

On the Slovak Constitution Amendment against the EU Law

The Council of the Alliance of Liberals and Democrats for Europe (ALDE) Party, convening in Brussels, Belgium on 24–25 October 2025:

Notes with concerns that:

- The constitutional amendment passed on 26 September 2025 by the National Council of the Slovak Republic, asserting that national law takes precedence over EU law in areas linked to “national identity and cultural-ethical questions”, blatantly undermines the primacy of EU law and Slovakia’s obligation under European Convention of Human Rights (ECHR).
- The amendment defines only two sexes (male or female “determined biologically”), which makes legal gender recognition impossible, excludes same-sex couples from adoption, including second parent adoption, bans surrogacy and limits access to comprehensive sexuality education - amounting to a serious regression in the protection of human rights.

Believes that:

- The ECHR supplemented by EU law is a cornerstone of the EU, and Member states should not challenge the primacy of Treaty on the Functioning of the European Union (TFEU) and the EU Charter of Fundamental Rights.
- The parties to the ECHR have a duty to uphold human rights, democracy and the rule of law. Undermining these obligations endangers not only minorities but also the broader European legal order.
- Slovakia as a party to the Convention shall stick to its obligation under the Convention.
- The rights of LGBTIQ+ people are integral to European values and must not be instrumentalised to consolidate political power or attack liberal democracy.

Calls for:

- The European Commission and the Council of Europe to deploy all possible mechanisms to secure the compliance of the Slovak Constitution with EU law and ECHR.
- The Slovak Government to respect and restore the full rights and dignity of LGBTIQ+ people or any other minority.
- ALDE Party Members to call upon their national governments and parliaments to defend the rule of law, human rights and European legal commitments, including by making use of Article 259 of TFEU where appropriate.