to achieving the objectives of the Convention, including the ability to operate independently and without fear of reprisal because of their efforts in that regard, in accordance with domestic law and their respective applicable international obligations;

In the context of the above, the institute of whistleblower protection is significant. The conditions for providing protection to persons in an employment relationship in connection with reporting crime or other illicit activity are regulated by Act No. 54/2019 Coll. on the Protection of Whistleblowers and on Amendments and Supplementations to Certain Acts as amended (hereinafter referred to as the "Whistleblower Protection Act"), which entered into force on March 1, 2019.

The Whistleblower Protection Office, established by the law, is responsible for supervising compliance with the law, providing expert opinions and advising on the application of this law. The office also deals with suspected violations of whistleblower protection and submits annual reports on the activities of the National Council of the Slovak Republic.

The Whistleblower Protection Office during a short period of its existence, it has considerably contributed to protection of whistleblowers, reporting of particular criminal complaints and thus ensuring prosecution of criminally relevant actions in

terms of corruption, furthermore corruption prevention and setting up integrity culture in the society.

17. *Calls upon* States parties to establish and, where appropriate, diversify and strengthen confidential complaint systems and protected reporting systems that are accessible and inclusive to facilitate the timely reporting of and to provide protection against any unjustified treatment for any person who reports in good faith and on reasonable grounds any facts concerning offences established in accordance with the Convention against Corruption, including as they relate to the allocation, distribution, use and management of emergency relief;

The implementation of the whistleblower protection institute is also significant in terms of the potential of the Ministry of Interior of the Slovak Republic.

The internal system of handling notifications of illegal activities within the Ministry of Interior of the Slovak Republic is regulated by the Decree of the Ministry of Interior of the Slovak Republic No.99/2019 on the internal system of handling notifications of illegal activities, where the Inspection Service Office is responsible for reviewing notifications of illegal activities.

The responsible person, who performs tasks pursuant to the Whistleblower Protection Act, publishes the methods of submitting notifications, the contact details of the responsible person and information on the internal system for handling notifications on the following link: <https://infoweb.minv.sk/>

The responsible person shall examine each communication, including an anonymous communication. Notifications received shall be recorded in a special register to which only designated staff of the responsible person shall have access and who shall be obliged to maintain confidentiality while examining the notifications, while heeding the personal data protection.

18. *Encourages* States parties to, as appropriate and in accordance with domestic law and their respective applicable international obligations, develop and strengthen the use of reliable, high-quality, timely and effective electronic communication channels that enable anti-corruption bodies, supreme audit institutions and other relevant entities to rapidly share timely information at the national and international levels through existing mechanisms, including those of the International Criminal Police Organization (INTERPOL), and consider accepting electronic copies in the sending and receiving of mutual legal assistance requests, including during times of emergencies and crisis response and recovery, and notes the new Global Operational Network of Anti-Corruption Law Enforcement Authorities, which aims to develop a quick, agile and efficient tool for combating cross-border corruption offences,

strengthen communication exchange and peer learning between competent anti-corruption law enforcement authorities and complement and coordinate with existing and efficient tools for international cooperation;

The key area in the interest of the support of activity of the NACA is to intensify cooperation with European organizations, like Europol, OLAF, Eurojust, EPPO in order to maximize effort and synergy of interests in law enforcement and judicial cooperation. Given the aforementioned and in order to intensify targeted cooperation in detecting and investigating criminal offences related to embezzlement of European funds within the scope of authority of the NACA, a training course for 12 investigators of the given criminal offence from the departments of the NACA on the level of the EPPO took place in February 2023.

19. *Also encourages* States parties to provide the necessary training and resources to ensure that relevant officials of oversight institutions have the tools and expertise required to analyse data and information to inform crisis planning, response and recovery, and in this regard further encourages States parties to take advantage of capacity-building and training programmes provided by the United Nations Office on Drugs and Crime and other relevant international organizations and institutions, such as the International Anti-Corruption Academy, to increase public awareness and integrity;

In this context, the training of the personnel substrate is also important. In order to increase the professional level and educational potential of the newly established departments of financial Investigation and Analytical Unit, a number of trainings funded by the Recovery and Resilience Plan of the Slovak Republic will take place during 2023 in order to support fight against crime, including corruption within the scope of the NACA.

20. *Urges* States parties to collect and exchange best practices in preventing and fighting corruption and lessons learned concerning the use, availability and impact of data and digital tools, where feasible and taking into consideration the different circumstances of respective countries, to inform crisis response and recovery measures and help build, implement and maintain resilient emergency response systems;

The actions of the perpetrators and the methods of committing the criminal activity of corruption are constantly evolving, the perpetrators of this criminal activity, mainly on the basis of knowledge from publicized cases, commit this criminal activity more cautiously, in a latent way, where a bribe is provided, or taken under various pretexts, disguised expressions or through confidential persons, which makes it difficult for the NACA to detect and investigate this criminal activity. The use of covert listening devices by the Police Force is also weakened by the modern ways of communication of criminals through some encrypted communication applications.

Following on from the above, it is essential for partner anti-corruption units to collect and exchange information and best practices in preventing and combating corruption in the framework of international cooperation.

21. *Recalls* article 43 of the Convention against Corruption, in which States parties are mandated to cooperate in criminal matters and, where appropriate and consistent with their domestic legal systems, consider assisting each other in investigations of and proceedings in civil and administrative matters relating to corruption, also recalls article 46 of the Convention, in which States parties are mandated to afford one another the widest measure of mutual legal assistance in investigations, prosecutions and judicial proceedings in relation to the offences covered by the Convention, through central authorities, and urges States parties to assist one another, including through joint or parallel investigations and bilateral sharing of capacity and expertise, where appropriate, through INTERPOL, including during times of emergencies and crisis response and recovery;

In general, it can be concluded that the methods of committing corruption crimes are being modified, the perpetrators are adapting them to new trends in accordance with the development of new information and communication technologies, means of payment, and this collectively in the context of the dynamics of the development of society.

Following on from the above, the NACA cooperates, especially with partner anti-corruption units of neighbouring countries, on joint investigations and bilateral sharing of capacities and expertise in preventing and fighting corruption.

## **2. Challenges encountered**

Please describe any challenges your country has encountered in implementing operative paragraphs 1 to 21 of resolution 9/1 regarding strengthening international cooperation in the prevention of and fight against corruption during times of emergencies and crisis response and recovery. *Please state the relevant operative paragraphs in your answer.*

Proper clarification and investigation of corruption offences requires efficient performance of operative and search activities in close cooperation with investigators of the Police Force and willingness of the persons in question to cooperate with the Police Force. In cases of investigating the corruption offences, given the clandestine nature of this offence, still the primary tool to gain adequate evidence on corruption is an appropriately applied combination of institutes of criminal procedures, and willingness of the concerned subjects, mostly whistleblowers, to cooperate with the Police Force.

A long-lasting problematic issue is a reduced interest of persons aware of corruption to cooperate which is a consequence of their negative experience with a subsequent development of criminal proceedings due to repetition of interrogations in various procedural positions, verbal and other attacks against their integrity by the accused and their attorneys in the course of performing the procedural acts not excluding providing information via massive means of communication.

Relevant and timely information is quintessential for everyday efforts in the area of prosecution of corruption offences. Regarding the above, the most powerful tools in order to enhance effectiveness of criminal proceedings are securing a reliable exchange of information and cooperation in terms of criminal proceedings. Enhancing the tools in question for fight against criminal offences requires set-up of efficient and secure means of communication so the transmitting the information is conducted in a targeted, timely, and safe manner.

Another important tool of enhancement of fight against serious corruption offences is to employ new information and communication technologies. Implementation of innovation tools within the NACA requires improving the conditions in terms of support of criminal proceedings.

In terms of preventing corruption crimes, it is necessary to establish new national as well as departmental anti-corruption programs for the next period on the basis of identification of corruption risks and detection of their causes to prevent the emergence of new conditions, opportunities and situations for corrupt behavior in the society.