



SLOVAKIA'S 2025 ANTI-LGBTIQ+ CONSTITUTIONAL AMENDMENT

On 26 September 2025, the Slovak Parliament adopted a constitutional reform that entrenches existing violations of LGBTIQ+ persons' fundamental rights, making them far harder—if not impossible—to challenge in domestic courts. It gives lawmakers a constitutional mandate to further restrict the rights of LGBTIQ+ persons in areas such as parenthood, adoption, and education, signalling a new wave of anti-LGBTIQ+ legislation ahead.

Supported by both the government and conservative opposition, the amendment makes Slovakia the third EU country, after Hungary and Bulgaria, to adopt Russia's anti-LGBTIQ+ legislative playbook.

AMENDMENT	CONSEQUENCE	EU LAW VIOLATIONS
Supremacy of the Slovak Constitution over EU and international law	Effectively negates the primacy of EU law in matters related to family life, marriage, parenthood, personal status, health, and education by invoking a distorted notion of “national identity”. Creates legal uncertainty and enables arbitrary denial of rights of LGBTIQ+ persons by judicial and administrative authorities.	Articles 4(3), 6, and 19(1) TEU; CJEU case law on the primacy of EU law (e.g. 6/64 Costa v ENEL, 11/70 Internationale Handelsgesellschaft, 106/77 Simmenthal)
Recognition of only two ‘biologically determined’ sexes, as assigned at birth	Paves the way for the adoption of a complete ban on legal gender recognition for trans persons and puts <u>already fragile</u> trans-specific healthcare (TSHC) at risk.	Articles 1, 7, 8(2), 21 CFREU; Article 16 GDPR; CJEU case law (C-247/23 Deldits)
Exclusion of same-sex couples from legal recognition as parents	Denies same-sex couples legal parenthood and, as a consequence, the recognition of birth certificates issued abroad. Violates the best interests of the child.	Article 21(1) TFEU; Articles 21 and 24 CFREU; CJEU case law (C-490/20 Pancharevo)
Parental consent for relationships and sex education	Mandates parental consent for any teaching on sexuality and relationships; infringes children’s right to education and paves the way to a ban on CSE.	Articles 4, 14, 21, and 24 CFREU

Iniciatíva Inakosť, ‘Slovakia: The Anti-European Constitutional Amendment of 2025’ (May 2025)
Read more:



DID YOU KNOW?

A GOVERNMENT-LED CULTURAL WAR AGAINST “LGBT IDEOLOGY”

Culture Minister Martina Šimkovičová, a far-right and pro-Russian figure, has led a systematic purge of cultural institutions. She has dismissed artists, cultural leaders, and public officials accused of promoting so-called “LGBT ideology” and thereby “threatening the white race.”🔗🔗



THE STATE OF LGBTIQ+ RIGHTS

FUNDING FOR LGBTIQ+ INITIATIVES CANCELLED

In early 2024, the Ministries of Culture and Justice halted funding for LGBTIQ+ initiatives, including Pride events, education, and human rights grants. [🔗](#) [🔗](#)

RISING HOSTILITY TOWARDS LGBTIQ+ PEOPLE

In 2023, Slovakia became the only CEE country where support for the rights of LGBTIQ+ persons declined since 2020, with 63% opposing equal rights such as marriage. [🔗](#)

FORCED STERILISATION OF TRANSGENDER PERSONS

In late 2023, the Ministry of Health revoked the guidelines that had previously eliminated the sterilisation requirement for legal gender recognition. Some authorities now demand sterilisation as a prerequisite. [🔗](#) [🔗](#)

HIGH RATES OF HARASSMENT AT SCHOOL AND 'CONVERSION' PRACTICES

In 2024, 60% of LGBTIQ+ persons surveyed by the FRA reported having suffered school-based harassment; 37% of them experienced so-called "conversion" practices. [🔗](#) In addition, that year, Fico's government dismantled police and prosecutor units combating hate crimes against LGBTIQ+ people. [🔗](#)

PARALLEL WITH POLAND'S AND HUNGARY'S RULE OF LAW CRISES

This amendment directly echoes the unsuccessful attempts by Poland to claim supremacy of constitutional law over EU law in 2020. In response, the [European Commission reaffirmed](#) the primacy of EU law over national constitutions and launched infringement proceedings (Case C-204/21). The Court confirmed that Member States cannot rely on national law to undermine EU law, noted that the principle of primacy of EU law constitutes an expression of sincere cooperation, set out in Article 4(3) TEU, and ruled that Poland had violated that principle.

Slovakia, like Hungary, misuses "national identity" under Article 4(2) TEU to claim that EU law cannot oblige a state to end discrimination against LGBTIQ+ persons (see Case C-769/22). But CJEU case law is clear: Article 4(2) cannot be invoked to justify derogations from EU law (e.g. C-156/21, C-157/21). Even when exercising national competences, Member States must comply with European Union law; national identity cannot be used to restrict rights such as the free movement of rainbow families or the right of trans persons to data rectification.

THIS ALSO HAPPENED...

SLOVAKIA IS SLOWLY DISMANTLING DEMOCRATIC INSTITUTIONS

Since Fico returned to power this is also happening:

- Control over public broadcasting [🔗](#)
- Reforms wrecking judicial independence [🔗](#) [🔗](#)
- An NGO law modelled on Russia's "foreign agents" legislation [🔗](#)
- Pro-Moscow foreign policy, marked by repeated obstruction of EU measures supporting Ukraine [🔗](#)

ACT NOW!



EUROPEAN
COMMISSION

- Launch infringement proceedings against Slovakia for systematic non-implementation of CJEU case law, including the new constitutional amendments.



MEMBER
STATES

- Support the Commission's case or bring your own action under Article 259 TFEU.

