

Krzysztof ŻARNA

University of Rzeszow

ORCID: <https://orcid.org/0000-0002-6965-6982>

The Use of Secret Services for Political Purposes on the Example of the Slovak Information Service

Abstract: The article describes an analysis of cases where the Slovak Information Service was used for political purposes. The analysis covered mainly the years 1995–1998, when Ivan Lexa was the director. It was also the period of the so-called third government of Vladimír Mečiar, the coalition of the Movement for a Democratic Slovakia – Slovak National Party – Association of Slovak Workers. The article is based on the assumption that in the years 1995–1998 SIS was used for political purposes, and despite the fact that almost 30 years have passed since that time, those responsible have only faced political responsibility, and have not been held criminally responsible. The paperwork uses the literature on the subject, press articles and transcripts from the meetings of the National Council of the Slovak Republic. Decision analysis, case study and content analysis were studied in the work.

Key words: Ivan Lexa, Vladimír Mečiar, Slovak Information Service, meciarism, Slovak Republic

Introduction

From the very beginning of the existence of the Slovak Republic, institutions were established that were to ensure safety of the state. One of such institutions was the Slovak Information Service (Slovenská informačná služba, SIS). The aim of the article is to analyse cases of using SIS for political purposes. The analysis covered mainly the years 1995–1998, which was the period when Ivan Lexa was the director. It was also the period of the third government of Vladimír Mečiar, the coalition of the Movement for a Democratic Slovakia (Hnutie za demokratické Slovensko, HZDS) – the Slovak National Party (Slovenská národná strana, SNS) and the Association of Slovak Workers (Združenie robotníkov Slovenska, ZRS). The author tried to answer a number of research questions: What was the scale of using secret services in Slovakia for political purposes? Have those responsible for violations of the law been held accountable? What were the political consequences of those actions? The article is based on the assumption that in the years 1995–1998 SIS was used for political purposes, and despite the fact that almost 30 years have passed since that time, those responsible have only faced political responsibility, and have not been held criminally responsible. The paperwork uses the literature on the subject, press articles and transcripts from the meetings of the National Council of the Slovak Republic (Národnej rady Slovenskej republiky, NR SR). A number of research methods were used: decision analysis allowed to present the decision-making process of the SIS management and the Slovak authorities. The case study helped to present the use of SIS for political purposes on the one hand, and to describe specific cases on the other hand. Thanks to content analysis, press articles were analysed.

Meciarism

The concept of meciarism (*mečiaryzmus*) is associated with the person of V. Mečiar, who served as Prime Minister of Slovakia three times, in the periods from 27 April 1990–23 April 1991 (as part of the Czech and Slovak Federal Republic), 24 June 1992–14 March 1994, and 13 December 1994–30 October 1998. The question is – what was meciarism? Was it still a democracy or already an authoritarianism? Its essence was aptly characterized by the former Prime Minister of the Slovak Republic, Iveta Radičová, according to whom it was an appropriation of the state, its takeover by a specific oligarchic or lobby group, and partiocracy, i.e. control over basic democratic institutions by political power according to the “winner takes all” principle (Radičová, Lesná, 2013, p. 44). Timothy Garton Ash, an expert on the history of Central Europe, described this system of government as democratization, which was a form of power between democracy and authoritarianism (Garton Ash, 2000, pp. 408–414). Whereas, the Slovak political scientist Soňa Szomolányi classified this period as a “model tyranny of the majority” and electoral despotism that violates the rule of law (Szomolányi, 1999, p. 58). Wolfgang Merkel and Aurel Croissant classify the regime of V. Mečiar’s third government as an illiberal democracy with certain delegated elements. This applies to regimes in which freely elected governments violate basic human rights and civil liberties, have no respect for the rule of law or do not try to build them (Merkel, Croissant, 2004, p. 209). Other researchers talk about the “era of the delegated democracy regime” in which the dominant position on the political scene was occupied by nationalist-populist and demagogic parties. The division of the political scene at that time was not a division into the Left and the Right, as in the case of other Central and Eastern European countries, but individual groups differed in their attitude to basic principles of the rule of law (Kubín, 2002, p. 99; Zenderowski, 2007, p. 316; Bajda, 2010, p. 87).

Slovak Information Service

In the analysed period, there was an accumulation of power in the hands of the opposition and marginalization of the opposition. On 3–4 November 1994, there was an extraordinary session of the parliament, during which the majority gathered around V. Mečiar, voting for almost 23 hours without a break, removed the opposition’s influence on the state. All parliamentary committees, supervisory boards of television and radio, the Supreme Audit Office, the National Property Fund, the Office of the Prosecutor General, and the Control Committees of the Secret Services were staffed. This event has gone down in history as the “Night of the Long Knives”. In response, the European Union issued a *démarche* expressing hope for the continuation of democratic reforms in Slovakia (Žarna, 2015, p. 109). In the next period, there were actions against national and ethnic minorities, representatives of the media and, above all, President Michal Kováč.

The Slovak Information Service played a key role in this process. It was established by Act NR SR No. 46/1993 (Zákon, 1993). The Act protects the constitutional order of Slovakia, collects and analyses intelligence, and protects against foreign intelligence

services. Its first director was Vladimír Mitro, who held the position since 27 January 1993 (*Bývalí...*).

During the third government of V. Mečiar, M. Kováč became one of the targets of SIS attacks. An event that contributed to the escalation of attacks on the president was the amendment to the act on the Slovak secret services of April 1995. As a result, the head of state was deprived of the power to nominate the SIS director, and the power was given to the prime minister (*Zákon*, 1995).

In the period from 18 April 1995 to 29 October 1998, SIS was headed by I. Lexa, who was a key figure in the process of consolidating the power of Prime Minister V. Mečiar. He was one of the most influential figures in Slovakia in the 1990s of the 20th century. His father, Vladimír Lexa, was a minister during the communist era, and in 1969 he was deputy prime minister. After graduating from chemistry at the Warsaw University of Technology, I. Lexa worked at the Slovnaft petrochemical company. In January 1991, he became the director of the office of Prime Minister V. Mečiar for several months. He was the first head of the HZDS office. After this party won the parliamentary elections in 1992, he was promoted to the government plenipotentiary for the organization of the Slovak president's chancellery, and he was the head of the Office of the Council of Ministers at the same time. In 1993–1994 he was the deputy minister for privatization in the government of V. Mečiar (*Bývalí...*). M. Kováč tried to block his nomination for the head of the SIS. Therefore, if the SIS Act had not been amended, it would have been practically impossible to elect Ivan Lexa as the director of this institution.

At the time of his appointment as director, I. Lexa was a member of the parliamentary commission for secret services of the Special Control Authority (Osobitný Kontrolný organ, OKO), which consisted of members of the coalition only. That aroused controversy and the opposition deputies paid particular attention to it (Stenografická, 1995). At the beginning of May 1995, at a closed session of the NR SR, the representatives of this committee presented conclusions from their work to the gathered Members, which were to indicate the unlawful activities of the SIS under the leadership of V. Mitro, about which the president had had to be informed. There were even suggestions that he inspired them himself. Since the information was said to be classified, concrete evidence could not be presented to the assembled Members. The mere presentation of the report itself was enough for the NR SR to pass a resolution of no confidence in President M. Kováč at the request of SNS MP Viťazoslav Moric. However, the resolution had no causative power, as the constitution of the Slovak Republic provided for a different procedure for removing the president (Bajda, 2010, p. 93).

In an interview with the Slovak Radio, Prime Minister V. Mečiar compared the current practice of the SIS with the American Watergate scandal. The Embassy of the United States of America reacted to that comparison, reminding that when analysing that scandal, the Senate committee also included representatives of the opposition, which could not be said about the OKO committee. In an interview with government representatives, the British ambassador warned that such practices are at variance with the principles of democracy. Interestingly, the British ambassador's visit was kept secret. It was not until the end of September that the "Sme" daily published information about the meeting. After the publication, the Prosecutor's Office in Bratislava started

an investigation against the editor-in-chief of the daily for betrayal of confidential information (Bajda, 2010, p. 93).

An MP from the Christian Democratic Movement (Kresťanskodemokratické hnutie, KDH), Ladislav Pittner, expressed his fears that “the Slovak Beria” had appeared. Those fears were not unfounded. Under I. Lexa, former officers of the State Security (Štátna bezpečnosť, ŠtB) were admitted to the SIS, which was contrary to the current lustration law. Counterintelligence was headed by a former high-ranked ŠtB officer and KGB school graduate, and other former officers took over the management of two newly established units (Bútora, 1997, p. 317). One of the first steps was the creation of the Special Operations Department (Odbor špeciálnych operácií, OŠO). It was a special unit designed to conduct the so-called non-standard operations that went beyond the tasks to be performed by the SIS.

The kidnapping of the president’s son

Just a few months after I. Lex was nominated, he became involved in an event that was part of the fight between the prime minister and the president. It was the kidnapping of the president’s son. On 31 August 1995, an anonymous phone call informed the Austrian police in Hainburg on the Danube that there was a wanted man in an abandoned car. That man was Michal Kováč Jr., the son of the president of Slovakia. Behind the kidnapping were secret service officers who hoped that the Austrians would hand over the president’s son to German law enforcement agencies which were looking for him for withdrawing funds from several companies he co-owned. However, the Austrians did not extradite. The local court decided that it could not transfer the defendant to the Germans, because he found himself in Austria against his will as a result of the actions of another state’s institutions (*Mečiar...*, 2019).

An abduction investigation had begun. Those actions had the characteristics of the crime of abduction to a foreign country under Art. 233 of PC. Soon after the first investigator in this case, Major Jaroslav Šimunič, mentioned in the public information about the suspected involvement of equipment and persons associated with the SIS, he was deprived of the case. Another investigator, Major Petr Vačok, decided to open a criminal case based on earlier and other findings. Prosecutor Róbert Vlachovský stated that the case was clarified meaning that the perpetrator, SIS, had been found. On 25 September, Prime Minister V. Mečiar recalled Interior Minister Ludovít Hudek from a business trip in Brussels and Prosecutor General Michal Valo from his leave, meeting them at the government’s headquarters at night. The next day, prosecutor R. Vlachovský revoked the decision to initiate the proceedings. I. Lexa filed a complaint against the investigators, accusing them of abusing the powers of a public official. However, Major P. Vačok carried out a number of activities as a result of which Oskar Fegyveres confessed to the investigators that the SIS had participated in the abduction of the president’s son. Despite this, prosecutor R. Vlachovský revoked the investigator’s decision for the second time. On 16 October 1995, according to a well-known telephone conversation between I. Lexa and Minister L. Hudek, the SIS and the Ministry of the Interior Affairs cooperated on covering up traces and hindering the in-

vestigation, as well as on other serious criminal activities of the highest representatives of these state authorities. A day later, the files of the investigation into the abduction of the president's son to a foreign country were taken from Major P. Vačok, which the supervising prosecutor R. Vlachovský justified by the fact that the director of SIS filed a complaint against the investigator (Burčík, 2022).

The new investigator, Major Jozef Číž, adopted the version established by Prime Minister V. Mečiar in September 1995, and followed it consistently. The report of the Independent Civic Commission includes a letter from Branislav Chilo-Pták, which he sent to Minister Ľ. Hudek in which he wrote about the agreed faked kidnapping of M. Kováč jr. The report also included a handwritten letter from one of the individuals telling the Commission that he had been urged to give false testimony. In exchange for the testimony, I. Lexa offered a lucrative remuneration (Burčík, 2017).

On 29 April 1996 in Bratislava, a BMW car exploded, killing its driver Róbert Remiáš, a close friend of the former SIS officer, the aforementioned O. Fegyveres, the key witness to the kidnapping of the president's son. Fegyveres who was the first to reveal that the kidnapping of M. Kováč jr. was initiated by special services, contacted the opposition media through his friend, a former police officer and later entrepreneur R. Remiáš. A couple of days before the car explosion, he had complained to opposition media that he felt he had been followed by the SIS. A subsequent expert opinion ruled out the initial version that the accident was caused by the explosion of a gas cylinder. The explosion was caused by a remotely controlled charge. In the course of the investigation, there were indications that I. Lexa paid 2 million Slovak korunas to Miroslav Sykora, one of the bosses of the Bratislava underworld, to kill R. Remiáš (Grabíński, 2002, p. 12).

During this period, the participation of SIS officers and technicians in the surveillance and abduction of Michal Kováč jr. abroad was obvious and provable to the investigators. Despite the fact that the investigator asked the SIS director in writing to answer a question related to one of the threads involving the abduction of the president's son, in accordance with the provisions of Art. 8 of the Code of Criminal Procedure, he was given no answer. I. Lexa and other members of the SIS, who were called as suspects of the crime, invoked the fact that they were not exempt from secrecy and refused to testify. The conflict between the president and the prime minister intensified even more. On 22 May 1996, I. Lexa read a report in the parliament, in which he named the president, representatives of the opposition, mainly KDĽ, and journalists Ladislav Pittner, head of the Independent Civic Commission, Jan Langoš, Vladimír Palko, Miklós Duray, and journalist Peter Tóth as enemies of the state. The director of SIS also attacked Radio Free Europe, Radio TWIST, TV NOWA, the daily SME, as well as journalists from "Práca" and "Narodna Obroda". He also attacked the previous leadership of SIS, suggesting that it was a tool in the hands of M. Kováč. He stated that the qualifications of the SIS officers under the previous leadership were questionable. He emphasized the scope of changes that were being implemented, drawing attention to international cooperation and the fact of establishing relations with the services of 23 countries. He considered the greatest threat to be the radicalization of political life accompanied by disinformation campaigns, the destruction of citizens' trust in the state authority and its institutions, as well as disinformation of the international community. He accused the president of

polarizing the society and discrediting the SIS. I. Lexa questioned the officers' involvement in the abduction of the president's son (Stenografická, 1996). Analysing the SIS director's statements, one could get the impression that from the moment he took over the leadership, the services became professionalised, and the actions of the opposition, the president, journalists and former Security Service officers were aimed at attacking public institutions and discrediting the SIS.

That speech sparked a heated debate. Former Prime Minister Jozef Moravčík took the floor. In his opinion, the employment of former ŠtB officers was outrageous. He emphasized the fact of attacks on the head of state and making the investigation of the abduction of the president's son to Austria difficult. He mentioned the surveillance of many people who could explain the circumstances of the kidnapping: O. Fegyveres, journalist P. Tóth, policeman J. Šimunič, lawyer of the president's son and others. The editorial office of the "SME" daily was also monitored. Finally, he pointed out that the SIS control body was not fulfilling its role, because in a democratic state governed by the rule of law, Mr. Lexa would have already been dismissed. L. Pittner spoke in a similar tone, suggesting that the only reasonable solution would be for I. Lexa to resign from his position. Ján Čarnogursky stated that SIS did not deal with intelligence protection of the state, and had become a mafia organization for one political faction. He emphasized the fact that OKO consisted only of representatives of the coalition, and there was no chance for a discussion on possible changes. He considered acting against the president, including the abduction of his son and the fabrication of evidence against the head of state, as the most shameful of acts. Finally, he called for the dismissal of I. Lexa and the joining of the representatives of the opposition to the OKO. In turn, members of the coalition attacked L. Pittner, undermining the independence of the investigative commission headed by a KDH politician. On behalf of left-wing parties, Robert Fico demanded clarification of contentious issues related to the functioning of the SIS. Ivan Lexa's report was assessed negatively (Stenografická, 1996).

This speech could be understood in the context of the document entitled *SIS information of 26 May 1995*, which was an analysis of the steps that the secret services could have taken to lead to the resignation of the head of state. In the first scenario, investigating the activities of his family members and finding materials that could incriminate M. Kováč's relatives was suggested. The second scenario assumed building a constitutional majority to pass the motion to dismiss the president. The third assumed abandoning the attacks on the president, as this could become a symbol of democracy for the society around which they would unite (Bajda, 2010, p. 94).

The abduction scandal hurt V. Mečiar politically. On 25 October, the ambassadors of the European Union countries in Bratislava handed over a *démarché* to the Slovak government in which they stated that the recent actions of Prime Minister V. Mečiar against the president are not only at variance with the basic law of Slovakia, but also with the political practice in the European Union countries. Two days later, the US ambassador protested, stressing that the Americans were closely watching NATO candidates (Bajda, 2010, p. 94).

The aforementioned Special Operations Division was directly involved in the abduction of the president's son to Austria. However, since the abduction operation itself failed and the existence of the OŠO was revealed, the entire department had to be disbanded.

The 52nd SIS Department was created in its place. Its activities were still subordinated to the HZDS's interests. Members of the department monitored and intimidated people or organizations that were inconvenient for V. Mečiar's regime: opposition politicians, journalists, NGOs, church leaders, etc. Its members were responsible for physically assaulting former KDH MP František Mikloška or burning the car of SME journalist Petr Tóth.

The proceedings started after the kidnapping of M. Kováč jr. were discontinued in 1998. After President M. Kováč's term of office had ended, the Slovak parliament failed to elect his successor and part of the presidential powers were transferred to Prime Minister V. Mečiar. V. Mečiar wanted to ensure Ivan Lexa's immunity, and gave him his parliamentary seat. Vladimír Mečiar denied that state officials were involved in the kidnapping. On 3 March 1998, he announced a decision on an amnesty covering the crimes committed in connection with the announcement of M. Kováč jr.'s abduction, and managed to grant amnesty to I. Lexa and other former agents. On 7 July 1998, Prime Minister V. Mečiar corrected his amnesty. He ordered not to start criminal proceedings and, if such were started, they were to be discontinued on the grounds of suspicions of crimes that had allegedly been committed in connection with the reported abduction of M. Kováč jr. to a foreign country (Bieliková, 2017).

The case of Bishop Rudolf Baláž

The public opinion polls from mid-May 1995 showed that in the dispute between the president and the prime minister, people's sympathy is on the president's side. On 11 May, Slovak bishops spoke in defence of the president. They sent an open letter of the Conference of Slovak Bishops to the NR SR expressing concern about the attempts to fight the incumbent president that had weakened the foundations of the state. The initiator of the undertaking, the bishop of Banská Bystrica, Rudolf Baláž, who was the chairman of the Conference from 14 April 1994 (Bajda, 2010, p. 93), quickly became convinced that the fight against the prime minister meant trouble. Shortly after the visit of Pope John Paul II to Slovakia, the bishop became an object of provocation from the SIS. On 17 May 1995, an anonymous person informed the police that a bomb would explode in the bishop's seat in Banská Bystrica. Sappers found nothing. Two months later, on 17 July 1995, the police searched the bishop's apartment and the premises of the Bishop's Office, which outraged and shocked the Slovak public. State authorities had not conducted a similar search since the communist dictatorship in 1951, when they arrested Slovak bishops (Bajda, 2010, p. 93).

In the summer of 1995, there was a provocation related to the "Adoration of the Magi", which aimed at discrediting the bishop by accusing him of plans to sell the historic painting. Indeed, the Bishop's Office decided to sell the painting. When the SIS found out, they provided false buyers and then launched a discrediting campaign, claiming that the bishop's office was illegally selling the cultural monument. However, at that time the painting was not entered on the cultural monuments list, and its sale, even abroad, was legal according to the letter of the law. At that time, the bishop did not admit that he had made the decision to sell the triptych (not until 2004). The Office commissioned

making a copy of the painting before selling it. The alleged Swiss buyer Thomas Grabner (SIS officer), who proposed the purchase, offered a very high sum of 200,000 US dollars. The sale took place on 14 July 1995 under the supervision of the SIS and the police. High-ranking SIS officials, Jaroslav Svěchota and Gejza Valjent, were also present during the provoked sale of the triptych and two Baroque sculptures in Žiar nad Hronom. Then, without the presence of Bishop Rudolf Baláž, his office was searched. The police confiscated the triptych and two hundred thousand dollars that the buyer had paid for the painting, and conducted an investigation against the director of the Bishop's Office, Józef Hrtús. Then, the police detained the restorer and confiscated the triptych and 200,000 dollars in the Bishop's Office, and conducted an investigation against J. Hrtús. If the bishop admitted at that time that he had made the decision to sell the painting, he would also face prison (*Lexa...*, 2006).

The case was loud in the media, which was controlled by the ruling coalition. The purpose of the SIS's operation was to discredit Bishop R. Baláž, and accuse him of selling cultural souvenirs abroad. V. Mečiar was aware that where he had gained the greatest electoral support, the Church had enormous influence, especially in rural areas. He wanted to have good relations with the Catholic Church, but the SIS's intelligence game concerning the triptych and the attempt on the president of the Slovak Bishops' Conference made it extremely difficult for him. On the other hand, in the opinion of SIS officers, the attempts to discredit SIS in the case of the sale of the "Adoration of the Magi" triptych were unacceptable. They believed that it was not the SIS that tried to sell and export historical treasures of incalculable value quietly, without any contracts (*Stenografická*, 1996).

Attempts to account for the Slovak Information Service's actions

On 8 December 1998, after the parliamentary elections, the new Prime Minister and Acting President, Mikuláš Dzurinda, lifted the amnesties introduced by V. Mečiar. He made it possible to act in the cases of the abduction of M. Kováč jr. However, two months later, on 4 February 1999, the Constitutional Court ruled that the amnesty could not be revoked or changed, thereby negating Prime Minister M. Dzurinda's decision.

I. Lexa was placed in custody by the District Court for the first time on 15 April 1999, due to concerns about witness manipulations. He was released on 19 July of the same year, when, according to the court, there were no grounds for detention. After leaving the prison hospital in Trenčín, where he was transferred due to health problems, I. Lexa retired from public life (*Kapitán*, 2017).

On 27 November 2000, prosecutor Michal Serbin filed an indictment against I. Lexa to the Bratislava Regional Court, a member of the NR SR and former director of SIS, and twelve other persons. He charged them with the crime of abducting M. Kováč jr. into a foreign country (*Tôdová*, 2015). Four defendants sat in court because in 1995 and 1996 I. Lexa allegedly recruited twelve non-existent members of the secret service, the so-called dead souls, to whom the remaining defendants then paid salaries from the SIS budget (this was the so-called *Legalizanti* case). Former I. Lexa's first deputy, Jaroslav Svěchota, was also initially charged in the case. He tried to save the situation by writ-

ing a letter to Prime Minister M. Dzurinda, in which he offered his services to the new government, but that did not bring any effect. In June 2001, the Bratislava District Court acquitted I. Lexa and three other former SIS employees. Darina Vrzguľová, prosecutor of the Regional Prosecutor's Office in Bratislava, withdrew the indictment at the last hearing (*Ďalší...*, 2005).

Facing arrest after the end of V. Mečiar's rule and depriving him of parliamentary immunity by the parliament (he was a member of the HZDS), I. Lexa fled the country. He left Slovakia undetained, because the judge who released him from custody forgot to confiscate his passport. HZDS politicians had repeated many times that any actions taken against I. Lexa were politically motivated. Wanted by Interpol for two years, he was finally arrested on 14 July 2002 in South Africa at the Umhlanga Rocks resort in Kwa-Zulu-Natal, owned by a Slovak friend of his, and extradited to Slovakia. Only a month later, the Supreme Court ordered his release from custody, revoking the decision of the District Court in Bratislava to detain him. The reason was that the detention order and the decision to place him under arrest had been taken by a judge of a court that was not competent in that case. The judges also accused the judge's colleague, who ordered the arrest, of being biased (*The Secret...*, 2002).

The Bratislava I District Court confirmed the discontinuation of the proceedings due to the amnesty. In August 2002, the General Prosecutor's Office appealed to the Supreme Court against the discontinuance. In December, the Supreme Court dismissed the appeal, stating that the case fell under the 1998 amnesty of former Prime Minister V. Mečiar (*The Secret...*, 2002).

One of J. Svěchota's last initiatives was to file an application with the Constitutional Court for violation of his rights. The court issued an unprecedented decision, as a result of which I. Lexa, J. Svěchota and other persons prosecuted in the case of the abduction of the president's son were released. Of all the cases and crimes with which his name was connected, only the case of fraud was closed. J. Svěchota was sentenced for embezzlement of 11 million Slovak crowns in June 2004 to two years, suspended for five years. He appealed the conviction, but no further appeals were made (*Ivana L. a spol....*, 2005). In September 2004, the triptych trial was held in the Bratislava 3 District Court, in which the former SIS director, I. Lexa, and his former deputy, J. Svěchota, were accused. After nine years, the bishop of Banská Bystrica, Rudolf Baláž, admitted in court that he made the decision to sell the "Adoration of the Magi" triptych on his own. Until then, he claimed that he had not known about the sale and managed it (*Biskup...*, 2004). The former head of the SIS special unit, the aforementioned Gejza Valjent, testified as well. According to him, in 1995 the special services had information about attempts to illegally sell and export valuable historical works. In his opinion, based on the received operational information indicating a suspicion of trafficking in historically valuable works of art, he would make the same decision today (TASR, 2004). On 8 November 2004, J. Svěchota died in a hospital in Kramary (*Ivana L....*, 2005).

On 25 January 2005, the court found Ivan Lexa guilty of the crime of power abuse by a public official. I. Lexa did not hide his disappointment with this fact, explaining this sentence with political reasons, and announced an appeal to the higher court. The court also fined him with 500,000 Slovak crowns or 12 months in prison. Fifty witnesses were

heard by the court during that year (*Former...*, 2005) however on 26 April 2006, the District Court in Bratislava revoked the previous judgment of the District Court in full, and acquitted Ivan Lexa (Haratík, Lexa, 2006).

In the following years, especially KDH politicians made efforts to abolish the amnesty. On 25 April 2005, they once again submitted a draft constitutional act to abolish the amnesty, which ended in failure. However, KDH's proposal was not approved. Another attempt was made on 29 September 2006, when KDH MP Daniel Lipšic submitted a draft constitutional act, which again was not approved. Another attempt was made on 26 September 2008, and on 28 October 2008, it was decided that the amnesties remain in force (*Stenozáznam...*, 2008).

The amnesty issue was also raised by MPs of the NR SR of the 5th term. On 31 May 2011, members of parliament moved the draft constitutional law to abolish V. Mečiar's 1998 amnesty to second reading. On 22 June 2011, the government agreed to the parliamentary proposal to issue a constitutional law to repeal certain amnesty decisions. However, on 3 February 2012, MPs again failed to pass a constitutional act that would repeal V. Mečiar's amnesty (*Stenozáznam...*, 2012).

On 21 November 2016, President Andrej Kiska turned to the deputies of NR SR for a substantive discussion on the possibility of revoking the decision on V. Mečiar's amnesties. The repeal was proposed by the opposition led by Ján Budaj. On 5 April 2017 – MPs voted to repeal the amnesty. The following voted in favour of the proposal: Kierunek (SMER), SNS, Most (Most-Híd), Freedom and Solidarity (Sloboda a Solidarita, SaS), Ordinary People and Independent Personalities (OBYČAJNÍ ĽUDIA a nezávislé Osobsti, OĽaNO), We Are Family (Sme rodina). Kotleba The People's Party-Our Slovakia (Ľudová strana – Naše Slovensko, ĽSNS) did not take part in the vote (*Stenozáznam...*, 2017).

Despite the fact that the police closed the case due to the statute of limitations, on 27 October 2017, the General Prosecutor's Office decided to return to the investigation. The pardons were revoked and the Slovak authorities reopened the cases against I. Lexa and others for a number of offences, including abduction, robbery and extortion. However, the reopening of the proceedings was suspended due to the judge's doubts whether it was possible to issue an arrest warrant. I. Lexa himself claimed that he could not be prosecuted for the abduction because he had been pardoned and his arrest would mean dual criminality. Doubts were finally dispelled by the Court of Justice of the European Union (CJEU). On 16 December 2021, it ruled that the Slovak judiciary could issue a European Arrest Warrant for one of the persons accused of kidnapping the son of then-President M. Kováč in 1995, amnestied three years later. The CJEU decided that re-indictment of those covered by amnesty was possible because the courts had never found them criminally responsible. According to the CJEU, the principle of *ne bis in idem*, i.e. no one can be convicted twice for the same act, does not apply in this case, as the administration of justice was suspended by amnesty before the sentencing (Judgment of the Court, 2021). Therefore, the Supreme Court ruled that Slovakia may issue an arrest warrant for I. Lexa. President Zuzana Čaputová and Prime Minister Eduard Heger decided that the decision of the CJEU would allow to make a final clarification of the case that divided the Slovaks, and judge the blackest page in the country's history in their opinion (PAP, 2021).

Conclusion

In the years 1994–1998, the power in Slovakia was held by the HZDS-SNS-ZRS coalition, it was the so-called Mečiar's third row. That period was referred to as meciarism, during which the Slovak Information Service was used for political purposes. These activities intensified in 1995–1998, when the service was headed by Ivan Lexa. SIS was responsible for surveillance of journalists, politicians of the opposition and, above all, for attacks on the president of the Slovak Republic, Michal Kováč, an example of which was the abduction of the president's son.

The actions of the Slovak Information Service were one of the factors that contributed to the international isolation of the Slovak Republic, and for that reason Slovakia fell out of the first group of candidate countries for Euro-Atlantic structures.

Meciarism contributed to the opposition's consolidation and the removal of Vladimír Mečiar from power. In the autumn of 1998, elections to the National Council of the Slovak Republic were held, in which the HZDS won, but the lack of coalition opportunities resulted in a situation in which Vladimír Mečiar lost his power. Until then, the Prime Minister has effectively influenced the investigation into the activities of the SIS, leading to its discontinuation several times, and the announcement of amnesty at the time when he was the president.

For thirty years, SIS's criminal activities were not brought to justice, owing to obstruction of investigations, procedural errors and amnesty.

Author Contributions

Conceptualization (Konceptualizacja): Krzysztof Żarna

Data curation (Zestawienie danych): Krzysztof Żarna

Formal analysis (Analiza formalna): Krzysztof Żarna

Writing – original draft (Piśmiennictwo – oryginalny projekt): Krzysztof Żarna

Writing – review & editing (Piśmiennictwo – sprawdzenie i edytowanie): Krzysztof Żarna

Competing interests: The author have declared that no competing interests exist

(Sprzeczne interesy: Autor oświadczył, że nie istnieją żadne sprzeczne interesy)

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Wykorzystanie służb specjalnych do celów politycznych na przykładzie Słowackiej Służby Informacyjnej

Streszczenie

Artykuł opisuje analizę przypadków, w których Słowacka Służba Informacyjna była wykorzystywana do celów politycznych. Analiza objęła głównie lata 1995–1998, kiedy dyrektorem był Ivan Lexa. Był to również okres tzw. trzeciego rządu Vladimíra Mečiaru, koalicji Ruchu na rzecz Demokratycznej Słowacji – Słowackiej Partii Narodowej – Stowarzyszenia Słowackich Robotników. Artykuł opiera się na założeniu, że w latach 1995–1998 SIS był wykorzystywany do celów politycznych i pomimo upływu prawie 30 lat od tego czasu, osoby odpowiedzialne poniosły jedynie odpowiedzialność polityczną i nie zostały pociągnięte do odpowiedzialności karnej. W pracy wykorzystano literaturę przedmiotu, artykuły prasowe i stenogramy z posiedzeń Rady Narodowej Republiki Słowackiej. W pracy zastosowano analizę decyzji, studium przypadku i analizę treści.

Słowa kluczowe: Ivan Lexa, Vladimír Mečiar, Słowacka Służba Informacyjna, mecyaryzm, Republika Słowacka

