

(English version)

**Question for written answer E-003924/25**  
**to the Commission**  
**Maria Noichl (S&D), Birgit Sippel (S&D), Marc Angel (S&D)**  
(7 October 2025)

*Subject:* Constitutional amendment approved by the Slovak Parliament

On 26 September 2025, the Slovak Parliament approved a constitutional amendment that represents a dangerous step backwards for fundamental rights in Europe. The amendment enshrines national sovereignty in regards to ‘cultural and ethical matters’, thus blatantly undermining the primacy of EU law. It makes legal gender recognition impossible, legally recognises only two genders, limits access to comprehensive sexuality education, and excludes same-sex couples and single people from adoption.

In light of Slovakia’s recent constitutional amendment asserting the primacy of national law over EU law and rulings from the European Court of Human Rights:

1. Does the Commission consider the amendment of the constitution to be compliant with Slovakia’s obligations under EU treaties, in particular Declaration No 17 of the Treaty on the Functioning of the European Union concerning primacy and the Union’s foundational values under Article 2 of the Treaty on European Union?
2. What legal or political instruments does the Commission intend to deploy, including infringement procedures, to ensure that the constitutional amendment does not lead to systemic violations of the EU Charter of Fundamental Rights and international human rights commitments?
3. How does the Commission aim to prevent further attacks on sexual and reproductive health and rights and the rights of LGBTIQ+ people from being instrumentalised to consolidate power by anti-EU actors?

Submitted: 7.10.2025

**Answer given by Ms Lahbib on behalf of the European Commission**  
(10 April 2026)

In the Country Chapter on Slovakia of the 2025 Rule of Law Report <sup>(1)</sup>, the Commission noted that the proposed amendments to the Slovak Constitution could, if adopted, raise concerns related to the principle of primacy of EU law.

These concerns were also repeatedly conveyed during intensive exchanges with the Slovak authorities and the Commission regrets that they were not taken into account in the amended Article 7 of the Slovak Constitution, as adopted on 26 September 2025 .

On 21 November 2025, the Commission launched an infringement procedure with a letter of formal notice for breaching fundamental principles of EU law, including primacy, autonomy, effectiveness and uniform application of EU law. The Commission is currently analysing Slovakia’s reply to the letter of formal notice.

On 5 March 2026 the Gender Equality Strategy 2026-2030 was adopted <sup>(2)</sup>. The strategy highlights that gender equality is indispensable for achieving the EU’s strategic goals, from upholding democracy and the rule of law to fostering social cohesion and bolstering security and competitiveness.

On 8 October 2025, the Commission renewed its commitment to lesbian, gay, bisexual, trans, non-binary, intersex and queer (LGBTIQ+) people equality through the new Strategy 2026-2030 <sup>(3)</sup>, aiming to protect LGBTIQ+ people from violence, empowering them to live free and equal in all areas of life, and engage all stakeholders.

The Commission remains committed to taking any necessary measures to ensure compliance with EU law, including the Charter of Fundamental Rights <sup>(4)</sup>, and upholding the rule of law in all Member States.

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<sup>(1)</sup> [https://commission.europa.eu/document/download/44d5d5ba-27d1-4797-b412-83ad2cc4cb57\\_en?filename=29\\_1\\_63964\\_coun\\_chap\\_slovakia\\_en.pdf](https://commission.europa.eu/document/download/44d5d5ba-27d1-4797-b412-83ad2cc4cb57_en?filename=29_1_63964_coun_chap_slovakia_en.pdf).

<sup>(2)</sup> [https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/gender-equality/gender-equality-strategy\\_en](https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/gender-equality/gender-equality-strategy_en).

<sup>(3)</sup> [https://commission.europa.eu/publications/lgbtiq-equality-strategy-2026-2030-0\\_en](https://commission.europa.eu/publications/lgbtiq-equality-strategy-2026-2030-0_en).

<sup>(4)</sup> [https://eur-lex.europa.eu/eli/treaty/char\\_2012/oj/eng](https://eur-lex.europa.eu/eli/treaty/char_2012/oj/eng).